City of St. Petersburg
PUBLIC SERVICES & INFRASTRUCTURE COMMITTEE
Meeting of JULY 17, 2014 – 9:15 A.M.
City Hall, Room 100

Members and Alternates: Committee Chair William “Bill” Dudley, Vice Chair Steve Kornell, Councilmembers Wengay Newton, Darden Rice, and James Kennedy (alternate)

Support Staff: Brian Campbell, primary staff support; Blaise Mazzola, backup staff support

A. Call to Order
B. Approval of Agenda
C. New Business
   1. Urban Farming Ordinance - Derek Kilborn
   2. Small Animals Ordinance - Mark Winn
D. New Business - Referrals from Council
   1. Discussion regarding all major special events on City property to have certain requirements for recycling. (Vice-Chair Kornell)
   2. Discussion regarding renaming Childs Park Recreation Center to the Childs Park Recreation & Fitness Center. (Councilmember Newton)
   3. Discussion regarding creating an ordinance that strengthens the LDRs to limit business encroachment into neighborhoods. (Councilmember Rice)
   4. Discussion to request Administration to provide an easily searchable update on the City's website that informs the public of upcoming and pending fireworks events locations and times. (Councilmember Rice)
E. Upcoming Meetings - Skateboard Ordinance
F. Pending and Continuing Referral List -
   1. Referral List
G. Adjournment
MEMORANDUM

TO: Chair and Members of the Public Services &
Infrastructure Committee

FROM: Mark A. Winn, Chief Assistant City Attorney

DATE: June 13, 2014

RE: Small Animals Ordinance

Attached please find an amendment to the City Code regulating livestock and fowl
which I believe is consistent with your discussions at the Public Services &
Infrastructure Committee meeting several months ago. The ordinance updates the
regulation of fowl, goats, horses, cattle and Vietnamese pot-bellied pigs and creates
new sections for the regulation of miniature sheep and miniature goats.

The City had regulations for certain types of animals that would normally be considered
farm animals. I have modified those provisions to be consistent with the new regulations
which you asked me to draft which created an exception for miniature goats and
miniature sheep as household pets. These animals were previously prohibited under
the City Code and their non-miniature counterparts continue to be prohibited.

This ordinance is ready for discussion at an upcoming PS&I meeting. You can make
changes to the ordinance, if you wish to, at that time.

If you have any questions, please feel free to contact me.

Mark A. Winn

Attachment
AN ORDINANCE AMENDING SECTIONS 4-31 THROUGH 4-33 OF THE ST. PETERSBURG CITY CODE WHICH PROVIDE FOR THE REGULATION OF FOWL, GOATS, HORSES, CATTLE AND VIETNAMESE POT BELLED PIGS; CREATING NEW SECTIONS 4-34 AND 4-35 TO PROVIDE FOR THE REGULATION OF MINIATURE SHEEP AND MINIATURE GOATS; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

SECTION 1. Section 4-31 thru 4-33 of the St. Petersburg City Code are hereby amended to read as follows:

Sec. 4-31. Keeping fowl in the City.

(a) Scope of section. The provisions For the purposes of this section, the term fowl shall mean shall apply to the following types of fowl when located on private property: chickens, turkeys, ducks, geese and guinea fowl.

(b) Running at large. Fowl, subject to this section, running at large within the City are hereby declared to be nuisances. No fowl shall be allowed to run at large or upon the property of a person not the owner without the permission of the property owner or occupant.

(c) Manner of keeping.

a. No person shall be allowed to keep any fowl, subject to this section, within the City unless the fowl are in a securely fenced area and confined to the premises of the owner, and coops and runways are kept clean and free from offensive odors.

b. A coop shall be provided to house the fowl when outside. Coops shall have a maximum height of six feet and shall not exceed 130 square feet. No coop shall be allowed in the front yard setback of any property or beyond the front facade of the principal structure. A coop shall comply with the side and rear yard setback requirements.

c. There shall be at least four square feet within the coop for each fowl.

d. All coops and fenced areas where fowl are kept shall be kept clean and free from any offensive odors.

e. There shall be at least 10 square feet of open area (outside of buildings and the coop) for each fowl.

f. Not more than ten fowl are allowed on each property, regardless of the size of the property.
(d) **Prohibited locations.** It shall be unlawful for any person to keep or maintain any coop fowl, subject to this section, in any residential zoning district within 500 feet of any residence except the residence of the owner, without the written consent of the owner or occupant of such residence.

