TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 29, 2021
6:30 PM

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 7:00 p.m. Also present were Vice Mayor Alfred "Buz" Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Interim Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Director of Public Works Ken Rubach, Director of Finance and Budget Lucila Lang, Acting Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, and Public Information Officer/IT Administrator Steve d'Oliveira

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Items 17a and 18a were moved to the top of the Agenda at this time.

17. RESOLUTIONS – PUBLIC COMMENTS

a. **Resolution 2021-36 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PURSUANT TO THE TOWN CODE OF ORDINANCES, SECTION 2-27, "WAIVER OF CODE REQUIREMENTS," FINDING THAT THE COVID-19 PANDEMIC CONTINUES TO BE AN EXTRAORDINARY CIRCUMSTANCE AND CONTINUING TO WAIVE CERTAIN REQUIREMENTS OF CHAPTER 17, "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES," SECTION 17-89, "SIDEWALK CAFE PERMIT STANDARDS AND REQUIREMENTS," FOR SIDEWALK CAFES TO ALLOW FOR TRANSITION BACK TO NORMAL OPERATION THROUGH OCTOBER 15, 2021; PROVIDING FOR REQUIREMENTS FOR THOSE USING THE WAIVERS; PROVIDING FOR CONTINUED USE OF CONNIE**

HOFFMANN OCEAN PLAZA; PROVIDING FOR EXPIRATION, CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

Interim Town Manager Linda Connors explained that this Resolution was developed following an earlier Commission workshop in conjunction with the Town's Chamber of Commerce. The Chamber had requested that extension of sidewalk cafés into Downtown parking areas be permitted for another three months. This extension was originally permitted by a Resolution passed by the Commission in 2020, establishing extraordinary circumstances to allow for Code to be bypassed. Another extraordinary circumstance would need to be established by Resolution to continue this extension.

Town Attorney Susan Trevarthen further clarified that the Governor has declined to extend the Emergency Orders that had created the extraordinary circumstance. The Orders have since expired.

Interim Town Manager Connors recalled that at a workshop held immediately before tonight's regular Commission meeting, the Chamber of Commerce had also requested other permissions as well as sidewalk café extension. Staff has reviewed these requests. The businesses agree to adhere to Code governing noise, right-of-way use, tent size, and use of uniform tents. Staff recommends that the Town's existing tents be used, with the businesses to be charged if replacement of tents becomes necessary.

The businesses would also pay to lease the parking spaces and Ocean Plaza during the period of extension, with costs to be determined by the Town. Interim Town Manager Connors advised that the costs of right-of-way uses are included in the Commission's backup materials. These costs are based on parking fees, which would cost approximately $850 per month. Sidewalk café costs are determined at a price of $18 per square foot annually, or roughly $300 per month. Staff has also outlined the number of parking spaces currently used for restaurants in the Downtown area.

Another request is for the use of Connie Hoffmann Ocean Plaza. While this was not outlined in the original request, it is consistent with other permissions requested by the Downtown businesses. In 2014, the Commission established a fee for use of the Plaza based on its requirement to be open for the enjoyment of visitors. The daily rental for the Plaza is $850.

To consider granting use of the Plaza, the Commission must:

- Waive the requirement that it is only to be used four times per year per business
- Establish a rate for use of the Plaza.

Use of half the Plaza would be $425 if based upon the current standard, which was adopted by Resolution.

In addition to these requests, Staff asks for consideration of other items:

- Require insurance to include parking areas and Plaza
- Require tents, tables, and chairs located in the Plaza to be removed based on Section 17-89.J, which requires the removal of furniture during storm warnings; if furniture is not removed by the businesses, Staff recommends permanent removal of the extension into parking areas
- Charge participating restaurants the cost of the Town's cleaning of sidewalk space.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that the ambiance created by use of the Plaza for outdoor dining does not detract from other experiences. She also recommended that the Commission appoint a liaison to work with Downtown businesses on the proposed extension.

Pastor Patrick C. Jackson, resident, asked what residents can do to support Town businesses and contribute to a positive atmosphere.

