

## ORDINANCE 2012-08

(Amendment to allow exception to leash regulations for dog parks – Chapter 6 and 18)

### **AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES, CHAPTERS 6 AND 18 TO ALLOW DOGS TO BE OFF-LEASH IN A DESIGNATED DOG PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS** the City Commission voted unanimously at its meeting on December 6, 2011 to authorize development of a dog park at the 9<sup>th</sup> Street Park; and

**WHEREAS** the Lake Wales Code of Ordinances requires dogs to be leashed at all times in public parks and other public spaces; and

**WHEREAS** dog parks are designed and intended to provide dog owners a place to allow their dogs to be off-leash;

**NOW THEREFORE BE IT ENACTED** by the City Commission of the City of Lake Wales, Polk County, Florida:

**SECTION 1.**            **Exception to leash requirement in public places**  
*Sec. 6-3.* is hereby amended to read as follows:

**Sec. 6-3. - Control of dogs in public places required; exceptions; penalties.**

A person owning or having control of a dog in a public place shall restrain the dog by a substantial chain or leash, except as follows:

- (a) Dogs used by law enforcement officers in the course and scope of their duties. A code or law enforcement officer is authorized to issue a citation to a person when, based upon personal investigation, the officer has reasonable cause to believe that the person has committed a civil infraction in violation of this section. The person shall pay within thirty (30) days from the date a citation was issued a civil penalty of fifty dollars (\$50.00) to the police department in full satisfaction of the violation. If the person chooses to contest the citation, he or she must contact the clerk of the county court within the thirty (30) days and request a court hearing.
- (b) Dogs in a dog park or other public space specifically designated by the city for dogs to be off-leash, provided the handler of the dog(s) adheres to all rules instituted by the city for such park or space.

**SECTION 2.**            **Exception to leash requirement in parks and recreation facilities**  
*Sec. 18-84.* is hereby amended to read as follows:

**Sec. 18-84. Domestic animals in parks and recreation facilities.**

- (a) Pets are permitted in parks if adequately restrained. Dogs must be kept at all times on leashes no longer than eight (8) feet, except that dogs may be off-leash in dog parks or other public space specifically designated by the city for dogs to be unleashed, provided the handler of the dog(s) adheres to all rules instituted by the city for such park or space. All animal excrement must be properly cleaned up and properly disposed of by the owner or keeper of the animal.
- (b) No person shall bring into any park any animal that constitutes a safety hazard or detriment to the enjoyment of the area by the public.
- (c) No person having in charge any dog shall permit, allow or suffer such dog to enter upon or remain within any playground or park area reserved for children or to enter any sandbox or play apparatus area.
- (d) Horseback riding is not permitted in city parks and recreation facilities.
- (e) Domestic animals, except for service animals, are not permitted inside city facilities except in accordance with paragraph (f).
- (f) Upon issuance of a special permit by the city manager, animals may be admitted into city facilities for the purpose of city-sponsored or co-sponsored animal shows, exhibits, fairs, obedience training programs and the like. The city manager may deny such a permit if, in his sole discretion, the requested admission is inappropriate for the particular facility.

**SECTION 3.**            If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

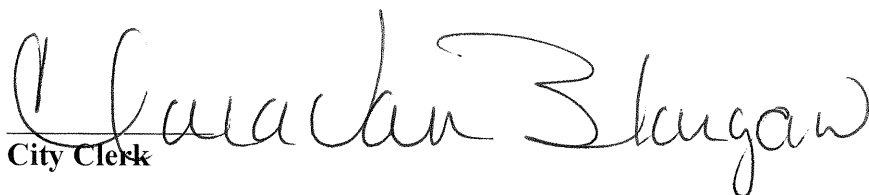
**SECTION 4.**            This ordinance shall become effective upon passage by the City Commission.

**CERTIFIED AS TO PASSAGE** this 15<sup>th</sup> day of May 2012.



**Mayor/Commissioner**

**Attest:**

  
**City Clerk**