

## **ORDINANCE NO. 04-2020**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE TOWN CODE OF ORDINANCES, ANIMALS, ARTICLE II, DOGS AND CATS, AT SECTION 10-43, RUNNING AT LARGE PROHIBITED; FURTHER AMENDING CHAPTER 74 OF THE TOWN CODE OF ORDINANCES, PARKS AND RECREATION, ARTICLE II, BEACH AND AQUATIC ACTIVITIES, DIVISION 3, REGULATION OF USE OF PUBLIC BEACHES; AT SEC. 74-191, ANIMALS PROHIBITED, SO AS TO ADD AN EXCEPTION TO PERMIT LEASHED DOGS ON PUBLIC BEACHES BETWEEN SUNSET AVENUE AND WELLS ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Section 10-43 titled Running at large prohibited, is hereby amended to read as follows:

**“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. Leashed dogs are permitted on public beaches between Sunset and Wells Road only. 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.”

Section 2. Section 74-191 titled Animals prohibited, is hereby amended to read as follows:

**"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. An exception shall apply to allow leashed dogs on public beaches between Sunset and Wells Road only."

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this \_\_\_\_ day of \_\_\_\_\_, 2020, and for second and final reading on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Gail L. Coniglio, Mayor

\_\_\_\_\_  
Danielle H. Moore, Town Council President

\_\_\_\_\_  
Margret Zeidman, Town Council President Pro Tem

\_\_\_\_\_  
Julie Araskog, Town Council Member

ATTEST:

\_\_\_\_\_  
Lewis Crampton, Town Council Member

\_\_\_\_\_  
Patricia Gayle-Gordon, Acting Town Clerk

\_\_\_\_\_  
Bobbie Lindsay, Town Council Member