(e) **Noisy fowl.** Crowing roosters or other noisy fowl which violate the noise ordinance (currently Sec. 11-53(7)) are hereby declared to be nuisances. The owner or possessor of the property on which the fowl are located are responsible for the noise created by the fowl. If the property owner or possessor has been convicted of a noise violation related to the fowl, the fowl shall be removed from the property and it is unlawful to keep fowl at the property until there is a change of ownership or possession of the property, and shall not be kept within the City after a complaint has been made to the Chief of Police that the complainant is disturbed thereby and the Chief of Police has notified the owner of the fowl to remove them from the City. Any person keeping or maintaining such fowl after having received notice to remove them shall be in violation of this section.

(f) **Public property.** Fowl subject to this section shall not be released within the City or onto City property.

Sec. 4-32. **Farm Animals.** Keeping goats, horses and cattle, etc.

(a) **Animals subject to this section.** The provisions of this section, farm animal shall apply to goats, sheep, swine, horses, donkeys, mules, hinnies and cattle unless there is a specific exception provided in this Article.

(b) **Location restrictions.** It shall be unlawful for any person to keep or maintain any farm animals subject to this section in any residential zoning district, within 100 feet of any residence except the residence of the owner or keeper of such animals without meeting the following minimum requirements.

1. At least one acre for each horse, mule, donkey, hinny or cow.
2. At least one half acre for each sheep, swine or goat.
3. All farm animals shall be kept in a securely fenced area which shall not include any portion of the front yard.
4. A structure providing sufficient shelter in the event of inclement weather shall be provided. The structure shall meet the minimum standard size requirements for the particular farm animal. Such structure shall not be located in the front yard setback of any property or beyond the front facade of the principal structure. Such structure shall comply with side and rear yard setback requirements and shall otherwise comply with any applicable requirements for accessory structures in the respective zoning district.
(c) **Cleanliness.** Places where any *farm* animals subject to this section are kept shall be kept clean and dry. All manure shall be picked up daily and kept in a bin or receptacle that will exclude flies and odors. The bin shall be located at a point furthest from any dwelling or other structure owned or occupied by other persons.

(d) It is unlawful for any farm animal owner or person in charge of a farm animal to allow the area in which the farm animal 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 farm animal being kept or allowed to roam on the subject property.

**SECTION 2.** The St. Petersburg City Code is amended by deleting the existing Section 4-33 and replacing it with a new Section 4-33 to read as follows:

4-33. Keeping Vietnamese pigs as household pets.

(a) **Definitions.** The term “Vietnamese pigs” or “pigs,” as used herein, shall mean the types of pigs commonly known as Vietnamese pot bellied pigs. The term ‘residence,’ as used herein, shall mean a residentially used structure that is a single family unit, duplex, triplex or quadraplex, and shall not include garage apartments, apartment complexes, condominiums or cooperative associations.

(b) **Size.** There is no size limit for Vietnamese pigs.

(c) **Manner of keeping.** The following restrictions shall apply to the keeping of Vietnamese pigs.

1. Vietnamese pigs are only allowed to be kept at residences and no more than one Vietnamese pig shall be allowed per residence.
2. The breeding of Vietnamese pigs is prohibited.
3. All male Vietnamese pigs shall be neutered.
4. Vietnamese pigs are not required to be detusked.
5. Vietnamese pigs shall be controlled by a leash, harness or tether whenever outside of a structure or fenced area. Any leash, harness, or tether shall not exceed six (6) feet in length.
6. The residence must have a securely fenced back yard. The fence shall be at least four (4) feet in height.
7. Outdoor enclosures shall be kept clean and dry at all times the pigs are there and should be supplied with fresh, dry hay or straw.
8. The owner shall provide upon request from the POD, a current certification from a veterinarian licensed in the State that all necessary and appropriate vaccinations have been administered and that the pig has been tested and demonstrated free of parasitic disease.
9. It is unlawful for any Vietnamese pig owner or person in charge of a pig, to fail to remove deposits of excreta made by a pig in that person's charge when the deposit of the excreta occurred in the presence of the owner or person in charge of the pig on any property not belonging to the owner or a person in charge of the...
pig. If such depositing of excreta occurs, the owner or person in charge of the pig shall immediately cause its removal for disposal.

