

M E M O R A N D U M

Date: June 29, 2015

TO: David Bullock, Town Manager

FROM: Pete Cumming, Police Chief

SUBJECT: Ordinance 2015-14 Amending Chapter 91, Animals, and Chapter 33, Boards and Commissions, Section 33.18, Violations Procedure

At the January 20, 2015, Regular Workshop Meeting, the Town Commission expressed interest in discussing Town Code Chapter 91, which provides for pet licensing. Town staff presented background information, the Town's current practices, and information regarding State and County requirements for pet vaccinations, and licensing at the February 17, 2015, Regular Workshop Meeting for Commission consideration.

Subsequently, at the April 6, 2015, Regular Meeting, Town Attorney Maggie Mooney-Portale advised that some outdated language and inconsistencies regarding regulations and fines would also be addressed in the Ordinance.

Ordinance 2015-14 provides for amendments to Chapters 91 and 33 which will delete the Town's pet licensing requirements and update the remaining regulations and the violation/fine schedule. State and County regulations regarding vaccinations, licensing, impoundment facilities vicious and/or fighting animals, will prevail.

A summary of the Town Code modifications are presented below:

- Definitions are included
- Licensing and vaccination requirements are deferred to appropriate County
- Dogs and cats "at large" / leash and lead requirements are defined
- Impoundment of "at large" animals will be at appropriate County animal shelter
- Requirements for a public pound and dog and cat warden are removed
- Fees and fines provisions are removed
- Section addressing vicious dogs is modified to address vicious animals and modified to provide regulation by the appropriate County

First reading on Ordinance 2015-14 was held at the June 1, 2015, Regular Meeting and forwarded to the July 6, 2015, Regular Meeting for second reading, public hearing and discussion.

ORDINANCE 2015-14

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, AMENDING THE LONGBOAT KEY CODE OF ORDINANCES, CHAPTER 91, ANIMALS; ADDING SECTION 91.00 DEFINITIONS; AMENDING AND REPEALING PROVISIONS SET FORTH IN SECTION 91.03, CONFINEMENT IN UNATTENDED MOTOR VEHICLES; AMENDING AND REPEALING PROVISIONS SET FORTH IN SECTION 91.10, LICENSE AND TAGS; REPEALING SECTION 91.11 UNLICENSED DOGS AND CATS; AMENDING SECTION 91.12 VACCINATION REQUIRED; AMENDING SECTION 91.13, CONFINEMENT WHEN RABIES SUSPECTED; REPEALING SECTION 91.14 LEASH OR LEAD REQUIREMENTS; ADDING SECTION 91.14 DOGS AND CATS AT LARGE; AMENDING AND REPEALING PROVISION SET FORTH IN SECTION 91.15, IMPOUNDMENT; REPEALING SECTION 91.16 POUND; REPEALING SECTION 91.17 DOG AND CAT WARDEN; REPEALING SECTION 91.21 DISPOSITION OF FEES, FINES; REPEALING SECTION 91.30 DEFINITION OF TERMS; REPEALING SECTION 91.31 CONFINEMENT; ADDING SECTION 91.31, REGULATION OF VICIOUS ANIMALS; REPEALING SECTION 91.32, LEASH AND MUZZLE; AMENDING SECTION 91.33 SIGNS; AMENDING SECTION 91.99 PENALTY; AMENDING THE LONGBOAT KEY CODE OF ORDINANCES, CHAPTER 33, BOARDS AND COMMISSIONS; REPEALING THOSE PORTIONS OF SECTION 33.18 RELATING TO THE SCHEDULE OF VIOLATIONS AND FINES FOR LICENSE AND TAGS, CONFINEMENT WHEN RABIES SUSPECTED, LEASH OR LEAD REQUIREMENTS, AND BARKING, HOWLING OR BITING; ADDING PORTIONS OF SECTION 33.18 RELATING TO THE SCHEDULE OF VIOLATIONS AND FINES FOR DOGS AND CATS AT LARGE, AND UNSANITARY OR DANGEROUS ANIMALS; REPEALING THAT PORTION OF SECTION 33.18 RELATING TO THE SCHEDULE OF VIOLATIONS AND FINES RELATING TO VICIOUS DOGS; ADDING A PORTION OF SECTION 33.18 RELATING TO THE SCHEDULE OF VIOLATIONS AND RELATING TO VICIOUS ANIMALS; REPEALING THOSE PORTIONS OF SECTION 33.18 RELATING TO THE SCHEDULE OF VIOLATIONS AND FINES FOR CONFINEMENT, AND LEASH AND MUZZLE; ADDING A PORTION OF SECTION 33.18 RELATING TO THE SCHEDULE OF VIOLATIONS AND FINES FOR REGULATION OF VICIOUS ANIMALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key ("Town") has been requested to reconsider whether the Town needs to continue regulating within the Town Code the licensing and vaccinations of dogs and cats within the Town's municipal boundaries; and

