

TOWN OF PALM BEACH

Information for Special Town Council Meeting on: November 12, 2019

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Discussion Regarding Modification of Town Code to Prohibit Dogs on Beaches Between Wells Road and Sunset Avenue

Date: October 24, 2019

STAFF RECOMMENDATION

Staff recommends Town Council review the following information and provide direction to staff, relative to modifying the Town Code to prohibit dogs on beaches between Wells Road and Sunset Avenue.

GENERAL INFORMATION

At the July 11, 2019, Special Town Council meeting, staff was directed to research the existing Town Code and present information at the November 12, 2019, Council meeting on how the Code could be modified to expand the “no dogs” rule up to Wells Road.

Regulations regarding dogs on beaches are addressed in sections 10-43 and 74-191 of the Town Code. Section 10-43 prohibits running at large anywhere within the Town, without owner consent, but provides for certain exceptions. Section 74-191 identifies the public beach areas where dogs and other animals are prohibited. Staff has marked up the appropriate areas of the code that could be modified to expand the “no dogs” rule to Wells Road. Please see below and provide direction.

Sec. 10-43. - Running at large prohibited.

No dog shall run at large within the town or upon the property other than that of its owner unless the dog is running on property other than that of its owner with the express or implied consent of the owner of the property. An exception shall apply to allow dogs to run unleashed on the public beaches of the town, unless otherwise prohibited under section 74-191, where said dogs are clearly under the command of their owner or handler and where the dog is not creating a nuisance to other animals or persons using the public beach. For purposes of this section, public beaches means that area abutting the Atlantic Ocean or Lake Worth consisting of predominately sand, whether below or above the high mean water mark.

Sec. 74-191. - Animals prohibited.

No person shall take any animal upon those certain public beaches within the town identified herein or in the surf adjacent to any such public beach within the town. Said beaches shall include the Phipps Park beach, the public beach from Royal Palm Way south to

Gulfstream Road, the Clarke Avenue beach from Barton to Seaspray, and the beach from Sunset Avenue to Wells Road.

TOWN ATTORNEY REVIEW

The Town Attorney will draft an ordinance to modify the pertinent sections of the Town Code if Council wishes to move forward with a change. Said ordinance will be presented for first reading at the December 10, 2019, Town Council meeting.

cc: Department Directors
Ben Alma, Support Services Manager