

ORDINANCE NO. 2865

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING ARTICLE IV, IMPOUNDMENT AND DESTRUCTION, SECTION 10-125, REDEMPTION AND SETTING FORTH REDEMPTION FEE BY RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this is an administrative request for action by the Holly Hill City Commission regarding proposed changes to Article IV., Impound and Destruction, Section 10-125, Redemption, in the Code of Ordinances governing the redemption of animals; by setting fees by Resolution; and

WHEREAS, a citywide review of service fees has determined a direct need to increase the amount charged for the boarding and redemption of animals held in the City of Holly Hill's kennel; and

WHEREAS, at present, by contractual agreement with the Flagler County Humane Society, the City of Holly Hill spends some \$45.00 per day to shelter animals coming into our custody; and

WHEREAS, by setting redemption fees by Resolution for the redemption of animals impounded in City facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. Article IV., Impound and Destruction, Section 10-125, Holly Hill Code, is hereby amended as indicated below using ~~struck-through~~ type to indicate deletions from the existing text and underlined type to indicate additions:

Article IV. Impoundment and Destruction

Sec. 10-125. Redemption.

- (a) The owner of any animal which has been impounded pursuant to the provisions of this article, if such animal is still in the possession, custody or control of the city, may reclaim such animal upon payment of the license fee, if unpaid ~~and a redemption fee of \$25.00~~ and a redemption fee as set by Resolution.*

- (b) *The owner of any animal impounded under this article shall have the right, at any time to redeem the same from the impoundment agency subject to its regulations. The city is not responsible for action and regulations of the impoundment agency. It shall be the duty of the impoundment agency to obtain the name and address of the owner of any animal so redeemed and report the name and address to the city.*
- (c) *The Chief of Police or designee shall have the discretion to reimburse the redemption fees pursuant to procedures approved by the City Manager.*

SECTION 2. The redemption of fees will be set forth by Resolution.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 4. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 5. That this Ordinance shall become effective immediately upon its adoption.

The within and foregoing Ordinance was introduced and read on first reading before the City Commission of the City of Holly Hill, Florida, at its regularly scheduled meeting held in Commission Chambers at City Hall on the 30th day of March, 2010.

It was moved by Commissioner Penny and seconded by Commissioner Towsley that said Ordinance be approved on first reading. A roll call vote of the Commission held on said motion for approval of the Ordinance resulted as follows:

ROLL CALL VOTE AS FOLLOWS: (Ordinance 2865):

Mayor Roland D. Via	Yes
Commissioner John Penny	Yes
Commissioner Rick Glass	Yes
Commissioner Mark Reed	Yes
Commissioner Liz Towsley	Yes

ADOPTED THIS 30th DAY OF March, 2010.

The within and foregoing Ordinance was introduced and read on second reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 13th day of April, 2010.

It was moved by Commissioner Reed and seconded by Commissioner Penny that said Ordinance be adopted. A roll call vote of the Commission held on said motion to adopt the Ordinance resulted as follows:

ROLL CALL VOTE AS FOLLOWS: (Ordinance 2865):

Mayor Roland D. Via Yes

Commissioner John Penny Yes

Commissioner Rick Glass Yes

Commissioner Mark Reed Yes

Commissioner Liz Towsley Yes

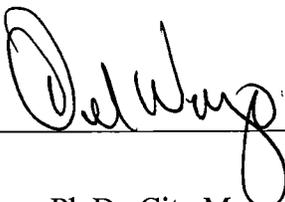
ADOPTED THIS 13th DAY OF April, 2010.

Whereupon, the Mayor of the City of Holly Hill, Florida, has hereunto set his official signature, duly attested by the City Clerk, and has caused the official seal of said City to be affixed, all at City Hall in the City of Holly Hill, this 13th day of March, 2010 for the purpose of authenticity as is required by law.

City of Holly Hill, Florida



Roland D. Via, Mayor



Oel Wingo, Ph.D., City Manager

Attest:



Diane Cole, HR Manager/Interim City Clerk