The following comments were sent via email:

- Rick Tobin, resident, referred Town Staff to a post in a "Facebook Happenings" group for the area, which included several comments on this topic (link provided in email)
- Denitsa (last name not provided) was not in favor of any changes to the parking configuration in the Downtown area, and felt letting some businesses and restaurants use this space was unfair to a number of smaller businesses

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

The Commissioners discussed the Resolution, with Mayor Vincent requesting that the Town Attorney opine on the proposed policies, including why there are different policies for the Ocean and Dune Plazas. Attorney Trevarthen recalled that when the Plazas were created, the Commission adopted a Resolution establishing policies for their use. It is left to the Commission's discretion to determine whether or not this Resolution evolves over

time. As written, it accounts for the different statuses of dining areas that expand into parking areas and dining areas that expand into the Plazas.

Commissioner Strauss commented that extraordinary circumstances continue to exist due to the events of the previous year. He continued that there is a strong public desire to continue outdoor seating and dining. He concluded that he was in favor of extending the agreement through October, and suggested that more discussions be held in the future to address how to move forward with possible changes to the Downtown area.

Commissioner Sokolow stated that he had no issues with extending the program through October 2021, although he felt the Commission should explore a long-term solution to the Town's parking before making a final decision on the potential removal of parking spaces. He concluded that he would also like to see if sidewalk cafés continue to be successful once heat and humidity increase significantly during the summer.

Vice Mayor Oldaker was also in favor of extending the current configuration through October to help Town businesses recover from the extraordinary circumstances of the pandemic.

Commissioner Strauss also requested that the Commission keep in mind the businesses and restaurants on the west side of A1A, pointing out that the Town has permitted certain nonconforming uses of sidewalk tables, chairs, and signage. He asked that the extension through October also apply to modifications on the west side. Town Attorney Trevarthen clarified that the Ordinance is drafted to apply to all business zoning districts.

Commissioner Malkoon advised that while he had not originally been in favor of the proposed extension, discussions with residents had changed his mind. He continued that businesses have indicated willingness to cover the cost of parking while they continue to use their parking area, and requested clarification of how this will be paid, whether or not there is an agreement in place, and how payments will be made if the Commission passes Resolution 2021-36.

Mayor Vincent observed that the Town's parking problem has existed since 1963, and that many of the Town's business owners also live in Lauderdale-By-The-Sea. He emphasized the importance of their feedback on this Resolution, asserting that it was not his place to tell these individuals how to operate their businesses.

Mayor Vincent added that while restaurants are using the parking spaces and not currently paying for them, pedestrians also use this space. He pointed out that there has

been no charge for lost parking revenue thus far, and asserted that all businesses benefit from this additional space. He requested that the Commission consider not charging for the use of this space for another three months, although he strongly encouraged businesses to keep up maintenance and cleaning of these areas and agreed that this fee, as well as insurance, should be passed along to the restaurants.

The Commission discussed the proposed fees, with Town Attorney Trevarthen stating that two different measures could be used to determine the fee for the seating and parking areas: the sidewalk café fee or the metered parking fee. Neither of these fees is being charged at present. Mayor Vincent reiterated that all businesses, not just restaurants, are benefiting from the use of added space for outdoor seating.

Town Attorney Trevarthen clarified that the Agenda Item states the restaurants would need to submit an expanded dining area for administrative approval. This area is not currently covered by liability insurance. Staff has also requested to pass the cost of cleaning on to the cafés. The use of common tents would continue to be permitted in a "less haphazard" manner. Interim Town Manager Connors added that Staff recommends use of the Town's tents, as they meet the Fire Marshal's safety requirements.

Commissioner Sokolow expressed concern with the calculation and billing of three cents per square foot. Interim Town Manager Connors explained that Staff already calculates this square footage as part of the base rate for sidewalk cafés, so it is easily available.

Town Attorney Trevarthen further clarified that insurance is already required as part of sidewalk café approval, which is why the Town recommends that amendments to these areas be administratively processed so the entire area would be covered by insurance. The Resolution also clarifies that the only physical barriers that may be erected must be provided by the Town, and that tents may only be placed in parking areas.

Commissioner Sokolow made a motion, seconded by Commissioner Strauss, to approve the Resolution as written, with amended sidewalk café Site Plans to be processed with no per square foot charge for the enlarged dining areas, either in the Plazas or the parking areas. Motion carried 5-0.

