

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2024-__

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE, CHAPTER 10 “ANIMALS”, SECTION 10-4 “REMOVAL OF ANIMAL FECES”, TO PROVIDE A CODE ENFORCEMENT MECHANISM FOR ILLEGAL DUMPING OF ANIMAL WASTE BAGS IN TRASH PITS PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Coral Gables is committed to maintaining the cleanliness and sanitation of its public and residential areas to safeguard the health, safety, and welfare of its residents and visitors; and

WHEREAS, improperly disposed animal fecal matter, particularly the illegal dumping of waste bags in trash pits located in the swale in front of homes, has led to unsightly conditions and potential health hazards for property owners, the community at large and public waterways; and

WHEREAS, the proliferation of animal waste bags being illegally discarded in these areas has created an unnecessary burden on residents and the City’s waste management services, compromising the cleanliness and aesthetic quality of neighborhoods; and

WHEREAS, proper disposal of animal fecal matter into trash receptacles, sanitary disposal units, or other closed or sealed containers is necessary to maintain sanitary conditions and prevent the unlawful dumping of waste in swales or other inappropriate areas and contamination of public waterways; and

WHEREAS, the City Commission desires to provide the Code Enforcement Department with the tools to combat this illegal dumping issue.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That the foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That Chapter 10 “Animals”, Section 10-4 “Removal of animal feces” is amended as attached in Exhibit A¹:

SECTION 3. That the City Manager is hereby directed to issue an implementation order instructing code enforcement personnel to consider any measures taken by a property owner to discourage

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

or reduce the illegal dumping of animal waste bags in their trash pits, including city approved signage, in determining whether to issue a citation for violation of this Ordinance.

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City Code and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. If the City Code Table of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 8. This Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2024.

APPROVED:

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY:

CRISTINA M. SUÁREZ

CITY ATTORNEY

Exhibit “A”

Sec. 10-4. - Removal of animal feces.

(a) Any person owning, possessing, harboring or having the care, charge, control or custody of any animal shall immediately remove and thereafter dispose of any fecal matter deposited by the animal on public or private property within the city (other than upon the property of the owner of the animal) unless the owner or person in lawful possession of the property has consented to such deposit. ~~For the purpose of compliance with this section, animal fecal matter shall be immediately removed by placing the matter in a closed or sealed container and thereafter disposing of it by depositing the matter in a trash receptacle, sanitary disposal unit, or other closed or sealed container.~~

(b) This section shall not apply to individuals with disabilities accompanied by a dog used for assistance in accordance with the law. In addition, a property owner shall not be fined if: (a) requests, installs and maintains a sign from the city informing the public not to dump pet waste in the property owner’s trash pit, and (b) the property owner has not dumped pet waste in the trash pit.

(c) For the purpose of compliance with this section, animal fecal matter shall be immediately removed by placing the matter in a closed or sealed container and thereafter disposing of it by depositing the matter in a trash receptacle, sanitary disposal unit, or other closed or sealed container. No bagged or unbagged animal fecal matter, pet waste, or used cat litter shall be placed in swales or trash pits.

(d) Unless otherwise exempted in paragraph (b) this section, the failure to properly remove and dispose of animal fecal matter, pet waste or used cat litter into trash receptacle, sanitary disposal unit, or other closed or sealed container shall be subject to the following penalties:

(1) First Offense: Upon a first violation of this section, the person shall receive a written warning.

(2) Second Offense: Upon a second violation of this section, a person shall be subject to a fine of \$100.

(3) Third and Subsequent Offenses: Upon a third or any subsequent violations of this section, the person shall be subject to a fine of \$500 for each offense.