

**CITY OF MARCO ISLAND
ORDINANCE 2006-17**

**AN ORDINANCE OF THE CITY OF MARCO ISLAND,
FLORIDA AMENDING CHAPTER 34, ARTICLE I
(PARKS AND RECREATION RULES), SECTION 3(k)
“DOGS AND OTHER PETS”; PROVIDING FOR
CONFLICT AND SEVERABILITY; PROVIDING FOR
INCORPORATION IN THE CODE OF ORDINANCES;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Marco Island has been granted broad home rule powers under Article VIII, §2(b) of the Florida State Constitution and Section 166.021, Florida Statutes; and

WHEREAS, the City of Marco Island owns and administers parks and other recreational facilities; and

WHEREAS, the City Council recognizes the need to establish rules for the general public's use of the parks and recreational facilities owned by the City of Marco Island; and

WHEREAS, the City Council adopted Ordinance 04-19, which ordinance established rules regulating City parks. Said Ordinance is currently codified in the City of Marco Island Code of Ordinances under Chapter 34, Article I; and

WHEREAS, pursuant to the Charter for the City of Marco Island and Florida law, the City Council has the power to adopt and amend ordinances as may be required for the good government of the City; and

WHEREAS, it has been determined that the adoption of the ordinance amending Ordinance 04-19 is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

SECTION 1. Chapter 34, Section 3 (k) is hereby amended to read as follows (with underlining indicating new text additions and strikethrough indicating deletions):

3(k) Dogs and Other Pets.

~~Dogs, snakes, lizards, rodents and raptors kept as pets, and any exotic pets are prohibited from all parks unless they are part of a presentation sponsored by the city or permitted through the facility use policy.~~

- (1) The City Council may by resolution establish policies and rules relating to dogs and other pets within City parks.

- (2) Dog owners shall be allowed to walk their dogs only within those City parks as determined by City Council by resolution.
- (3) Snakes, lizards, rodents, raptors and other exotic pets are prohibited from all parks unless they are part of a presentation sponsored by the City or permitted through the Facility Use Policy.

SECTION 2. Incorporation, Conflict and Severability.

(a) It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.

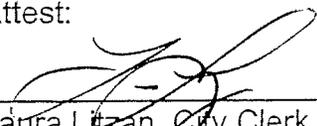
(b) All sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

(c) If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the validity thereof shall not affect the validity of any remaining portions of this Ordinance.

SECTION 3. Effective Date. This ordinance shall take effect immediately upon approval by the Marco Island City Council on second reading and public hearing.

Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 6th day of November, 2006.

Attest:



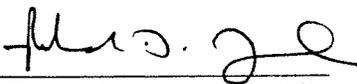
Laura Lizan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY: 

Terri DiSciullo, Chairwoman

Approved as to form and legal sufficiency:



Richard D. Yovanovich
City Attorney.