

ORDINANCE NO. 3047-16

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE I OF CHAPTER 18 OF THE CITY CODE RELATING TO ANIMALS IN CITY PARKS; TO PROHIBIT THE FEEDING OF FERAL CATS IN MEAD BOTANICAL GARDEN, CORRECTING THE FLEET PEEPLES PARK NAME TO LAKE BALDWIN PARK, PROHIBITING THE ADANDONING OF PETS IN CITY PARKS, PROVIDING FOR FINES FOR VIOLATIONS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park ("City") finds that it is necessary to amend Article I of Chapter 18 of the City Code regarding animals in city parks and providing for code enforcement violations on Section 18-14 of the City Code; and

WHEREAS, the City Commission has held the required public hearing, duly notice in accordance with law; and

WHEREAS, the City Commission finds that this proposed Ordinance serves to further enhance the protection of the public health, safety and welfare.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. Adoption. Chapter 18 of the City of Winter Park Code is hereby amended to read as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions):

Sec. 18-14. - Prohibited in certain parks, playground areas and streets and sidewalks.

- (a) No person owning or having in his custody or control any animal shall permit the animal in the following parks or park areas:

Central Park: Animals are prohibited in all areas of Central Park. Dogs are prohibited on any street, right of way, or sidewalk adjacent to Central Park that is closed to vehicular traffic during any special event.

Mead Botanical Garden: Animals are prohibited in picnic areas, restrooms, amphitheater, garden club area, maintenance area, camellia garden or greenhouse area. Further, the feeding of feral cats is prohibited. Any person found feeding feral cats is subject to a violation resulting in a \$50.00 fine for the first offense, \$100.00 for the second offense, and mandatory court appearance for additional violations.

Ward Park: Animals are prohibited in playground areas, restrooms, ball fields, soccer/multipurpose fields, stadium.

Cady Way: Animals are prohibited in playground area, restrooms, picnic area, and on ball fields and courts.

Phelps Park: Animals are prohibited in playground area, restrooms, picnic area, tennis area, basketball area and athletic field.

Dinky Dock: Animals are prohibited in picnic area, restrooms, beach area, on docks, and in lake.

Lake Island Park: Animals are prohibited in picnic area, playground area, restrooms, ball fields, soccer fields, basketball courts, softball stadium, Civic Center grounds and in the lakes.

Howell Branch Park: Animals are prohibited in playground area, restrooms, picnic area, wetlands areas, and in stream.

Orwin Manor Park: Animals are prohibited in playground and picnic areas.

Farmers Market: Animals are prohibited in the building, food court, patio and stairway area. Dogs must be leashed and attended at all times.

Dogs must be leashed in all other areas of city parks. Leashes must not exceed 6' in length and must be held and in owners control at all times.

~~Fleet Peoples Park~~ Lake Baldwin Park: Dogs are permitted to run off-leash only during posted hours and within the designated fenced area of the park. Dogs must be leashed while in the parking lot of the park. Dogs are not allowed within the picnic areas, shelters or restrooms.

(b) It shall be the responsibility of each person who has custody of or controls a dog in an allowed area to immediately remove all waste and to possess the means with which to collect and dispose of that waste in a sanitary manner. Failure to properly remove and dispose of the dog waste may result in a citation, fine, immediate removal from the park and or banning from the property. Violation of this section shall result in a \$50.00 fine for first offense, \$100.00 for second violation, and mandatory court appearance for additional violations.

(c) Animals employed by any governmental agency and those aiding impaired persons are exempted from this section.

(d) Ponies/horses and petting zoos are prohibited in all parks.

(e) Definitions:

(1) *Picnic area*: Animals are not permitted within 50 feet of picnic pavilions, picnic tables* and/or barbeque grills*.

(2) *Playground area*: Animals are not permitted within 50 feet of any playground apparatus*.

*Excluding ~~Fleet Peoples Park~~ Lake Baldwin Park

(f) The abandoning of pets in any city park is prohibited. Any person found abandoning a pet is subject to a violation resulting in a \$50.00 fine for the first offense, \$100.00 for the second offense, and mandatory court appearance for additional violations.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part. In the event of any conflict between this Ordinance and any other ordinance or portions of ordinances, this Ordinance controls.

Section 4. Codification. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of Section 2 of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to correct scribes' errors, such as incorrect code cross references, grammatical, typographical and similar or like errors when codifying this Ordinance.

Section 5. Effective Date. This ordinance shall take effect immediately upon adoption at its second reading.

PASSED AND ADOPTED this 26th day of September, 2016.



Mayor Steven Leary

ATTEST:



City Clerk Cynthia S. Bonham