

ORDINANCE NO. 3863

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF FORT MYERS, FLORIDA BY ADOPTING A NEW SECTION 14-2 REMOVAL OF ANIMAL EXCREMENT; EXCEPTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS: Animal excrement is injurious to the public health, safety and welfare; and

WHEREAS: the City Council of the City of Fort Myers finds that this Ordinance promotes the public health, safety and welfare of the citizenry.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, that:

SECTION 1. Recitals. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance and adopted as legislative findings.

SECTION 2. Amending City Code Adopting a New Section 14-2.

Chapter 14 of the City of Fort Myers Code is hereby amended to add the following new provisions:

Section 14-2. Removal of animal excrement; exceptions

- (a) It shall be unlawful for any person in the City of Fort Myers owning or having custody or control of any animal to fail to remove immediately the animal excrement from any public or private place other than property owned or occupied by the person owning or having control of the animal.
- (b) The provisions of this section shall not apply to utility or assistance animals or to animals used by police officers for law enforcement or tracking purposes.
- (c) Violations of this section shall be punished as provided in Section 1-14 of the City of Fort Myers Code.

SECTION 3. Codification. This Ordinance shall be incorporated into the City

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of Fort Myers Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this Ordinance or the City Code may be freely made.

SECTION 4. Notices. Notices of public hearings were published in a newspaper of general circulation in accordance with the law.

SECTION 5. Severability. If for any reason any provision, paragraph, word, section or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, and sections shall not be affected and shall continue in full force and effect.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

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PASSED IN PUBLIC SESSION of the City Council of the City of Fort Myers, Florida, this _____ day of _____, A.D., 2019.

Teresa Watkins Brown

Johnny W. Streets, Jr.

Terolyn P. Watson

Kevin Anderson

Fred Burson

Gaile H. Anthony
Councilpersons

APPROVED this _____ day of _____, A.D., 2019 at _____ o'clock p.m.

Randall P. Henderson, Jr.
Mayor

FILED in the Office of the City Clerk this _____ day of _____, A.D., 2019.

Gwen Carlisle, MMC
City Clerk