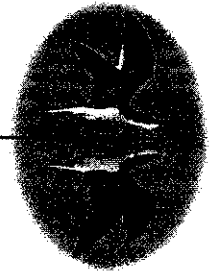


# Town of Indian Shores



19305 Gulf Boulevard, Indian Shores, FL 33785  
ph 727.595.4020 fax 727.596.0050

[www.myindianshores.com](http://www.myindianshores.com)

## **TOWN COUNCIL WORKSHOP**

**AGENDA - JANUARY 26, 2010**

**Begins at 2:00 P.M.**

- 1.0 Consideration of approving Council Workshop Agenda for January 26, 2010.**
- 2.0 Report from Bob Brotherton, Engineer, regarding status of NPDES process and Annual Report.**
- 3.0 Progress Report from Bob Brotherton regarding the trash receptacles and benches.**
- 4.0 Update report on Landscape Bids received on 1/20/2010. (Ref.: Pg. 1)**
- 5.0 Discussion of the Town enacting an ordinance that forbids tethering of dogs unless their owners are present. (Ref.: Pgs. 2 – 5)**
- 6.0 Discussion of maintenance of private driveways.**
- 7.0 Discussion of establishing financial policies for the Town and a threshold for the Town's General Fund. (Ref.: Pgs. 6 – 7)**

  
**MARCIA GRANTHAM, CMC**  
**Town Clerk**

James J. Lawrence  
Mayor

Joan G. Herndon  
Vice Mayor

Carole Irelan  
Councilor

Steve Sutch  
Councilor

William F. Smith  
Councilor

E.D. Williams  
Town Administrator  
Chief of Police

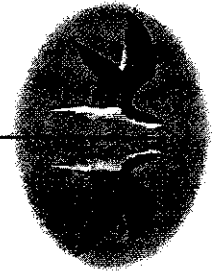
Mary Karayianes  
Director of Finance  
and Personnel

Marcia Grantham  
Town Clerk

James Yacavone  
Town Attorney

Lawrence G. Nayman  
Building Code  
Administrator

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## BID OPENING FOR LANDSCAPE IMPROVEMENTS

FOR SR 699 – GULF BLVD., INDIAN SHORES, FL

JANUARY 20, 2010

Mr. Bob Brotherton, Consulting Engineer for the Town of Indian Shores, FL, convened the meeting at 11:05 A.M. and opened the bids submitted for the Landscape Improvements in Indian Shores. Bidders submitted the following:

Buccaneer Landscape:	\$ 87,684.76
Morelli Landscaping Inc.:	104,392.25
Natural Designs:	137,831.00
Smith Landscape Service:	160,439.02
Central Florida Landscaping:	221,754.00

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**ORDINANCE NO. 39-2009**

**AN ORDINANCE OF THE CITY OF SEMINOLE AMENDING CHAPTER 18 TO CREATE ARTICLE VIII, ENTITLED "CANINES"; CREATING SECTION 18-110 ENTITLED "SUPERVISION, CONFINEMENT, AND TETHERING OF CANINES"; CREATING SECTION 18-111 ENTITLED "SCHEDULE OF PENALTIES"; PROVIDING SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Seminole ("City") finds extreme importance in protecting animals and preventing animal cruelty; and

**WHEREAS**, the United States Department of Agriculture has found that the continuous confinement of canines by a tether is inhumane; and

**WHEREAS**, the continuous confinement of canines by a tether has been found to contribute to aggressive behavior and can lead to severe collar injuries and exposure related illnesses; and

**WHEREAS**, to educate the general public as to the dangers of continuous tethering the Humane Society began a campaign called "Break the Chain"; and

**WHEREAS**, continuous tethering poses and danger to canines; and

**WHEREAS**, to help prevent the continuous confinement of canines by tether, the City desires to enact regulations to limit the amount of time a canine can be affixed to a tether.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEMINOLE, FLORIDA:**

**Section 1.** Chapter 18, Article VIII, Section 18-110 of the Code of the City of Seminole, Florida is hereby created as follows:

Sec. 18-110. Supervision, confinement and tethering of canines.

(a) As used in this section, tether means to restrain a canine by tying the canine to any object or structure, including without limitation a house, tree, fence, post, garage, or shed, by any means, including without limitation a chain, rope, cord, leash, or running line. Tethering shall not include using a leash to walk a canine.

(b) It shall be unlawful for a responsible party to tether a canine while outdoors, except when all of the following conditions are met:

(1) The canine is in visual range of the responsible party, and the responsible party is located outside with the canine.