(10) It is unlawful for any Vietnamese pig owner or person in charge of a pig to allow the area in which the pig 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 being kept or allowed to roam on the subject property.

SECTION 3. The St. Petersburg City Code is amended by adding a new section 4-34 to read as follows:

4-34. Keeping miniature goats as household pets.

(a) Definitions. The term “miniature goats” or “goats,” as used herein, shall mean the types of goats commonly known as the African Pygmy and Nigerian Dwarf goats. The term ‘residence,’ as used herein, shall mean a residentially used structure that is a single family unit, duplex, triplex or quadruplex, and shall not include garage apartments, apartment complexes, condominiums or cooperative associations.

(b) Size. Nigerian Dwarf goats shall not exceed a weight of seventy-five (75) pounds; African Pygmy goats shall not exceed a weight of sixty (60) pounds. Neither breed shall exceed a height of twenty-five (25) inches as measured at the withers.

(c) Manner of keeping. The following restrictions shall apply to the keeping of miniature goats.

(1) Miniature goats are only allowed to be kept at residences and no more than two (2) miniature goats shall be allowed per residence.

(2) The breeding of miniature goats is prohibited.

(3) All male miniature goats shall be neutered.

(4) All miniature goats shall be dehorned.

(5) Miniature goats shall be controlled by a leash, harness or tether whenever outside of a structure or fenced area. Any leash, harness, or tether shall not exceed six (6) feet in length.

(6) The residence must have a securely fenced back yard. The fence shall be at least four (4) feet in height.

(7) Outdoor enclosures shall be kept clean and dry at all times the goats are there and should be supplied with fresh, dry hay or straw.

(8) The owner shall provide upon request from the POD, a current certification from a veterinarian licensed in the State that all necessary and appropriate vaccinations have been administered.

(9) It is unlawful for any goat owner or person in charge of a goat, to fail to remove deposits of excreta made by a goat in that person's charge when the deposit of the excreta occurred in the presence of the owner or person in charge of the goat on any property not belonging to the owner or a person in charge of the goat. If such depositing of excreta occurs, the owner or person in charge of the goat shall immediately cause its removal for disposal.

(10) It is unlawful for any goat owner or person in charge of a goat to allow the area in
which the 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 goat being kept or allowed to roam on the subject property.

SECTION 4. The St. Petersburg City Code is hereby amended by adding a new section 4-35 to read as follows:

4-35. Keeping miniature sheep as household pets.

(a) Definitions. The term “miniature sheep” or “sheep,” as used herein, shall mean the type of sheep commonly known as the Miniature Babydoll, Miniature Shetland, and Miniature Cheviot sheep. The term ‘residence,’ as used herein, shall mean a residentially used structure that is a single family unit, duplex, triplex or quadruplex, and shall not include garage apartments, apartment complexes, condominiums or cooperative associations.

(b) Size. Miniature sheep shall not exceed a weight of one hundred (100) pounds. Nor shall they reach a height exceeding twenty-five (25) inches as measured at the withers.

(c) Manner of keeping. The following restrictions shall apply to the keeping of miniature sheep.
   (1) Miniature sheep are only allowed to be kept at residences and no more than two (2) miniature sheep shall be allowed per residence.
   (2) The breeding of miniature sheep is prohibited.
   (3) All male miniature sheep shall be neutered.
   (4) All miniature sheep shall be dehorned.
   (5) Miniature sheep shall be controlled by a leash, harness or tether whenever outside of a structure or fenced area. Any leash, harness, or tether shall not exceed six (6) feet in length.
   (6) The residence must have a securely fenced back yard. The fence shall be at least four (4) feet in height.
   (7) Outdoor enclosures shall be kept clean and dry at all times sheep are there and should be supplied with fresh, dry hay or straw.
   (8) The owner shall provide upon request from the POD, a current certification from a veterinarian licensed in the State that all necessary and appropriate vaccinations have been administered.
   (9) It is unlawful for any sheep owner or person in charge of a sheep, to fail to remove deposits of excreta made by a sheep in that person's charge when the deposit of the excreta occurred in the presence of the owner or person in charge of the sheep on any property not belonging to the owner or a person in charge of the sheep. If such depositing of excreta occurs, the owner or person in charge of the sheep shall immediately cause its removal for disposal.
   (10) It is unlawful for any sheep owner or person in charge of a sheep to allow the area in which the sheep 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 sheep being kept or allowed to roam on the subject property.