WHEREAS, the Town was presented with information that both Sarasota and Manatee Counties currently have pervasive regulatory codes that govern the licensing of

dogs and cats within their respective counties, including those portions of the counties that fall within the Town's municipal boundaries; and

WHEREAS, the Town was also presented with information that the State of Florida in conjunction with Sarasota and Manatee Counties currently has a comprehensive method for regulating the vaccinations of dogs and cats within the respective counties, including those portions of the counties that fall within the Town's municipal boundaries; and

WHEREAS, the Town also considered the widespread compliance of the Town's residents with the counties' and state's regulations over dog and cat licenses and vaccinations; and

WHEREAS, the Town considered the amount of Town staff time and costs associated with administering the Town's regulation of dog and cat licenses within the Town Code; and

WHEREAS, the Town also considered the other updates that were needed to the regulation of animals within the Town's municipal boundaries; and

WHEREAS, after careful consideration of the issues, the Town Commission has determined that it no longer needs to regulate the subject matter of dog and cat licenses and vaccinations within the Town Code and finds that the repeal and amendment to such provisions of the Code, in addition to other amendments regarding the regulation of animals under Chapters 91 and 33 have become necessary as set forth below, and are in the best interest of the health, safety, and welfare of the citizens of Longboat Key.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The above Whereas clauses are hereby ratified and confirmed as true and correct.

SECTION 2. Chapter 91, Animals, is hereby amended and renumbered as follows:

General Regulations

91.00 - Definitions.

91.01 - Quarantine.

91.02 - Animals within town limits.

91.03 - Confinement in unattended motor vehicles.

91.04 - Injuring or destroying peafowl.

Dogs and Cats

91.10 - License and tags.

~~91.11 - Unlicensed dogs and cats.~~

91.12 - Vaccination required.

91.13 - Confinement when rabies suspected.

~~91.1413- Leash or lead requirements Dogs and cats at large.~~
~~91.1514- Impoundment.~~
~~91.16- Pound.~~
~~91.17- Dog and cat warden.~~
91.1815 - Unsanitary or dangerous animals.
~~91.1916 - Cruel and inhumane treatment.~~
~~91.2017 - Prohibited on beaches.~~
~~91.21- Disposition of fees, fines.~~
91.2218 - Dog excreta.

Vicious Dogs Animals

~~91.30- Definition of terms.~~
~~91.31- Confinement~~
91.31 - Regulation of vicious animals.
~~91.32- Leash and muzzle.~~
91.33 - Signs.
91.34 - Dog Fighting

91.99 - Penalty.

SECTION 3. Chapter 91, General Regulations, subsections 91.00 and 91.03 are hereby incorporated and amended as follows:

91.00 - Definitions.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"Animal." All species of mammals, except humans, and all species of birds.

"Animal shelter." Any facility maintained within Sarasota or Manatee Counties for the confinement and maintenance of dogs and other animals that come into its custody in the performance of its official duties, for the relief of suffering of dogs and other animals, or for the confinement, maintenance, safekeeping, and control of dogs and other animals that come into its custody.

"At large." At large shall mean any dog or cat on the owner's premises, not in the control of the owner or custodian; or any dog or cat off the premises of the owner or custodian and not under the physical control of the owner or custodian.

