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**ORDINANCE NO. 2008-04**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, CREATING A NEW SECTION 3-38 ENTITLED "SUPERVISION AND CONFINEMENT; TETHERING"; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

11       **WHEREAS**, P.A.W.S of Westglades Middle School has informed the City Commission of the  
12 dangers faced by animals that are confined by tethering or by other means in private or public yards in  
13 the City of Parkland; and  
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15       **WHEREAS**, P.A.W.S of Westglades Middle School has informed the City Commission that  
16 animals that are improperly or extensively confined or tethered are more likely to cause injury or harm  
17 to people and other animals than are ones that are not improperly or extensively confined; and  
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19       **WHEREAS**, the City Commission of the City of Parkland recognizes that limiting and  
20 regulating the confinement of animals would benefit the citizens of Parkland and contribute to the good  
21 quality of life for all residents of Parkland;  
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23       **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY**  
24 **OF PARKLAND, AS FOLLOWS:**  
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26       **SECTION 1.** The foregoing Whereas clauses are hereby ratified and confirmed as being true  
27 and correct and are hereby made a part of this Ordinance.  
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29       **SECTION 2.** Section 10-13 entitled "Supervision and Confinement; Tethering" of the Code of  
30 Ordinances of the City of Parkland is hereby created and shall read as follows:  
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32       **Sec. 3-38. Supervision and Confinement; Tethering.**  
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34       **A.**     The following terms, as used in this section, are defined as set out below:  
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36               *Animal:* A multicellular organism of the kingdom Animalia, differing from plants in  
37 certain typical characteristics such as capacity for locomotion, nonphotosynthetic metabolism,  
38 pronounced response to stimuli, restricted growth, and fixed bodily structure.  
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40               *Tether:* The act of constraining an animal's movement by securing a leash (or other  
41 similar device) which is holding a dog to some object which is attached to the ground.  
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43       **B.**     Any person who owns or any person who is in charge of any dog, cat or animal kept as a  
44 pet is prohibited from confining or tethering that dog, cat or animal outdoors during periods of extreme  
45 weather or when a hurricane warning has been issued.  
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1           C.     Any person who owns or any person who is in charge of any dog, cat or animal kept as a  
2 pet who confines that animal outdoors on private property must provide the dog, cat or animal with:  
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- 4           (1) Sufficient and appropriate food and potable water; and  
5           (2) Adequate shelter from cold, heat, sun, and rain; and  
6           (3) Periodic supervision, which shall mean that each animal shall be attended to at  
7           least once during every twelve consecutive hours; and  
8           (4) Adequate space for exercise, which shall mean no less than 150 square feet  
9           per animal; and  
10          (5) A fenced yard, an electronic fence, or an enclosure, which has at least one  
11          translucent side, that is sufficient to prevent the animal from escaping; or  
12          (6) A tether under the following circumstances:

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14           a. Any person who owns or any person who is in charge or in control of  
15           any dog, cat, or animal that is under the age of six months shall not tie,  
16           chain, or otherwise tether a dog, cat or animal kept as a pet that is  
17           under the age of six months outdoors.

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19           b. Any person who owns or any person who is in charge or in control of  
20           any animal that is over the age of six months shall not tie, chain, or  
21           otherwise tether a dog, cat or animal kept as a pet outdoors between  
22           the hours of 10:00 a.m. and 5:00 p.m. except that an animal kept as a  
23           pet of any age may be temporarily tethered, tied, or chained outdoors  
24           for a total time period not exceeding fifteen minutes. At other times, it  
25           is permitted to tie, chain, or otherwise tether an animal kept as a pet  
26           that is over the age of six months outdoors if the pet is collared by a  
27           properly fitting, non-choke type collar or a body harness that is  
28           fastened to either:

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30           i. A tether that is at least three times the body length of the dog, cat, or  
31           animal measured from the dog, cat, or animal's nose to back of the  
32           hindquarters, and that is free from entanglement; or

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34           ii. An overhead run, which is a leash or chain attached to an overhead  
35           wire at least ten feet long, that allows the dog, cat, or animal to move  
36           unheeded, when total weight of the collar together with the chain,  
37           rope, or tether does not exceed 1/16 the body weight of the animal.  
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39           D.     Nothing in this ordinance shall be construed to prohibit an owner or keeper from  
40 controlling a dog, cat or animal kept as a pet by the handheld use of a rope, leash, or chain, when total  
41 weight of the collar together with the chain, rope, or tether does not exceed 1/16 of the body weight of  
42 the animal.

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44           **SECTION 3.** It is the intention of the City Commission and it is hereby ordained that the  
45 provisions of this ordinance shall become and be made a part of the Code of the City of Parkland, and  
46 that the sections of this ordinance may be renumbered to accomplish such intent.  
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48           **SECTION 4.** That all ordinances or parts of ordinances and all resolutions or parts of  
49 resolutions in conflict with this ordinance are repealed to the extent of such conflict.

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2        **SECTION 5.** Should any section or provision of this ordinance or any portion thereof, any  
3 paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision  
4 shall not affect the validity of the remainder hereof as a whole or part thereof other than the part  
5 declared to be invalid.

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7        **SECTION 6.** This ordinance shall be in full force and effect immediately upon its passage and  
8 adoption.

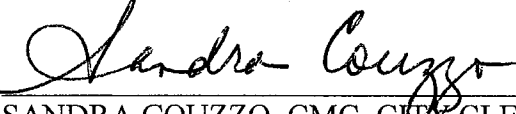
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12        **PASSED ON FIRST READING ON THIS 6th DAY OF FEBRUARY, 2008.**

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14        **PASSED AND ADOPTED ON SECOND READING THIS 5 DAY OF MARCH,  
15 **2008.****


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19        **CITY OF PARKLAND, FLORIDA**

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26        MICHAEL UDINE, MAYOR

25        ATTEST:

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28        \_\_\_\_\_  
29        SANDRA COUZZO, CMC, CITY CLERK

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31        APPROVED AS TO FORM AND LEGALITY:

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34        \_\_\_\_\_  
35        ANDREW S. MAURODIS, CITY ATTORNEY