It was determined that the issue of sidewalk cleaning fees would be brought back before the Commission at a later date.

18. QUASI JUDICIAL PUBLIC HEARINGS

Town Attorney Trevarthen explained the procedures for the hearing of quasi-judicial items, and the Commissioners disclosed any ex parte communications on the Items. Individuals wishing to speak on the Items were sworn in at this time.

a. 2021-ZR-01 / Request for Zoning Relief for 4412 / 4416 W. Tradewinds Avenue (the "Property")

Acting Development Services Director Jhanelle Campbell stated that the subject property is within an RD-10 zoning district. It previously operated as the residential component of an off-site substance abuse treatment facility. The business was sold to the current Applicant, who was required to submit a new application, as previous approval is not transferable.

The Applicant, Addiction Behavioral Centers of America, is a state-licensed provider of outpatient counseling for adults in recovery from alcohol and other substance abuse addictions. Federal law defines individuals in recovery from alcohol or drug addiction as protected, and they are considered to be disabled. The Town is required to have a procedure by which individuals with disabilities may seek reasonable accommodation for zoning requirements. It does not require that the Town allow treatment in a residence, and the Applicant is not proposing that this take place.

The request seeks relief from the definition of "family" found within the Town's Code, which specifically states that no more than three people who are unrelated may live in the same dwelling. The Applicant is seeking to have more than three people reside in each of the residential units. This is the only Code requirement for which zoning relief is being sought. Federal courts have upheld that a city must grant relief form a three-person occupancy limit for those living as a group in a substance-free residence, to the extent that a request for relief is properly presented and documented.

Acting Development Services Director Campbell continued that each unit of the subject property includes three bedrooms and bathrooms. Permitted occupancy is for three unrelated people. The Applicant requests that six unrelated people be allowed to reside at each of the two residential units.

Staff recommends approval of the request as proposed. This is the same permission that was approved as part of the original 2015 zoning relief order. Conditions of approval are provided in the Commission's backup materials. These include:

- No treatment may take place at the residence
- A limit on the number of cars that may be on the property at the same time

- A requirement that two behavioral technicians must be on-site at all times
- Any individual testing positive for alcohol or illegal drugs shall be discharged to an off-site location

As with the previous approval, approval of this request is not transferable to any future business that may operate on the same property. The property must comply with all other Town Codes and Ordinances.

James Green, counsel representing the Applicant, stated that the Applicant agrees with the 19 conditions recommended by Staff. He submitted a package including the Applicant's behavioral health care accreditation into the record at this time. The Applicant is in the process of obtaining Florida Association of Recovery Residences (FARR) certification. Fire safety inspections for the property were also submitted into the record.

Commissioner Strauss requested confirmation that the conditions for the property will remain the same, with the only change to be the ownership of the property. Mr. Green replied that the conditions are expected to remain "99 percent the same." He asked that the necessities established during prior proceedings also be accepted for the current request for relief.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, requested clarification of the process for items such as this that are non-transferable, and asked if there are other properties within the Town for which previous approval is not transferable although the businesses may be essentially the same. She expressed concern that the Application might have "skipped a step" in coming before the Commission.

Town Attorney Trevarthen explained that the Applicant has gone through all steps specified by Town Code for zoning relief. Acting Development Services Director Campbell further clarified that the Application was mentioned at the most recent Planning and Zoning Board meeting in relation to an update provided to those Board members, which informed them of applications that may be in the pipeline. This Application for zoning relief was not intended to go before that Board, as Code explicitly states that it must go before the Commission for approval.

Kelly Dillon, resident, asked for clarification of whether or not the approval, or its impact on the Town's taxpayers, would be the same. She continued that the Town is asked to double the current population on the subject property, as well as the number of cars that

may be in its driveway, and asked how this constituted the same approval that was previously granted.

Town Attorney Trevarthen stated that the property remains the same as it was before. The requests for zoning relief, both at present and when previous approval was granted, ask that each bedroom in the unit house two individuals instead of one. She explained that this is the same request as in 2015.