"Law enforcement officer." The town police officer or any other officer having jurisdiction within the town.

"Motor vehicle." Any vehicle defined as a motor vehicle by F.S. ch. 316.

"Vicious Animal." Any Animal which meets any of the following criteria:

- (1) Any Animal which aggressively bites, attacks, endangers or has inflicted severe injury on a human being on public or private property;
- (2) Any Animal which has more than once severely injured or killed a dog or cat;
- (3) Any Animal which has been used primarily or in part for the purpose of fighting or is trained for fighting;

- (4) Any Animal which, without adequate provocation, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate county authority;
- (5) Any Dog defined and certified as a Dangerous Dog under F.S. ch. 767; or
- (6) Is otherwise determined to be a vicious animal by the appropriate county authority.

91.03 - Confinement in unattended motor vehicles.

~~(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning:~~

~~"Animal." All species of mammals, excepts humans, and all species of birds.~~

~~"Animal shelter." Any facility maintained within Sarasota or Manatee Counties for the confinement and maintenance of dogs and other animals that come into its custody in the performance of its official duties, for the relief of suffering of dogs and other animals, or for the confinement, maintenance, safekeeping, and control of dogs and other animals that come into its custody.~~

~~"Law enforcement officer." The police officer or any other officer having jurisdiction within the town.~~

~~"Motor vehicle." Any vehicle defined as a motor vehicle by F.S. ch. 316.~~

- ~~(B)~~ A) It is hereby declared to be the purpose and intent of this section to protect animals from placement or confinement in unattended motor vehicles without adequate ventilation or under other conditions or for a period of time that may reasonably be expected to cause suffering, disability or death.
- ~~(C)~~ B) All of the incorporated areas of the town shall be embraced by the provisions of this section.
- ~~(D)~~ C) No person owning or otherwise having charge or custody of an animal shall place or confine the animal or allow the animal to be placed or confined or to remain in an unattended motor vehicle without sufficient ventilation or under other conditions or for a period of time that may endanger the health or well-being of the animal due to heat, lack of water, or other circumstances that may reasonably be expected to cause suffering, disability or death.
- ~~(E)~~ D) No person owning or otherwise having dominion or control over a motor vehicle shall place or confine an animal or allow an animal to be placed or confined or to remain in an unattended motor vehicle without sufficient ventilation or under other conditions or for a period of time that may endanger the health or well-being of the animal due to heat, lack of water, or other circumstances that may reasonably be expected to cause suffering, disability or death.
- ~~(F)~~ E) Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, sheep, poultry, or other agricultural livestock in trailers or other vehicles designed and constructed for these purposes.
- ~~(G)~~ F) Any law enforcement officer who finds an animal in a motor vehicle that in the judgment of the law enforcement officer is in violation of this section may

use any lawful means to remove the animal. The law enforcement officer removing the animal shall take the animal, or have the animal delivered, to an animal shelter. The law enforcement officer shall, in the event the owner or custodian of the animal cannot be otherwise contacted, leave in a prominent place in the motor vehicle a written notice bearing his name and department, and the address where the animal may be claimed by the owner thereof. In addition, the law enforcement officer shall notify the animal control officer of the county of the fact that the animal was taken and the name of the animal shelter to which the animal was delivered.

- ~~(1) The animal will be surrendered to the owner if the owner claims the animal within ten days from the time the animal was removed from the motor vehicle and pays all reasonable charges that have accrued for the maintenance of the animal.~~
- ~~(2) The animal shelter having custody of the animal will make reasonable effort to contact the owner and give notice that the animal is in their custody and may be reclaimed by the owner upon payment of reasonable maintenance charges. If the owner does not reclaim the animal within the specified time, the shelter having custody of the animal may dispose of the animal in any reasonably humane manner.~~

Cross reference— Penalty, § 91.99

SECTION 4. Chapter 91, Dogs and Cats, subsections 91.10 through 91.22 are hereby amended and renumbered as follows:

91.10 - License and tags.

