BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date April 21, 2004 **Division** **County Attorney**

AGENDA ITEM WORDING

Public hearing of an ordinance establishing a dog park at Higgs Beach County Park in Key West.

ITEM BACKGROUND

PREVIOUS RELEVANT BOCC ACTION

Approval to advertise for one public hearing at the March 17, 2004 meeting.

CONTRACT/AGREEMENT CHANGES

STAFF RECOMMENDATIONS

Approval.

TOTAL COST BUDGETED Yes No

COST TO COUNTY SOURCE OF FUNDS

APPROVED BY: County Attorney ■ OMB/Purchasing □ Risk Management □

DIVISION DIRECTOR APPROVAL: John R. Collins 03/25/04
JOHN R. COLLINS

DOCUMENTATION: Included □ To Follow □ Not Required □

AGENDA ITEM # T2

Commissioner Spehar

ORDINANCE NO. - 2004

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, ADDING SEC. 13.5-5 (p), MONROE COUNTY CODE, IN ORDER TO ESTABLISH A DOG PARK AT HIGGS BEACH COUNTY PARK OF KEY WEST; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board Of County Commissioners Of Monroe County, Florida, have received a request to establish a dog park at Higgs Beach, in the City of Key West, Monroe County, Florida; and

WHEREAS, Key West is well known as a dog friendly town; and

WHEREAS, it is not uncommon for dogs to go to work with their owners in Key West; and

WHEREAS, many Key West open air dining and drinking establishments welcome dogs with their owners and even provide water for their canine visitors; and

WHEREAS, restrained dogs are allowed in some of the local parks frequented by toddlers and the elderly who are susceptible to injury from unrestrained dogs; and

WHEREAS, a dog park would provide the following benefits: a specific safe place for dogs to play, preventing dog infringement and waste in other areas, owners monitoring pet waste clean-up, requirement of proof of vaccinations and licenses to enhance compliance with County Codes, and users of the park may deter crime in neighboring areas; now therefore

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Sec. 13.5-5, Monroe County Code is hereby amended by the addition of the following:

(p) A dog park may be established at Higgs Beach, Monroe County, Florida, located as set forth in attachment A, provided that said park shall meet the following minimum requirements:

- (i) There shall be a fence four to six feet high with a minimum access of a double entry gate and one maintenance gate.
- (ii) There shall be an area partitioned off for use by small dogs (under 25 pounds).
- (iii) There shall be a waste disposal station with plastic bags and a covered garbage can by each entry gate.
- (iv) Lighting and water utilities shall be provided.
- (v) There shall be signage with rules for park use. Such rules shall include, but not be limited to:
  - (A) Owners must clean up after pets and properly dispose of waste.
  - (B) Pets exhibiting aggressive behavior or creating a nuisance must be immediately removed from the park.

(C) Children under age 6 are not allowed. Children under 16 must be accompanied by an adult.
(D) All dogs must have current rabies vaccinations and County licenses and be wearing their tags while in the park.
(E) Dogs in heat, ill and having excessive fleas, ticks, or other internal or external parasites are not allowed.
(F) All dogs must be accompanied at all times by an adult human owner or handler.
(G) There shall be no more than three dogs per owner or handler per visit.
(H) Puppies under 4 months are not allowed.
(I) If a dog digs, the dog must be stopped immediately and the owner/handler must fill the hole.
(J) Park gates may not be left open at any time.
(K) No rollerblades, skateboards, or bicycles are allowed in the dog park.
(L) The hours shall be from 6 am to 11 pm daily.
(M) The County Commission may establish additional rules governing the dog park by further ordinance.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the _____ day of _____, 2004.

Mayor Murray Nelson	___
Mayor Pro Tem David Rice	___
Commissioner Charles McCoy	___
Commissioner George Neugent	___
Commissioner Dixie Spehar	___