Acting Development Services Director Campbell advised that the previous request for the property was to permit seven people rather than six, although the relief granted only permitted six people to reside on the property.

Mr. Green noted that a petition has circulated that no more than four vehicles be parked at each duplex unit. Town Attorney Trevarthen confirmed that this is the same condition as was granted to the previous applicant.

Mayor Vincent noted that the Town Attorney has advised there are certain circumstances under which zoning relief must be granted subject to the Americans with Disabilities Act (ADA) of 1990 and Federal Housing Administration (FHA) requirements. He also pointed out that there is a high probability of litigation if such a request is denied. He encouraged any individuals wishing for additional information to refer to the backup materials or contact Town Staff.

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve Resolution 2021-37 to permit the requested occupancy by the Applicant, not to exceed two people per bedroom for a total of six in each unit. Motion carried 5-0.

Mayor Vincent requested that Item 12a be heard at this time.

The following Item was taken out of order on the Agenda.

12. OLD BUSINESS

a. Solid Waste, Bulk Waste and Recycling Collection Service Agreement

Interim Town Manager Connors recalled that the Town's current solid waste contract was entered into on July 1, 2009. Since that time, the Commission has exercised its options

for first and second extension opportunities. The contract is set to expire on November 30, 2021, with one more renewal opportunity.

Interim Town Manager Connors advised that she and Russell Mackie, Regional Vice President for Waste Pro, have worked over the last six months to improve service to the Town. These efforts resulted in an inspection being initiated due to complaints regarding staining of the streets by pickup vehicles. Waste Pro has committed to replace metal commercial and multi-family dumpsters with plastic (where applicable). They have also added a truck that is dedicated to the Town, which addresses a number of problems with delays and missed pickups.

Interim Town Manager Connors continued that Town administrative Staff meets with Waste Pro on a weekly basis to address any problems in need of resolution. She regularly follows up with Mr. Mackie to determine whether or not there are any policies or procedures that must be addressed on a Town-wide basis.

Interim Town Manager Connors advised that the following terms have been negotiated for the upcoming contract:

- First year: 16% increase
- Second year: 11% increase
- Years three to five: consumer price index (CPI) increase, not to exceed 5% per year
- Because business and multi-family accounts are charged by cubic yard, Waste Pro proposes $1 per cubic yard rate increase in year one, followed by $1 for year two and CPI not to exceed 5% from years three to five

Staff has reviewed Waste Pro's request, as well as other contracts in the area, to ensure that the Town's rate is comparable. Waste Pro will continue replacement of business and multi-family dumpsters where possible, as well as continued maintenance of the dedicated truck and an assigned supervisor dedicated to the Town. If the Commission agrees with these terms, Staff will prepare the contract extension and bring it before them at a later date.

Vice Mayor Oldaker clarified that while the rates presented in the backup materials are monthly rates, the Town pays Waste Pro on a quarterly basis.

Commissioners Sokolow and Strauss each noted that Mr. Mackie of Waste Pro was accessible to them for recent discussions, and indicated their support for the negotiated contract after service improvements were made.

Mayor Vincent acknowledged that 2020-2021 were challenging to Waste Pro for a number of reasons, and pointed out that the company responded appropriately to these challenges and worked with the Town to resolve them.

Commissioner Malkoon observed that the appointment of a liaison for the Town, and the dedicated vehicle, are expected to be helpful in addressing potential issues.

Vice Mayor Oldaker made a motion, seconded by Commissioner Malkoon, to authorize the Interim Town Manager to move forward with the five-year contract extension for Waste Pro, with the above-mentioned terms. Motion carried 5-0.

5. PRESENTATIONS

a. 4th of July Update

Special Events and Marketing Manager Debbie Hime gave a brief presentation on the Town's upcoming Fourth of July event. The parade will begin at 10 a.m., followed by Family Fun Day from 11 a.m. to 3 p.m. and fireworks at 9 p.m. The Parade's Grand Marshal will be longtime resident Paula Mangano.