SECTION 5. Words in underlined type are additions to the City Code and struck-through words are deletions to the City Code.
are words to be deleted from the existing City Code.

SECTION 6. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional it shall not affect the constitutionality of any other portion of this ordinance.

SECTION 7. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the Ordinance, in which case the Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto or as otherwise provided.

Approved as to form and content:

City Attorney (designee)
<table>
<thead>
<tr>
<th>TOPIC</th>
<th>DATE REFERRED</th>
<th>REFERRED BY</th>
<th>MEETING DATE(S)</th>
<th>RETURN DATE</th>
<th>STAFF</th>
<th>SPECIAL NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Safety</td>
<td>06/11/12</td>
<td>Council</td>
<td>06/14/12 – Video</td>
<td>Date to be obtained by CM Dudley</td>
<td>SPPD Chief Harmon</td>
<td>A presentation responding to select public safety items discussed during City Council’s Goal Setting Workshop. Items extracted from that list for discussion include: 1) drug activity; 2) proactive policing; 3) expansion of uniformed personnel; 4) citizen involvement (volunteers) / crime watch.</td>
</tr>
<tr>
<td>Code Change</td>
<td>04/19/12</td>
<td>Newton</td>
<td></td>
<td>TBD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy or Program Change</td>
<td>12/20/12</td>
<td>Nurse</td>
<td>03/27/2014</td>
<td>TBD</td>
<td>Zoning Department Goodwin</td>
<td>Referral Document: City staff to draft a pilot program in designated neighborhoods to evaluate the feasibility and time constraints of this topic.</td>
</tr>
<tr>
<td>Policy or Program Change</td>
<td>08/22/13</td>
<td>Danner</td>
<td>09/12/13</td>
<td>TBD</td>
<td>Planning &amp; EcoDev Goodwin</td>
<td>Referral Document: Ordinance language revising and clarifying chain link fence restrictions and Central Avenue curb cut restrictions is being prepared</td>
</tr>
<tr>
<td>TOPIC</td>
<td>DATE REFERRED</td>
<td>REFERRED BY</td>
<td>MEETING DATE[S]</td>
<td>RETURN DATE</td>
<td>STAFF</td>
<td>SPECIAL NOTES</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---------------</td>
<td>-------------</td>
<td>-----------------</td>
<td>-------------</td>
<td>-------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Code Change Sea Level Rise</td>
<td>12/5/13</td>
<td>Kornell</td>
<td>03/13/2014</td>
<td>10/09/2014</td>
<td>Public Works Connors</td>
<td>We are awaiting the results of a grant application by the TBRPC to NOAA for a Regional Plan for Sea Level Rising that may be announced in September. Proposed Ordinance No. 101-H</td>
</tr>
<tr>
<td>Policy or Program Change</td>
<td>12/5/13</td>
<td>Kornell</td>
<td>TBD</td>
<td></td>
<td>From City Council Meeting 12/5/2013.</td>
<td></td>
</tr>
<tr>
<td>Policy or Program Change</td>
<td>11/25/13</td>
<td>Kornell</td>
<td>01/30/2014</td>
<td></td>
<td>Jefferies</td>
<td>1/30/2014 – Sent to City Staff for investigation and review. Not scientifically feasible</td>
</tr>
<tr>
<td>Code Change</td>
<td>12/19/2013</td>
<td>Danner</td>
<td></td>
<td></td>
<td>PD</td>
<td>From City Council Meeting 12/19/2013.</td>
</tr>
<tr>
<td>Code Change</td>
<td>1/23/2014</td>
<td>Nurse</td>
<td></td>
<td></td>
<td>Proposed Ordinance sent by Mark Winn.</td>
<td></td>
</tr>
<tr>
<td>Code Change</td>
<td>1/23/2014</td>
<td>Kornell</td>
<td>05/08/2014</td>
<td></td>
<td>TBD</td>
<td>Goodwin</td>
</tr>
</tbody>
</table>

