

ORDINANCE 87-7

AN ORDINANCE DEFINING AND PROHIBITING NUISANCES AND UNSANITARY CONDITIONS WITHIN THE CITY LIMITS OF ST. LUCIE VILLAGE FLORIDA.

WHEREAS: The City of St. Lucie Village is primarily an area of residential development; and

WHEREAS: The City of St. Lucie Village is located in an area forecasted for rapid growth and development; and

WHEREAS: To maintain the unique residential qualities of the City of St. Lucie Village, it requires that reasonable attention be given to activities carried out within and around the City of St. Lucie Village and to the aesthetic appeal of properties within the City of St. Lucie Village; and

WHEREAS: The Board of Aldermen desire to prohibit any nuisances, unsanitary conditions, activities, or conditions within the City of St. Lucie Village which threaten or endanger the public health of the residents of this city or which adversely affect or impair the economic welfare of adjacent property owners within this city; and

WHEREAS: It is the intent and purpose of this ordinance to define and eliminate nuisances within the City of St. Lucie Village.

NOW, THEREFORE, be it ordained by the City Council of the City of St. Lucie Village as follows:

SECTION 1: ANIMAL NUISANCES:

1. It shall be unlawful for any person to keep cattle, calves, horses, mules, donkeys, goats, live chickens, ducks, geese or any other animals or fowl except cats, dogs and homing pigeons in the city unless the pen, poultry run or other place where said animals or fowl are allowed to roam is at least two hundred feet from any residence in the city, without first obtaining the written consent of the resident, owner or occupant of said residence; provided, however, that no person shall keep or harbor at any time said animals or fowl when an unsanitary condition or nuisance exists.

2. Every vicious dog or cat shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner. Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with other animals except for planned breeding purposes.

3. (a). No owner shall fail to exercise proper care and control of his dog or cat to prevent it from becoming a nuisance animal.

(b). A nuisance animal shall be defined as any dog or cat which:

- (1). Molests passersby or passing vehicles.
- (2). Attacks other animals.
- (3). Trespasses on school grounds.
- (4). Damages private or public property.
- (5). Barks, whines or howls in an excessive continuous or untimely fashion.

(6). Causes an annoyance in the neighborhood by acts such as overturning garbage cans, digging holes upon other than its owner's property or other acts that are generally regarded as creating public nuisances.

SECTION 2: LOUD NOISES AND ACTIVITIES NUISANCES:

1. It shall be unlawful for any person to operate, play or cause to be operated or played within that portion of the city which has been zoned and designated for commercial purposes, between the hours of 11:00 p.m. and 7:00 a.m. of each day, and on Sunday from 7:00 a.m. to 1:00 p.m., and within those sections of the city which have been zoned as residential districts, between the hours of 10:00 p.m. and 7:00 a.m., any radio, phonograph, talking machine, piano, electric piano, music box or other machine, instrument or appliance for making music or noise, in such manner that the music or noise produced by the same may be heard at a greater distance than fifty (50) feet therefrom.

2. It shall be unlawful for any person to commit any type of noise, disorder or to create any disturbance calculated to disturb the peace or quiet of this city.

3. The distribution of posters, handbills or other advertising matter by scattering same in the streets of the city, or by depositing or leaving same in or on doorways, automobiles or lawns, within the limits of the city is hereby declared a nuisance per se tending to annoy and disturb the comfort of a considerable number of persons in the city.

SECTION 3: STORAGE AND DISPOSAL OF SCRAP AND WASTE:

1. It shall be unlawful for any person to cause or permit junk, scrap metal, scrap lumber, wastepaper products, discarded building materials or any unused and inoperative or abandoned vehicle or abandoned parts, machinery or