- (2) The tether is connected to the canine by a buckle-type collar or a body harness made of nylon or leather, not less than one inch in width.
- (3) The tether has the following properties: it is at least five times the length of the canine's body, as measured from the tip of the nose to the base of the tail; it terminates at both ends with a swivel; it does not weigh more than 1/8 of the canine's weight; and it is free of tangles.
- (4) The canine is tethered in such a manner as to prevent injury, strangulation, or entanglement.
- (5) The canine is not outside during a period of extreme weather, including without limitation extreme heat or near-freezing temperatures, thunderstorms, tornadoes, tropical storms, or hurricanes.
- (6) The canine has access to water, shelter, and dry ground.
- (7) The canine is at least six months of age. Puppies shall not be tethered.
- (8) The canine is not sick or injured.
- (9) Pulley, running line, or trolley systems are at least 15 feet in length and are less than 7 feet above the ground.
- (10) If there are multiple canines, each canine is tethered separately.

(c) This section shall not apply to the transportation of canines.

(d) For a first-time violation, the Code Enforcement Officer shall issue a warning notice to the responsible party and shall wait at least ten (10) days before taking any further enforcement action against the responsible party. Thereafter, each violation of this section shall be subject to enforcement in accordance with Sec 18-111 of this chapter or Chapter 2, Article V., Division 4 of the City Code. For all civil penalties for violations of this section collected pursuant to Chapter 18-110, 50% of the amount collected shall be paid to Pinellas County Animal Services.

**Section 2.** Chapter 18, Article VIII, Section 18-111 of the Code of the City of Seminole, Florida is hereby created to read as follows:

Sec. 18-111. Schedule of penalties.

First Offense - Unlawful tethering of canine - Warning with 10 day correction period.

Second Offense - Unlawful tethering of canine - \$100.00 and additional 10 day correction period.

Third Offense - Unlawful tethering of canine - \$250.00

Fourth and each subsequent offense - Unlawful tethering of a canine - \$500.00 and one count of animal cruelty (\$500 fine and/or imprisonment for up to 60 days).

**Section 3.** If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 4.** It is the intention of the City of Seminole City Council, and it is hereby ordained that the provisions of this ordinance, shall become and be made part of the Code of Seminole, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word may be changed to section, article, or other appropriate word.

**Section 5.** This ordinance shall become effective upon adoption.

APPROVED ON FIRST READING: 12-8-09


PUBLISHED: 12-7-09

PASSED AND ADOPTED ON  
SECOND AND FINAL READING: 12-22-09

  
JAMES JOHNSON, MAYOR

ATTEST:

Patricia D. Beliveau

**APPROVED AS TO FORM  
CITY ATTORNEY**  
  
**JOHN M. ELIAS  
CITY ATTORNEY**

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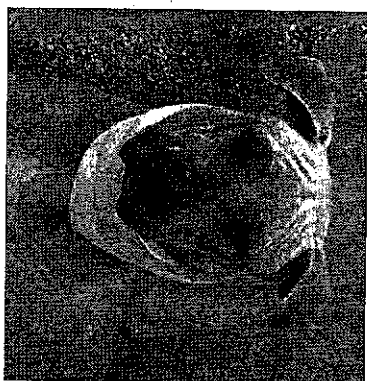
### Times editorial

# Pinellas should ban dog tethering

1 [tampabay.com](http://tampabay.com) to share your views

**S**eminole City Council members were determined to liberate dogs from what they considered pooch purgatory — being tied up day and night — so they approved a new ordinance that forbids tethering of dogs unless their owners are present. But the council members didn't stop there. They are urging the Pinellas County Commission and other Pinellas cities to pass anti-tethering ordinances as well. This is not a new idea — cities, counties and even states now have laws to limit canine tethering. It is time for Pinellas local governments to end this inhumane practice.

Just days ago *St. Petersburg Times* readers learned about the painful result of tethering for a Pasco County dog named Honey. The 1-year-old dog apparently had lived at the end of a rope since she was a puppy, and as she grew, the rope cut through fur and flesh and became embedded in her neck. Honey was found wandering with an infected neck and massively swollen face. After surgery to remove the rope, she is



Humane Society of Pinellas County  
**A rope became embedded in the neck of a dog rescuers named Honey. She is recovering.**

recovering at the Humane Society of Pinellas County. The U.S. Department of Agriculture and numerous animal welfare groups oppose canine tethering. The Humane Society of the United States calls tethering "inhumane and a threat to the safety of the confined dog, other animals and humans." Dogs that spend their lives tied up or chained outdoors are exposed to heat and cold, sickness, loneliness, insufficient food and water, and attacks by people

and other animals. According to the Humane Society, dogs that are continuously tethered often become antisocial and aggressive and may attack people who approach them. Seminole City Council member Dan Hester, a former board member of the SPCA of Tampa Bay, brought up the idea of a city anti-tethering ordinance. Hester said that he regularly passes some houses where dogs are tied outside around the clock.