Discussion to include, but not limited to:
1. Having one city department as the point of contact for all tree-related permits.
2. Providing penalties for contractors who do not pull permits.
3. Increased penalties for contractors who are repeat offenders.
<table>
<thead>
<tr>
<th>TOPIC</th>
<th>DATE REFERRED</th>
<th>REFERRED BY</th>
<th>MEETING DATE(S)</th>
<th>RETURN DATE</th>
<th>STAFF</th>
<th>SPECIAL NOTES</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 Capital Projects</td>
<td>1/30/2014</td>
<td>Danner</td>
<td>TBD</td>
<td></td>
<td>Trans, Parking Mgmt. Mory</td>
<td>Staff to return to PS &amp; I with 2 recommendations: 1) Limiting the expense on the vertical elements on 4 bulbouts on Central Avenue, and 2) An overall maintenance plan for City medians and bulbous.</td>
</tr>
<tr>
<td>16 Code Change Pedal Pub</td>
<td>2/27/2014</td>
<td>Dudley</td>
<td>03/27/2014</td>
<td></td>
<td></td>
<td>Legal to investigate the ordinance which would allow beer and wine to be brought on board the Pedal Pub and to have the Police Department and Transportation Department involved in the ordinance.</td>
</tr>
<tr>
<td>17 Code Change Mobile Food Trucks</td>
<td>10/20/11</td>
<td>Curran</td>
<td>11/03/11, 12/08/11 - Video</td>
<td>02/23/12 - Video</td>
<td>Planning &amp; EcoDev Goodwin Kilborn</td>
<td>An overview of &quot;mobile food trucks&quot; and options for allowing their operation in St. Petersburg. Addressed by Council.</td>
</tr>
<tr>
<td>18 Policy or Program Change  Foreclosure Registry Update</td>
<td>03/31/14</td>
<td>Dudley</td>
<td>05/22/2014</td>
<td></td>
<td>Yost</td>
<td>Referred by Council Member Dudley.</td>
</tr>
<tr>
<td>19 Policy or Program Change  Duke Energy Presentation</td>
<td>03/06/14</td>
<td>Kornell</td>
<td>TBD</td>
<td></td>
<td>Connors</td>
<td>CM Kornell made a referral to PS &amp; I - would like to invite Duke Energy to workshop or a meeting to discuss Duke Energy's Clean (renewable) energy efforts in Florida - less than in other states. CM Kennedy asked to amend motion to include a discussion regarding City's purchase of street lights for savings, LED lighting etc. (Gary Cornell stated that there has been ongoing discussions on this subject and Duke Energy has submitted proposals. CM Kennedy stated doesn't want to get in the way of those discussions).</td>
</tr>
<tr>
<td>20 Policy or Program Change  Improving Traffic Safety</td>
<td>04/03/14</td>
<td>Nurse</td>
<td>06/12/2014</td>
<td></td>
<td>Mory/Frederick</td>
<td>Staff presentation and recommendation on 6/12/14 to implement the Complete Streets Concepts which involves multiple City Departments to improve safety for all roadway users.</td>
</tr>
<tr>
<td>PENDING / CONTINUING REFERRALS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>TOPIC</strong></td>
<td><strong>DATE REFERRED</strong></td>
<td><strong>REFERRED BY</strong></td>
<td><strong>MEETING DATE(S)</strong></td>
<td><strong>RETURN DATE</strong></td>
<td><strong>STAFF</strong></td>
<td><strong>SPECIAL NOTES</strong></td>
</tr>
<tr>
<td>Policy or Program Change</td>
<td>05/22/14</td>
<td>Foster</td>
<td>06/12/2014</td>
<td></td>
<td>Mory/Stacks</td>
<td>Staff presentation and recommendation on 6/12/14 to implement the Complete Streets Concepts which involves multiple City Departments to improve safety for all roadway users.</td>
</tr>
</tbody>
</table>