- ~~(A) It shall be unlawful for any resident to keep a dog or cat within the town without first having obtained obtaining and maintaining a license to keep the dog or cat from the appropriate authority in the resident's county of residence. It shall be the duty of the finance director to issue these licenses. "Resident," as used in this section, is a person residing in the town for a period of 90 days or more.~~
- ~~(B) It shall be the duty of the finance director, on or before October 1 of each year, to provide himself with a suitable number of metallic dog and cat tags or checks with the word "Longboat" and the year ensuing, ending September 30, thereon, which shall be furnished by him to all applicants therefore upon payment of \$3.00.~~
- ~~(C) Every dog or cat over the age of six months, whether kennel licensed or individually licensed, and if individually licensed, whether on or off the owner's premises, shall at all times wear a substantial durable collar to which shall be attached securely the license tag provided for in subsection (B) above.~~
- ~~(D) No tag shall be used on the collar of any dog or cat other than the one for which it is issued.~~
- ~~(E) No person shall remove the collar or tag, or both, from any dog or cat without the consent of the person to whom the license is issued.~~

Cross reference— Penalty, § 91.99; licenses generally, Ch. 111

~~91.11 - Unlicensed dogs and cats.~~

~~The dog and cat warden shall have the authority to seize any unlicensed dog or cat either on or off the owner's premises without the necessity of any arrest warrant or court order and to impound the dog or cat in the dog and cat pound. He shall give a~~

~~receipt to the owner of any dog or cat so seized and impounded, describing each dog or cat clearly and stating the date of the seizure. The unlicensed dog or cat shall be released to the owner at the dog and cat pound upon payment of the regular license fee, plus a penalty of \$5.00 for each day within five calendar days after the date of seizure. In the absence of payment, the unlicensed dog or cat may be put to death humanely in the dog and cat pound or otherwise disposed of on the sixth calendar day after the date of seizure.~~

91.1211 - Vaccination required.

~~Prior to the issuance of any dog or cat license by the finance director, any Any resident owning or keeping a dog or cat within the town shall have the dog or cat vaccinated against rabies in accordance with the requirements of the resident's appropriate county of residence. ~~by a licensed veterinarian or other properly qualified person approved by the town manager. Evidence of the vaccination shall consist of a certificate signed by the person administering the vaccine and containing pertinent data for the identification of the dog or cat so vaccinated and the time of the vaccination. A copy of the certificate shall be filed by the finance director at the time of issuance of the license.~~~~

91.1312 - Confinement when rabies suspected.

~~Upon the appearance of any suspicious symptoms of rabies, in any dog or, cat, or other animal, the must be promptly retained, confined, and guarded until any possibility of the presence of rabies is removed. The health officer animal services officer of the town and the county involved shall be promptly notified of the existence of the suspicion of rabies in any dog, cat, or other animal by the owner or the person in charge of the animal. Further proceedings in accordance with the requirements of the county involved shall be followed.~~

91.1413 - Leash or lead requirements. Dogs and cats at large.

~~No dog whether licensed or unlicensed, muzzled or unmuzzled, inoculated or not inoculated against rabies, shall be allowed on the streets of the town or in public places, such as railroad depots, hotels, restaurants, theaters, public conveyances, and the like, or on property other than that of its owner, unless on a suitable dependable lead or leash not longer than eight feet, or unless on property other than that of its owner with the express or implied consent of the owner of the property.~~

- (A) No dog or cat shall be "at large," as defined by this ordinance, upon any public property, street, or sidewalk, or on private property of another, without the consent of the property owner.
- (B) No person shall tie, chain, or tether any dog or cat in such a manner that it is or could be injurious to its health, or that it has access to public property or the property of another without the consent of that property owner. Any tether must comply with the requirements of the involved county.
- (C) The owner or custodian of a dog or cat must have direct control of such animal at all times.
- (D) This section shall not apply to police dogs, as defined in Section 843.19, Florida Statutes, when such dog is engaged by a law enforcement agency in an official capacity.

Cross reference— Penalty, § 91.99

91.4514 - Impoundment.