The ordinance Seminole now has on the books makes tying a dog to any object or structure outdoors illegal unless the person responsible for the animal is outside with it and within sight. If that condition is met, the dog can be tethered, but only if the tether is at least five times the length of the dog and attached to the dog with a buckle-type collar or body harness; if the weather is not extreme; if the dog has access to water, shelter and dry ground; if the dog is tethered separately from any other dog; and if the dog is not sick. Puppies under 6 months old may not be tethered under any circumstances. If the owner attaches the tether to a running line, the line must be at least 15 feet long and less than 7 feet above the ground.

For a first offense, the responsible party gets only a warning. After that, the penalty increases for each violation, up to the fourth offense, which brings a \$500 fine and a charge of animal cruelty. Last summer the Tarpon Springs City Commission approved an ordinance that is less stringent than Seminole's but does recognize that long periods of tethering are inhumane. The ordinance allows canines to be tethered outdoors for one hour at a time, with no more than three periods of tethering in any 24-hour period, but not in extreme weather.

Many cities and counties and at least nine states now have laws that restrict the time a dog may be tethered or ban tethering entirely. The laws recognize that keeping a dog, a naturally social and curious animal, bound to a tether outdoors is cruel and can lead to injury and death. County and city governments in Pinellas should follow the lead of Seminole and Tarpon Springs.

## TOWN OF INDIAN SHORES FINANCIAL POLICIES

The Town of Indian Shores recognizes the need to adopt sound fiscal policies that will support an outstanding Financial Management Program.

The Town Council has previously approved a comprehensive Investment Policy in accordance with Chapter 218.4415, Florida Statutes.

**General Fiscal Policy** The Annual Operating Budget of the Town of Indian Shores shall balance the public service needs of the community with the fiscal capabilities of the Town. The intent is to achieve the goals and objectives established by the Council for the next fiscal year. Services will be provided with special emphasis on the Town's public safety, environmental health, physical appearance and living conditions while maintaining a friendly neighborhood atmosphere.

The Town acknowledges a commitment to fiscal responsibility to our residents, and producing a balanced operating budget sets the cornerstone of fiscal responsibility. Annual operating expenditures (personal services, contracts, commodities, supplies, capital outlay, outside agency support, and transfers) will be fiscally balanced with revenues or income estimates that can reasonably and normally be projected to be received during the fiscal year.

- The Town will adopt an annual General Fund budget in which expenditures, net of pay-as-you-go capital project contributions, do not exceed projected revenues.
- Long-term borrowing will not be used to finance current operations or normal maintenance.
- All debt issued, including by lease-purchase methods, will be repaid within a period not to exceed the expected useful lives of the improvements financed by the debt.
- The Town will strive to maintain a high reliance on pay-as-you-go financing for its capital improvements.
- The Town will maintain its bonded debt at a level not to exceed 2 percent of the assessed valuation of taxable property within the Town.

**Budget Development** When developing the annual budget, Town Administration is guided by the following principles:

- Maintain the overall quality of life for residents.
- Maintain the quality and variety of services provided.

- Meet current infrastructure maintenance needs before acquiring or building additional infrastructure.
- Utilize the most restrictive funding sources, if more than one source is available for a project. For example, Local Option Gas Tax funds should be used for an eligible project before the use of Local Option Sales Tax (Penny for Pinellas) is considered.
- Consider not just the first year cost of a spending decision, but the long term financial implications.

**Capital Improvement Fund** A six-year projection of revenues and expenditures for the Capital Improvement Fund will be prepared to provide strategic perspective to each annual budget process.

- A six-year capital improvement program will be developed annually to analyze all anticipated capital expenditures by year and identify associated funding sources.
- The capital improvement program will incorporate, in its projections of expenditures and funding sources, any amounts relating to previous year's appropriations but which have yet to be expended.
- The first year of the six-year capital improvement program will be used as the basis for formal fiscal year Capital Improvement Fund appropriations during the annual budget process. Appropriations made in prior years for which expenditures have not been increased nor projects completed will be reevaluated and incorporated into appropriations for the new fiscal year.

**Fund Balance Policy** For increased financial stability, the Town of Indian Shores desires to manage its financial resources by establishing an unreserved fund balance in the General Fund to provide the capacity to (1) provide sufficient cash flow for daily financial needs, (2) offset significant economic downturns or revenue shortfalls, and (3) provide funds for unforeseen expenditures related to emergencies.

Due to the fact that we are located on a barrier island and extremely susceptible to Hurricane and Tropical Storm damage we are establishing an undesignated fund balance range in the amount of \$1,000,000 to \$1,500,000.

The Government Finance Officers Association recommends a Fund Balance level of 15% of the previous fiscal year's operating budget. Based on our FY2000 Undesignated Fund Balance of \$517,000 we are electing to set the minimum Emergency Reserve level at 30% which is consistent with the historical financial position of the Town.

**Annual Review** Compliance with the provisions of these Financial Policies shall be reviewed as part of the annual budget adoption process.