More individuals and businesses have sponsored this upcoming event than have ever done so before. The Town's Citizen Observer Patrol (COP) volunteers will work with the Broward Sheriff's Office (BSO) and Volunteer Fire Department (VFD) to ensure safety. BSO encourages residents to walk rather than drive to the beach, as mobility may be difficult due to traffic and road closures. The Commercial Boulevard Bridge will be closed to boat traffic.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that she hoped volunteers would continue to serve at the Visitor Center whether the Chamber or the Town is ultimately responsible for its management. She was not in favor of the choice of new uniforms for Public Works Staff, and concluded that there should be a Town liaison for the Downtown area.

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

7. PUBLIC SAFETY DISCUSSION

a. VFD May Activity Report

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve. Motion carried 5-0.

b. AMR May 2021 Report

Vice Mayor Oldaker made a motion, seconded by Commissioner Strauss, to approve. Motion carried 5-0.

c. BSO May 2021 Report

BSO Captain Tom Palmer noted that the majority of crimes that occurred were related to unlocked vehicle doors and/or unsecured valuables. He strongly encouraged residents to take steps to avoid this and secure their belongings. He also cautioned all present that significant traffic is anticipated on July 4, and advised against driving on that date if possible.

Vice Mayor Oldaker asked if there has been additional discussion of using a mobile electronic traffic sign on July 4. Captain Palmer confirmed that three of these devices would be deployed on the north and south ends of the Town as well as on the east end of Commercial Boulevard to notify motorists of heavy traffic. They will be used afterward for speed control and other messages throughout the Town.

Commissioner Malkoon also noted that residents have expressed concern regarding speeding traffic on Commercial Boulevard. Captain Palmer replied that BSO Staff has issued 80 speeding citations thus far in 2021, most of which occurred in the A1A/Commercial Boulevard areas. BSO has issued over 1100 citations and written warnings for multiple reasons since the beginning of the year.

Commissioner Sokolow made a motion, seconded by Commissioner Strauss, to approve. Motion carried 5-0.

8. TOWN MANAGER REPORT

a. May Finance Report

Finance Director Lucila Lang advised that the Town's July 1 certification of taxable value will be shared at the next scheduled meeting.

The Commissioners accepted the report without discussion.

b. Town Manager Report

Interim Town Manager Connors reported that several residents have asked questions of Staff regarding 40-year building inspections. Broward and Miami-Dade Counties each have local amendments to Florida Building Code which require a recertification process for buildings of over 3500 square feet that are not single-family or duplex home structures. Staff will place additional information on this Town-administered program on its website for the public.

In 2019, the Commission updated the Town's Code to require all residential properties to screen chain-link fencing. Properties were required to implement screening by the deadline of August 27, 2021. In light of the COVID-19 pandemic, Staff recommends that this deadline be extended for one more year. The Commissioners agreed by consensus to this extension.

Public Works Director Ken Rubach stated that the west side of El Mar Drive is still awaiting sidewalk repairs due to recent inclement weather. This work will be completed after the Fourth of July event. He also noted that the Town has worked with local resources to install equipment that will make it easier for wheelchair users to access the beach.

Public Works Director Rubach continued that the Town received comments from the Florida Department of Transportation (FDOT) regarding the crosswalk at A1A and Hibiscus Drive. All comments addressed minor revisions to the blueprint. The design is expected to be returned to FDOT within the next one to two weeks. After their review, the Town hopes to receive a permit to begin this project by late July. Improvements will include in-ground flashing lights and rapid-flashing beacons.

Interim Town Manager Connors advised that due to the budget calendar, the Town's first September date for the budget and regular Commission meetings has been moved from Tuesday, September 14 to Monday, September 13, with the budget meeting to be held

at 6 p.m. and the regular meeting at 6:30 p.m. The Commission agreed with this change by consensus.

Commissioner Malkoon requested that the Commission be kept apprised of any help they may be able to provide to Surfside, Florida following the recent condominium collapse. Town Attorney Trevarthen advised that monetary donations should be sent to SupportSurfside.org.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. **June 8, 2021 Town Commission Workshop Minutes**

b. **June 8, 2021 Town Commission Meeting Minutes**

Vice Mayor Oldaker made a motion, seconded by Commissioner Strauss, to approve. Motion carried 5-0.