- (A) Any dog or cat running at large, without any reasonable indicators of control by its owner or another responsible person, shall be seized promptly by any town police officer or authorized county animal services officer or by the dog or cat warden and impounded in a county animal shelter where the animal was seized the dog and cat pound. The owner of any licensed dog or cat, or if the dog or cat is unlicensed, the owner of the seized dog or cat, if known, or if, upon reasonable diligent inquiry, may be known, shall be notified of such seizure promptly by mail and also, if possible, by phone or other means ~~not later than on the day the dog or cat is seized, that the dog or cat has been seized and is impounded in the dog and cat pound awaiting redemption.~~
- (B) ~~No dog or cat shall be redeemed by, or released to, anyone save the owner or his duly authorized agent, and then only upon payment of the regular license fee, if unlicensed, plus the sum of \$5.00 per day for care, custody, and feeding of the dog or cat, plus \$1.00 for neglect to pay a license fee, and if licensed, the sum of \$5.00 per day only for care, custody, and feeding. If the impounded dog or cat is not redeemed and released to the owner or agent, and the required fees and costs paid at the time of the release on or before the fifth calendar day after the day of seizure, the dog or cat may be put to death humanely in the dog and cat pound on the sixth calendar day after the day of seizure; however, a dog or cat impounded on account of being rabid or having been bitten by a rabid dog, cat, or other animal shall be held for a period of 15 days after seizure, unless death occurs before the expiration of the 15 days. Bodies of all dogs and cats killed shall be disposed of by the dog and cat warden on the same day as killed, and in as sanitary and proper a way as meets with the demands of public health and welfare.~~

91.16 - Pound.

~~The town shall either maintain a public pound or make provisions to use the county pound or Humane Society Pound in Sarasota or Manatee Counties. The chief of police is given the authority to make use of any of the above for any of the provisions under this chapter, and it shall be under the general supervision of the chief of police.~~

91.17 - Dog and cat warden.

- (A) ~~The chief of police shall either designate a police officer as dog and cat warden or appoint a dog and cat warden and fix his compensation, subject to the approval of the town commission. It shall be the duty of the dog and cat warden to properly conduct the dog and cat pound and to enforce the provisions of this chapter.~~
- (B) ~~The dog and cat warden shall keep a careful record of all dogs and cats received by him, describing each dog and cat carefully and describing fully and clearly the disposition of the dog or cat. He shall deliver to the chief of police, on each Monday, a duplicate copy of all records of receipts and disposals covering the preceding calendar week.~~
- (C) ~~It shall be unlawful for any person to refuse to deliver his dog or cat to the dog and cat warden when properly requested to do so under the provisions of this chapter.~~

Cross reference — Penalty, § 91.99

~~91.48~~15 - Unsanitary or dangerous animals.

No person shall keep, harbor, raise or maintain any animal in or on any premises within the town in any manner which is harmful to the public health or which causes an unsanitary condition; is dangerous or threatening, or creates an odor which is offensive, all of which as viewed by a reasonable person of normal sensibilities.

~~91.49~~16 - Cruel and inhumane treatment.

It shall be unlawful for any person to be cruel or inhumane to a dog or cat, the cruelty and inhumanity consisting of cruelly beating, torturing, or mutilating, or cruelly killing, failing to provide food, drink, and shelter, or abandoning old, sick, or disabled dogs or cats.

~~91.20~~17 - Prohibited on beaches.

It shall be unlawful for any person owning any dog or cat or having any dog or cat in his care, custody, or control, to permit or allow the dog or cat to be on any beaches within the town.

~~91.21 - Disposition of fees, fines.~~

~~All money collected as pound fees and the like, as prescribed in this chapter, shall be expended for efficient management of the pound and for the enforcement of this chapter, and for other dog and cat purposes. Any surplus after September 30 of each year shall be transferred to the general fund of the town treasury. All money collected as license fees shall be turned over to the finance director every Monday morning.~~

~~91.22~~18 - Dog excreta.