(SEAL)
Attest: DANNY L.KOLHAGE, Clerk

By_____
Deputy Clerk

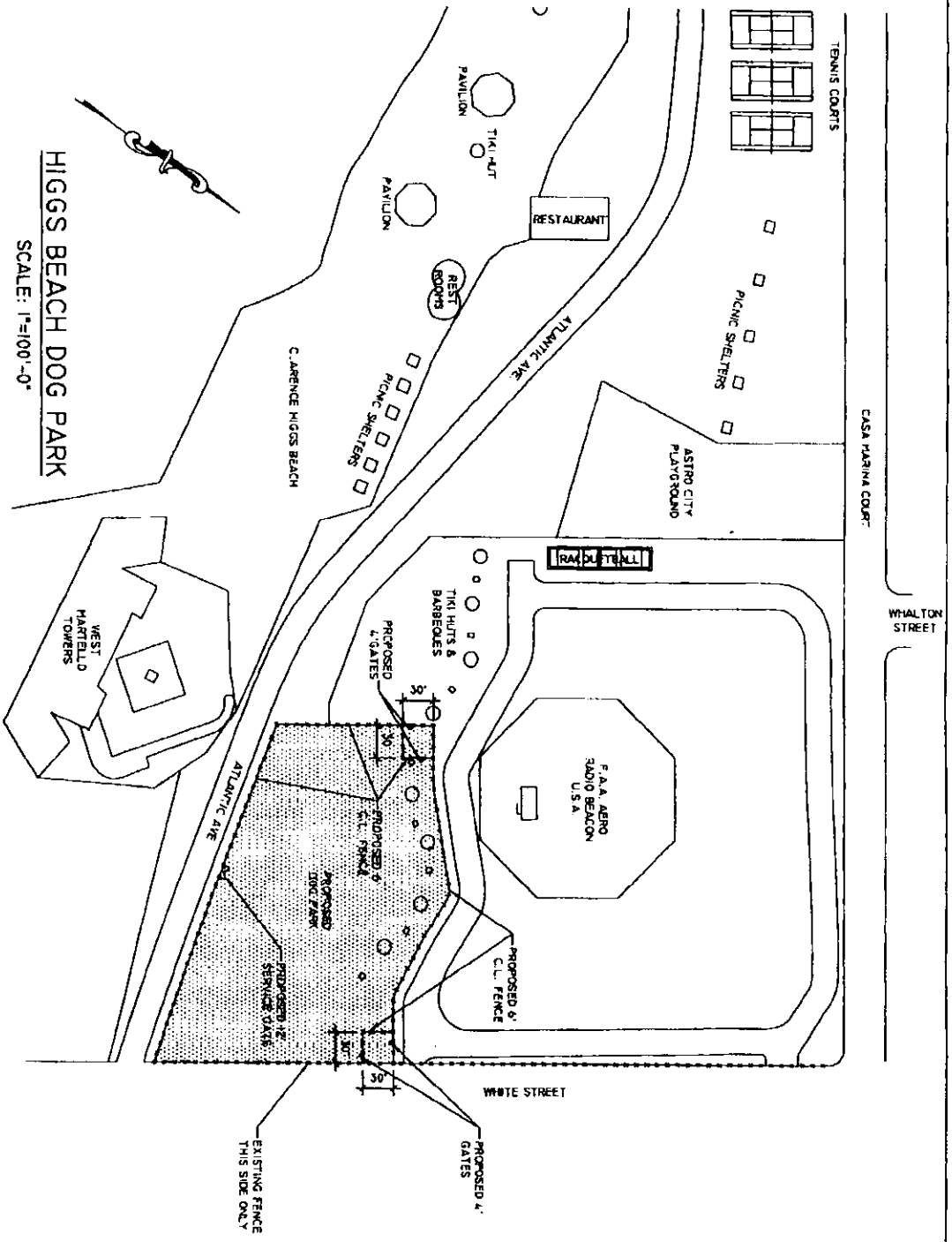
BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By_____
Mayor/Chairperson

jordParkHiggsDogs

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:
SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY
Date 2/27/04

EXHIBIT A



DATE	REVISION	MADE BY
DRAWN BY: RC	ACAD FILE NAME: DOGPARKSL.DWG	TITLE: HIGGS BEACH DOG PARK KEY WEST MONROE COUNTY, FLORIDA
CHECKED BY:	DATE: 02/28/04	
APPROVED BY: David E. Koppel, P.E.	SCALE: AS NOTED	SHEET TITLE: PROPOSED SITE PLAN
DRAWING NO: 0402.04040	SHEET 1 OF 1	

MONROE COUNTY PUBLIC WORKS
Engineering Department
1100 SIMONTON STREET
Key West Florida 33040
305-292-4426