

ORDINANCE NO. 447

AN ORDINANCE ADOPTING THE CITY OF MEXICO BEACH AS A BIRD SANCTUARY RELATIVE TO THE PROTECTION OF NUMEROUS SPECIES AND PROMOTING BIRDWATCHING AS A PASSIVE RECREATIONAL ACTIVITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING PENALTIES FOR VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council has determined that it is in the best interest of the City that this Ordinance be enacted, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF MEXICO BEACH, FLORIDA:

SECTION 1. The following Codes are hereby adopted as an essential part of the City of Mexico Beach Code of Ordinances:

City designated as Bird Sanctuary.

The area embraced by the corporate limits of the City shall be designed as a Bird Sanctuary.

(a) Killing and molesting birds prohibited.

It shall be unlawful to hunt, kill, maim or trap, hunt with slingshot, gun or attempt to in any manner shoot or otherwise molest birds or any wild fowl, to rob or otherwise molest the nests or birds nesting while located within the City.

(b) Birds constituting nuisance; abatement.

If starlings or other similar birds are found roosting, nesting, or inhabiting any locality within the City in such numbers as to constitute a nuisance or health menace to persons or property, it shall be the duty of the City Council to notify representatives of the Audubon Society, Garden Club, Birdwatchers Club or Humane Society. If representatives from any of these organizations are available, advising them that such conditions do exist and requesting that immediate action to eliminate it be taken by them. If the condition has not be eliminated by representatives of the above named organizations within reasonable time, then the City shall take whatever action it deems necessary to eliminate such condition or health menace.

(c) Doves, pigeons.

(1) It all shall be unlawful of any person to keep or harbor on any premises in the City any doves or pigeons, other than homing or carrier pigeons, unless the same

shall be confined in cages or coops or in such other manner as will prevent them from flying or straying beyond the premises on which they are kept.

(2) Law Enforcement Officers and other persons who may be authorized by the City Administrator shall be authorized to capture or to kill any doves or pigeons that may be found beyond the premises where they are kept, in violation hereof, and to damage and annoyance of the owners or occupants of other premises.

All authorized City Officials as determined by the City Administrator shall enforce these adopted Codes. These Codes are also enforced by all City Law Enforcement Officers.

SECTION 2. All ordinances or parts of Ordinances thereof in conflict with the provisions of these Ordinances are hereby repealed.

SECTION 3. Violation: Any persons violating this Ordinance are subject to the maximum penalties as prescribed by law.

SECTION 4. This Ordinance shall be effective immediately upon passage.

INTRODUCED at a regular meeting of the City Council on the 12th day of August, 2003, and ADOPTED by the City Council on the 9th day of September 2003.

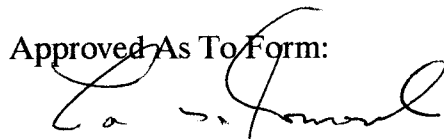
CITY OF MEXICO BEACH, FLORIDA


Kathy Kingsland, Mayor

ATTEST:


Henry Flack, City Clerk

Approved As To Form:


Paul Komarek, City Attorney