11. CONSENT AGENDA

a. **Purchase of VFD Ranger Crew XP 1000 Premium**

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve the VFD's purchase of a Ranger Crew XP 1000 Premium from Polaris Sales, Inc. at a cost of $18,603.08. Motion carried 5-0.

13. NEW BUSINESS

a. **Voting Delegate for the Florida League of Cities (FLC) 95th Annual Conference**

Vice Mayor Oldaker made a motion, seconded by Commissioner Strauss, to appoint Commissioner Malkoon as the voting delegate at the Florida League of Cities (FLC) 95th Annual Conference. Motion carried 5-0.

14. COMMISSIONER COMMENTS

The Mayor, Vice Mayor, and Commissioners wished all present a happy Fourth of July.

Commissioner Strauss expressed condolences for the residents of Surfside, Florida, and recommended courtesy when home fireworks are used.

Mayor Vincent also addressed the tragedy at Surfside, stating that he sent a message of condolence and support from the Town to Mayor Charles Burkett and his staff. He noted that the event has triggered valuable conversations within communities to attempt to understand how and why this event occurred and to prevent it from occurring again.

15. ORDINANCES 1ST READING

a. Ordinance 2021-04 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE VI "HISTORIC PRESERVATION" TO REPEAL REGULATIONS RELATED TO HISTORIC PRESERVATION, AND SECTION 30-24, "PLANNING AND ZONING BOARD," SECTION 30-51 "ARCHITECTURAL REVIEW STANDARDS," SECTION 30-111, "PURPOSE," AND SECTION 30-113, "DEVELOPMENT APPLICATION REVIEW PROCEDURES" TO REMOVE REFERENCES TO HISTORIC PRESERVATION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Acting Development Services Director Campbell recalled that in 2014, Broward County amended its Historic Preservation Ordinance so it would apply to municipalities that did not have established historic preservation programs. As a result, the Town established its own such program. The County then amended its Historic Preservation Ordinance in 2019 to require municipalities to become certified local governments in order to maintain their historic preservation programs.

In April 2021, Interim Town Manager Connors requested direction from the Commission regarding certified local government status. The Commission instructed Staff to prepare an Ordinance that would repeal the Town's historic preservation program, and chose not

to pursue certified local government status. Ordinance 2021-04 meets both of these instructions.

Ordinance 2021-04 was also brought before the Planning and Zoning Board in June 2021 and was recommended for approval; however, after that meeting, Staff discovered that there were additional references to historic preservation in Town Code which must be addressed. These were added to the Ordinance as it appears before the Commission.

Commissioner Sokolow made a motion, seconded by Commissioner Malkoon, to approve Ordinance 2021-04. Motion carried 5-0.

b. Ordinance 2021-05 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 4 "ANIMALS," ARTICLE II "DOGS AND CATS" TO UPDATE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Acting Development Services Director Campbell recalled that at the March 9, 2021 meeting, the Commission requested that Staff amend Town Code to remove the prohibition of dogs from the Town's parks. Ordinance 2021-05 accomplishes this request. It would also allow dogs in El Prado Park, Laura Ward Park, and the green space located north of the tennis courts in Friedt Park. All dogs must be restrained and kept tethered on a leash not more than six feet in length. The Ordinance is consistent with previous Commission direction to establish a pilot dog park within Friedt Park, commensurate with the Community Investment Plan (CIP) accepted for fiscal year (FY) 2022.

The Ordinance also removes outdated language throughout Chapter 4, including replacement of references to Code Enforcement with Code Compliance. It removes language that required the arrest of a dog owner if a dog is found running at large.

Vice Mayor Oldaker noted that Section 4-27.a will require additional wording. Town Attorney Trevarthen reviewed this language, which refers to both the dog and the owner or person in charge of the dog who is holding the leash or tether.

Mayor Vincent recommended that Code Compliance Officers and other Town Staff provide courtesy reminders to residents during the time before this Ordinance is passed.

Vice Mayor Oldaker made a motion, seconded by Commissioner Strauss, to approve Ordinance 2021-05 with the changes read by the Town Attorney. Motion carried 5-0.

16. ORDINANCES 2ND READING

None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:59 p.m.

Mayor Chris Vincent

ATTEST:

Town Clerk Tedra Allen

6-29-21
Date