

**ORDINANCE NO. 2012-003**

**AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING CHAPTER 5, CODE OF ORDINANCES, ENTITLED "ANIMALS," BY AMENDING SECTION 5-2 THEREOF, ENTITLED "DEFINITIONS," BY AMENDING SECTION 5-7 THEREOF, ENTITLED "PROHIBITION OF CRUELTY TO ANIMALS," BY CLARIFYING DEFINITIONS RELATED TO THE ACT OF TETHERING AND AMENDING REGULATIONS RELATED TO TETHERING; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on October 15, 2007, the City Commission adopted Ordinance No. 2007-030, which ordinance defined the act of tethering and established regulations related to tethering; and

**WHEREAS**, the Humane Society of Broward County recommends more specific restrictions relating to tethering animals; and

**WHEREAS**, the City Commission finds and determines that the regulations related to tethering are in need of amendment; and

**WHEREAS**, the City Commission deems it is in the best interest of the residents of the City of Coconut Creek to amend to Chapter 5 related to guidelines for acceptable tethering of animals for the protection of residents and animals;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing recitals and findings of fact are true and correct, and are hereby incorporated by reference.

**Section 2:** That Chapter 5, Code of Ordinances, entitled "Animals" is hereby amended by amending Section 5-2 thereof, entitled "Definitions," by amending Section 5-7 thereof, entitled "Prohibition of cruelty to animals" to read and provide as follows:

**Chapter 5 ANIMALS**

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**Section 5-2. Definitions.**

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~~Tether~~ The act of constraining an animal's movement by securing a leash (or other similar device) which is holding the animal to some object which is attached to the ground shall mean the restraining of an animal by the tying to any object or structure, including, without limitation, a house, tree, fence, post, garage, weight or shed, by any means, including, without limitation, a chain, rope, cord, leash or running line, but shall not include the use of a leash used to walk the animal or to forms of restraint used in the transportation of animal.

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**Section 5-7. Prohibition of cruelty to animals.**

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(5) A fenced yard, an electronic fence, or an enclosure, that is sufficient to prevent the animal from escaping; or

a. In lieu of the above enclosures requirement, a tether is permitted that meets the following requirements:

1. Animal is in visible and/or sound distance from owner.

2. Animal tethering shall not exceed a time period of 30 minutes between the hours of 7:00 a.m. and 11:00 p.m. Tethering is not permitted between 11:00 p.m. and 7:00 a.m.

3. Animal or if multiple animals are tied to a tether system that either swivels or running line or pulley system in a manner that prevents injury, strangulation, or entanglement.

4. The tether is not less than ten (10) feet long and not more than fifteen (15) feet long.

5. The tether does not weigh more than one eighth (1/8) of the dog's total body weight.

6. Animal is older than 6 months of age.

7. Animal has clean drinking water, shade, and dry ground.

8. The animal is not sick or injured.

~~(6)~~ A tether under the following circumstances:

- a. ~~Any person who owns or any person who is in charge or in control of any animal that is under the age of six (6) months shall not tie, chain, or otherwise tether the animal kept as a pet that is under the age of six (6) months outdoors.~~
- b. ~~Any person who owns or any person who is in charge or in control of any animal that is over the age of six (6) months shall not tie, chain, or otherwise tether the animal kept as a pet outdoors between the hours of 10:00 a.m. and 5:00 p.m. except that an animal as a pet of any age may be temporarily tethered, tied, or chained outdoors for a total time period not exceeding fifteen (15) minutes. At other times, it is permitted to tie, chain, or otherwise tether an animal kept as a pet that is over the age of six (6) months outdoors if the pet is collared by a properly fitting, non-choke type collar or a body harness that is fastened to either:~~
  - 1. ~~A tether that is at least three (3) times the body length of the animal measured from the animal's nose to back of the hindquarters, and that is free from entanglement; or~~
  - 2. ~~An overhead run, which is a leash or chain attached to an overhead wire at least ten (10) feet long, that allows the animal to move unheeded.~~

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**Section 3:** That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

**Section 4:** That the provisions of this Ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

**Section 5:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict, hereby repealed.

**Section 6:** That this Ordinance shall take effect immediately upon its passage and adoption.

PASSED FIRST READING THIS 24th DAY OF May, 2012.

PASSED SECOND READING THIS 14th DAY OF June, 2012.

  
Marilyn Gerber, Mayor

Attest:

  
Barbara S. Price, MMC  
City Clerk

	<u>1st</u>	<u>2nd</u>
Gerber	<del>Absent</del>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Aronson	<u>Aye</u>	<u>Aye</u>

SR/HS:nj

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