It is unlawful for any dog owner or person in charge of a dog to fail to remove deposits of dog excreta occurring in the presence of the dog owner or person in charge of the dog on any public property, including but not limited to, municipal parks and public rights-of-way; or on private property not belonging to the owner or person in charge of the dog without the consent of the owner of the property. If such depositing of excreta occurs, the owner or person in charge of the dog shall immediately cause its removal for disposal at the premises of the owner or person in charge of the dog or in a proper waste receptacle.

SECTION 5. Chapter 91, Vicious Dogs Animals, subsections 91.30 through 91.34 are hereby amended and renumbered as follows:

Vicious Dogs Animals

~~91.30 - Definition of terms.~~

~~As used in §§ 91.30 through 91.34:~~

~~(A) "Owner." Any person, firm, corporation, organization or department possessing or harboring or having the care or custody of a dog.~~

~~(B) "Vicious dog."~~

~~(1) Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or~~

- ~~(2) Any dog which because of its size, physical nature, or vicious propensity is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life or property if it were not kept in the manner required by this article; or~~
- ~~(3) Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.~~
- ~~(C) A vicious dog is "unconfined" if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot. All such pens or structures must be adequately lighted and kept in a clean and sanitary condition.~~

~~91.31 - Confinement~~

~~The owner of a vicious dog shall not suffer or permit the dog to go unconfined.~~

~~Cross reference - Penalty, § 91-99~~

91.31 - Regulation of vicious animals.

The owner of a vicious animal shall care and maintain for said vicious animal in strict compliance with the requirements set forth by the appropriate county.

~~Cross reference - Penalty, § 91-99~~

~~91.32 - Leash and muzzle.~~

~~The owner of a vicious dog shall not suffer or permit the dog to go beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or leash, and under the physical restraint of a person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.~~

~~Cross reference - Penalty, § 91-99~~

~~91.33 - Signs.~~

~~The owner of a vicious animal dog shall display in a prominent place on his or her premises a clearly visible warning sign indicating that there is a vicious animal dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal.~~

~~Cross reference - Penalty, § 91-99~~

SECTION 6. Chapter 91, Penalty, subsection 91.99(C) is hereby amended as follows:

~~91.99 - Penalty.~~

- ~~(C) Whoever violates any provision of sections 91.30 91.31 through 91.34 shall be subject to fines, penalties and enforcement as provided for by the appropriate county with jurisdiction over the matter. guilty of a gross misdemeanor and may be punished by a fine of not more than \$500.00, or imprisonment of not more than 60 days in jail, or by both fine and imprisonment.~~

SECTION 7. Chapter 33, Board and Commissions, Supplemental Code Enforcement, subsection 33.18, Violations procedure, Schedule of Violations and Fines, General Regulations, is hereby amended as follows:

33.18 - Violations, procedure.

Schedule of Violations

CATEGORY		FINE
CATEGORY	I	\$ 40.00
CATEGORY	II	70.00
CATEGORY	III	90.00
CATEGORY	IV	120.00
CATEGORY	V	400.00
GENERAL REGULATIONS		
Animals:		
(I)	91.02	Animals Within Town Limits
(II)	91.03	Confinement in Unattended Motor Vehicles
(II)	91.04	Injuring or Destroying Peafowl
(I)	91.10	License and Tags
(II)	91.13	Confinement When Rabies Suspected
(I)	91.1413	Leash or Lead Requirements Dogs and cats at large
(I)	91.1815	Barking, Howling or Biting Unsanitary or dangerous animals
(V)	91.1916	Cruel and Inhumane Treatment
(I)	91.2017	Prohibited on Beaches
(I)	91.2218	Dog Excreta
Vicious Dogs Animals:		
(II)	91.31	Confinement Regulation of vicious animals
(II)	91.32	Leash and Muzzle
(I)	91.33	Signs
(V)	91.34	Dog Fighting

SECTION 8. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of this Ordinance shall not be affected.

SECTION 9. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 10. This Ordinance shall take effect upon adoption by the Town Commission.

Passed on the first reading the 1st day of June, 2015.

Adopted on the second reading and public hearing the ___ day of _____ 2015.

ATTEST:

Jack G. Duncan, Mayor

Trish Granger, Town Clerk



End of Agenda Item