

ORDINANCE 20-14

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, AMENDING SECTION 10-4. OF CHAPTER 10 OF THE DUNEDIN CODE OF ORDINANCES TO ADD PEAFOWL TO THE DESCRIPTION OF ANIMALS AND FOWL PROHIBITED BY ACTS TENDING TO CAUSE THE ASSEMBLY OR CONGREGATION OF CERTAIN ANIMALS OR FOWL ON ANY PUBLIC OR PRIVATE PROPERTY AND AMEND THE DESCRIPTION OF ANIMALS AND FOWL PERMITTED IN AN ENTIRELY ENCLOSED AREA TO PROHIBIT THE ESCAPE OF SUCH ANIMALS AND FOWL; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, on July 24, 2018 the Dunedin City Commission adopted Resolution 18-11 to establish an Ordinance Review Committee; and

WHEREAS, the Ordinance Review Committee held ten (10) meetings between October 1, 2018 and December 11, 2019 to review and discuss twenty-three (23) Chapters of the Code of Ordinances; and

WHEREAS, the recommendations regarding proposed amendments to the Dunedin Code of Ordinances were submitted to the City Commission with the ORC Report; and

WHEREAS, certain recommendations of the Ordinance Review Committee have been found meritorious by the City Commission; and

WHEREAS, the City Commission has received input from the public at two public hearings.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That Section 10-4. of Chapter 10 of the Code of Ordinances is amended to read as follows:

Sec. 10-4. – Prohibiting acts tending to cause assembly of certain animals and fowl.

- (a) It shall be unlawful within the city for any person to directly or indirectly perform any act which is reasonably certain to cause

the assembly or congregation of barnyard, domesticated fowl and animals, including, but not limited to, gallinaceous birds, peafowl, Muscovy ducks, pigeons (but not including dove or other game species), livestock as defined in section 10-41, and poultry on any public or private property within the city. The following acts causing assembly or congregation of animals and fowl shall be allowed as an exception hereto:

- (1) The feeding of domestic pets contained in the place of residence of the owner.
 - (2) Feeding activities in public parks or other public places unless signs prohibiting such activity are posted.
 - (3) The assembly of animals and fowl owned by a person for a public event, circus, fair or similar activity otherwise conforming to law.
 - (4) The assembly of animals and fowl in an entirely enclosed area constructed to prohibit the escape of such animals and fowl, and not otherwise constituting a nuisance, disturbance or annoyance to abutting property owners or the immediate neighborhood.
 - (5) Additional exceptions to the provisions of this section may be allowed by a special permit issued by the city manager upon a finding that a public purpose of property right shall be served thereby and upon a finding that such activity or assembly will not cause any disturbance or annoyance to the abutting property owners or the immediate neighborhood. Such permit may be allowed with such conditions as the city manager deems appropriate for the protection of the public health, safety and welfare, and may be limited as to the time duration, if appropriate.
- (b) If the assembly of the animals and fowl listed in this section not owned by an identifiable person is causing an annoyance or disturbance to the residents of a neighborhood or otherwise constitutes a danger to the health, safety or welfare of the public, the city manager may remove such animals and fowl as listed in this section from public or private property, except as is otherwise precluded by state or federal law or regulations, by such means as he deems necessary. The city manager and other employees or agents of the city may enter upon private property for such purpose without having received prior

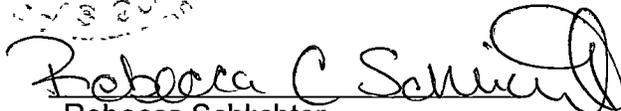
permission for such entry in order to carry out the purpose of this section.

Section 2. That this Ordinance shall become effective upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 2nd day of July, 2020.




Julie Ward Bujalski
Mayor


Rebecca Schlichter
City Clerk

READ FIRST TIME AND PASSED: June 18, 2020

READ SECOND TIME AND ADOPTED: July 02, 2020