

PROPOSED
ORDINANCE NO. 05-21

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 4-2-7 AND SECTION 4-2-42 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING EXCEPTIONS AND ADDITIONS FOR LIVESTOCK AND HOUSEHOLD PETS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 4-2-7 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-2-7. - Livestock.

It shall be unlawful to keep any horse, mule, donkey, goat, sheep, hogs and cattle in any stable, shed, pen or enclosure within the city limits with the exception of pot-bellied pigs and miniature goats as set forth in Sec. 4-2-42.

SECTION 2. Section 4-2-42 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-2-42. - Keeping pot-bellied pigs and miniature goats as household pets.

- (a) The term "pigs" as used herein shall mean ~~P~~pot-bellied ~~P~~pigs and "goats" shall mean miniature goats.
- (b) The number of such pigs shall be limited to one per each residence. The number of such goats shall be limited to two per each residence.
- (c) The breeding of such pigs and goats is prohibited.
- (d) Male pigs four (4) weeks of age or older shall be neutered. Male miniature goats seven (7) months of age or older shall be neutered.
- (e) Such pigs and goats shall be controlled by a leash, tether, harness or adequate enclosure any time said animals are outside the residence of the owner or other person harboring, keeping or maintaining said pig or goat. Goats must be kept at a residence that has a securely fenced back yard with a fence at least four feet in

height. Outdoor shelter must be provided and consist of a roof and three walls with an adequate amount of food, water and clean, dry bedding. Goats shall not be tied or tethered unless attended by a person harboring, keeping or maintaining the goat and if the tether is used only as a leash for walking.

- (f) The owner shall display, upon request from ~~the an~~ an animal control ~~officer or any code enforcement or law~~ enforcement officer, a current certification from a veterinarian licensed in the State that all necessary and appropriate vaccinations have been administered and that ~~the~~ said pig or goat has been tested and demonstrated free of parasitic disease. Such certification shall be obtained on a yearly basis.
- (g) It shall be unlawful for any pig or goat owner or person in charge of a pig or goat, to fail to remove deposits of ~~pig~~ excreta made by a pig or goat in that person's charge when the deposit of the ~~pig's~~ excreta occurred in the presence of the ~~pig's~~ owner or person in charge of the pig or goat on any property not belonging to the owner or a person in charge of the pig or goat. If such depositing of excreta occurs, the owner or person in charge of the pig or goat shall immediately cause its removal for disposal.
- (h) It shall be unlawful for any pig or goat owner or person in charge of a pig or goat to allow the area in which the pig or goat is kept or allowed to roam to become the source of odors which are detectable on adjoining properties where such odors are the result of the pig or goat being kept or allowed to roam on the subject property.
- (i) All other animal control and nuisance laws applicable to animals within the City of Pensacola shall apply to pot-bellied pigs and goats.
- (j) A homeowners' association formed in accordance with State Statute may prohibit ownership of pot-bellied pigs and goats through a formal inclusion in the association's covenants.

SECTION 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk