



CITY OF
Boca Raton

CITY HALL
201 WEST PALMETTO PARK ROAD • BOCA RATON, FL 33432
PHONE (561) 393-7700
(FOR HEARING IMPAIRED) TDD (561) 367-7043
www.myboca.us

July 14, 2026

TO: Mayor and City Council

FROM: Mark Sohaney
City Manager

A handwritten signature in blue ink, appearing to be "MS", is written next to the name Mark Sohaney.

SUBJECT: Ordinance No. 5792 – Feeding of Certain Nuisance Animals Prohibited

RECOMMENDATION: I recommend adoption of Ordinance No. 5792, creating Section 5-4 of the City Code to prohibit certain feeding of iguanas, rats, mice, and pigeons and amending Section 9-60 to authorize enforcement through direct citations.

BACKGROUND: At the request of Mayor Andy Thomson, the attached ordinance has been prepared to address concerns associated with the feeding of certain nuisance animals.

Ordinance No. 5792 prohibits any person from placing, depositing, distributing, or leaving food in a quantity or manner reasonably likely to attract or sustain the presence or congregation of iguanas, rats, mice, or pigeons. The ordinance focuses on the quantity and manner in which food is provided and does not require the City to establish that a particular animal consumed the food or caused a particular instance of waste or property damage.

The ordinance also amends Section 9-60 of the City Code to authorize enforcement of the new prohibition through the issuance of direct citations. A companion resolution establishes a minimum civil penalty of \$100 for a violation.

FISCAL IMPACT: Minimal fiscal impact associated with enforcement of direct citations. Enforcement costs are expected to be offset by revenue generated by the new minimum civil penalty.

STRATEGIC IMPACT: This Ordinance supports the following Strategic Focus Area: Quality of Life

cc: Mary Siddons, City Clerk
Andrew Lukasik, Deputy City Manager
Joshua Pariente Koehler, City Attorney



**BUSINESS IMPACT ESTIMATE
ORDINANCE NO. 5792**

TO: Mayor and City Council

FROM: Mark Sohaney
City Manager

DATE: July 14, 2026

SUBJECT: Business Impact Estimate- Ordinance No. 5792
(New City Code Section 5.4, "Feeding of Certain Nuisance Animals Prohibited")

Section 166.041, Florida Statutes, requires the City to prepare, or cause to be prepared, a business impact estimate before final consideration of an ordinance, subject to the exemptions provided by law. The business impact estimate must be posted on the City's website no later than the date the notice of the City Council's final consideration of the ordinance is published. Ordinance No. 5792 is proposed for adoption by the City on August 25, 2026, and is subject to this requirement.

The following information addresses the categories required for the proposed ordinance:

1. Summary of proposed Ordinance No. 5792.

The proposed ordinance would amend the Code of Ordinances ("City Code") as follows:

- Amend Chapter 5, "Animals," Article I, "In General," by creating Section 5-4, "Feeding of Certain Nuisance Animals Prohibited";
- Prohibit a person from placing, depositing, distributing, or leaving food in a quantity or manner reasonably likely to attract or sustain the presence or congregation of iguanas, rats, mice, or pigeons; and
- Amend Section 9-60, "Supplemental Code Enforcement Procedures," to authorize enforcement of Section 5-4 through the issuance of direct citations.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City.

- a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.**

The proposed ordinance is intended to address the placement or distribution of food in quantities or under circumstances reasonably likely to attract or sustain the presence or congregation of iguanas, rats, mice, or pigeons. The ordinance would apply to any person engaging in the prohibited conduct, including an

individual acting on behalf of a business. However, the ordinance does not impose any affirmative operational, reporting, permitting, equipment, or recordkeeping requirement on private businesses. Compliance would require only that persons refrain from placing, depositing, distributing, or leaving food in a quantity or manner reasonably likely to attract or sustain the identified animals. Accordingly, no material direct compliance costs to private, for-profit businesses are anticipated. A minimum civil penalty of \$100 is proposed for each violation. Any such penalty would result only from a violation of the ordinance and is not an ordinary cost of compliance.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

The proposed ordinance does not impose any new charge or fee on businesses. A civil penalty may be imposed upon a person found to have violated Section 5-4. The proposed minimum civil penalty is \$100 per violation.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The proposed ordinance is not expected to require additional code enforcement personnel or resources. Accordingly, no material additional regulatory costs are anticipated.

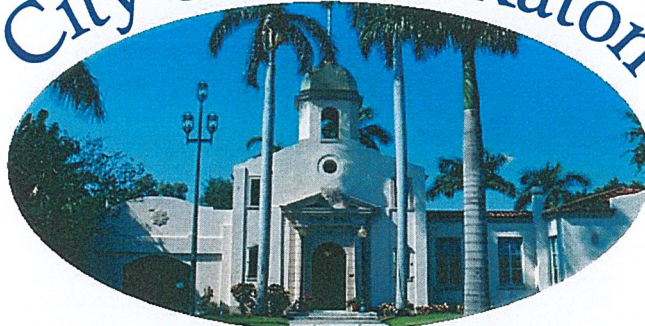
3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

The City does not anticipate that the ordinance will materially impact private, for-profit businesses. The ordinance is directed primarily toward individual conduct involving the feeding of iguanas, rats, mice, or pigeons.

4. Any additional information the City Council (governing board) determines may be useful.

The ordinance would provide the City with a direct-citation enforcement mechanism to address the placement or distribution of food in a quantity or manner reasonably likely to attract or sustain the presence or congregation of iguanas, rats, mice, or pigeons

City of Boca Raton



Incorporated 1925

ORDINANCE

5792

1 AN ORDINANCE OF THE CITY OF BOCA RATON
2 AMENDING CHAPTER 5, "ANIMALS," ARTICLE I, CODE OF
3 ORDINANCES, BY CREATING SECTION 5-4, "FEEDING OF
4 CERTAIN NUISANCE ANIMALS PROHIBITED," TO
5 PROHIBIT THE FEEDING OF IGUANAS, RATS, MICE, OR
6 PIGEONS IN A QUANTITY OR MANNER REASONABLY
7 LIKELY TO ATTRACT OR SUSTAIN THEIR PRESENCE OR
8 CONGREGATION; AMENDING CHAPTER 9,
9 "MISCELLANEOUS OFFENSES," ARTICLE IV,
10 SECTION 9-60, "SUPPLEMENTAL CODE ENFORCEMENT
11 PROCEDURES," CODE OF ORDINANCES, TO AUTHORIZE
12 THE ENFORCEMENT OF SUCH PROHIBITION THROUGH
13 THE ISSUANCE OF DIRECT CITATIONS; PROVIDING FOR
14 SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING
15 FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE
16

17 WHEREAS, the feeding iguanas, rats, mice, or pigeons can encourage such animals
18 to congregate and may result in waste accumulation, pest activity, property damage, public
19 disruption, offensive odors, and risks to public health and safety; and

1 WHEREAS, the City Council finds that prohibiting feeding that is reasonably likely to
2 attract or sustain the presence or congregation of such animals, and authorizing direct citation
3 enforcement of that prohibition, is in the best interest of the City; now, therefore

4
5 THE CITY OF BOCA RATON HEREBY ORDAINS:
6

7 Section 1. Chapter 5, "Animals," Article I, "In General," Section 5-4, "Feeding of certain
8 nuisance animals prohibited," Code of Ordinances, is hereby created to read:

9 **Section 5-4. – Feeding of certain nuisance animals prohibited.**

10 It shall be unlawful for any person to place, deposit, distribute, or leave food in a
11 quantity or manner reasonably likely to attract or sustain the presence or congregation of iguanas,
12 rats, mice, or pigeons.

13 Section 2. Chapter 9, "Miscellaneous Offenses," Article IV, "Supplemental Code
14 Enforcement Procedures," Section 9-60, "Supplemental Code Enforcement Procedures," Code
15 of Ordinances, is hereby amended to read:

16 * * *

17 (2) Supplemental procedures. Enforcement of the following provisions of the Code
18 pursuant to the provisions of this article is hereby authorized:

19 (a) Section 4-2, "Hours of operation;"

20 * * *

21 (h) Section 5-4, "Feeding of certain nuisance animals prohibited;"
22 ~~Section 7-26, "Codes Adopted";~~
23

24 [Note to Codifier: The existing duplicative reference to Section 7-26 is deleted because
25 Section 7-26 is already included within subsection (c)]
26

* * *

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

Section 4. All ordinances and resolutions or parts of ordinances and resolutions and all section and parts of sections in conflict herewith shall be and hereby are repealed.

Section 5. Codification of this ordinance in the Code of Ordinances is hereby authorized and directed.

Section 6. This ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Boca Raton this _____ day
of August, 2026.

CITY OF BOCA RATON, FLORIDA

ATTEST:

Andy Thomson, Mayor

Mary Siddons, City Clerk

Approved as to form:

Joshua Pariente Koehler
City Attorney

COUNCIL MEMBER	YES	NO	ABSTAINED
MAYOR ANDY THOMSON			
DEPUTY MAYOR MICHELLE GRAU			
COUNCIL MEMBER YVETTE DRUCKER			
COUNCIL MEMBER JON PEARLMAN			
COUNCIL MEMBER STACY STIPPLE			

Backup Material



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TO: Mayor and City Council

FROM: Mark Sohaney
City Manager 

DATE: July 25, 2026

SUBJECT: Resolution No. 79-2026 – Civil Penalty for Feeding of Certain Nuisance Animals

RECOMMENDATION: I recommend adoption of Resolution No. 79-2026, amending the schedule of minimum civil penalties for violations enforced through direct citations pursuant to Section 9-60 of the City Code.

BACKGROUND: The City Council is concurrently considering Ordinance No. 5792, which creates Section 5-4 of the City Code, "Feeding of Certain Nuisance Animals Prohibited," and authorizes enforcement of that section through direct citations.

Section 9-60(6)(d) provides that the minimum civil penalties for violations enforced through direct citations are established by City Council resolution. Resolution No. 79-2026 adds Section 5-4 to the existing schedule of minimum civil penalties and establishes a minimum civil penalty of \$100 for a violation.

FISCAL IMPACT: Minimal fiscal impact associated with enforcement of direct citations. Enforcement costs are expected to be offset by revenue generated by the new minimum civil penalty.

STRATEGIC IMPACT: This Ordinance supports the following Strategic Focus Area: Quality of Life

cc: Mary Siddons, City Clerk
Andrew Lukasik, Deputy City Manager
Joshua Pariente Koehler, City Attorney



RESOLUTION

079-2026

A RESOLUTION OF THE CITY OF BOCA RATON
AMENDING THE "SCHEDULE OF MINIMUM CIVIL
PENALTIES FOR VIOLATIONS ENFORCED PURSUANT TO
SECTION 9-60, CODE OF ORDINANCES" (RESOLUTION
NO. 163-2018, AS AMENDED BY RESOLUTION NO. 68-
2022 AND RESOLUTION NO. 118-2023), RELATING TO
DIRECT CITATIONS, TO ADD SECTION 5-4, "FEEDING OF
CERTAIN NUISANCE ANIMALS PROHIBITED"; PROVIDING
FOR SEVERABILITY; PROVIDING FOR REPEALER;
PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 9-60, Code of Ordinances, authorizes code enforcement officers
to issue citations directly to persons for violations of certain provisions of the Code of Ordinances
identified in Section 9-60(2); and

WHEREAS, Section 9-60(6)(d), Code of Ordinances, provides that the minimum civil
penalties for violations enforced pursuant to Section 9-60 shall be established by the City Council
by resolution; and

1 WHEREAS, the City Council is concurrently considering Ordinance No. 5792, which
2 would create Section 5-4, Code of Ordinances, prohibiting the placement, deposit, distribution, or
3 leaving of food in a quantity or manner reasonably likely to attract or sustain the presence or
4 congregation of iguanas, rats, mice, or pigeons; and

5 WHEREAS, the City Council desires to amend the "Schedule of Minimum Civil
6 Penalties for Violations Enforced Pursuant to Section 9-60, Code of Ordinances" to establish a
7 minimum civil penalty for violations of Section 5-4; now, therefore

8
9 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOCA RATON:

10
11 Section 1. The City Council hereby amends the "Schedule of Minimum Civil Penalties
12 for Violations Enforced Pursuant to Section 9-60, Code of Ordinances" as reflected in the attached
13 Exhibit "A."

14 Section 2. If any section, subsection, clause or provision of this resolution is held
15 invalid, the remainder shall not be affected by such invalidity.

16 Section 3. All resolutions or parts of resolutions in conflict herewith shall be and hereby
17 are repealed.

18 Section 4. This Resolution shall take effect immediately upon adoption.
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1 PASSED AND ADOPTED by the City Council of the City of Boca Raton this ____ day
2 of _____, 2026.

3
4 CITY OF BOCA RATON, FLORIDA

5
6 ATTEST:

7
8
9 _____
10 Andy Thomson, Mayor

11 _____
12 Mary Siddons, City Clerk

13
14
15
16 

17

COUNCIL MEMBERS	YES	NO	ABSTAINED
MAYOR ANDY THOMSON			
DEPUTY MAYOR MICHELLE GRAU			
COUNCIL MEMBER YVETTE DRUCKER			
COUNCIL MEMBER JON PEARLMAN			
COUNCIL MEMBER STACY SIPPLE			

Exhibit A

Schedule of Minimum Civil Penalties for Violations Enforced Pursuant to Section 9-60, Code of Ordinances

Code Section	Description	Minimum Civil Penalty
Sec. 4-2	Hours of Operation	\$250.00
<u>Sec. 5-4</u>	<u>Feeding of certain nuisance animals prohibited</u>	<u>\$100.00</u>
Sec. 5-39	Number of Dogs and Cats Restricted	\$50.00
Sec. 7-26	Florida Fire Prevention Code - Chapter 14 (Means of Egress inside a Building or Structure)	\$250.00
Sec. 7-26	Florida Fire Prevention Code - Chapter 18 (Fire Department Access, Roads, Fire Lanes)	\$150.00
Sec. 9-6	Regulation of electronic cigarettes in a similar manner as tobacco cigarettes	\$100.00
Sec. 9-7	Prohibition of smoking in parks and on beaches owned by the City	\$100.00
Sec. 9-110	Prohibition of the sale or distribution of polystyrene foam products on City property	\$50.00
Sec. 9-111	Prohibition of balloons and confetti in outdoor areas on City property	\$50.00
Sec. 10-1	Maintenance of Lots, Structures	\$50.00
Sec. 10-27	Litter, Untended Vegetation and Stagnant Water – Prohibited, Declared Public Nuisance	\$50.00
Sec. 10-54	Creation of excessive noise unlawful	\$150.00
Sec. 10-55	Noise from buildings or premises	\$100.00
Sec. 10-60(1)	Animal Noises	\$25.00
Sec. 10-118	Storing, parking or leaving on private property (wrecked or inoperable vehicles)	\$75.00

Sec. 13-1	Distribution of Handbills, Other Printed Material	\$50.00
Sec. 14-7	Solid Waste Precollection Procedures	\$25.00
Sec. 14-20	Prohibited Activities (Solid Waste)	\$50.00
Sec. 14-20(5)	Prohibited Activities (Solid Waste), with respect only to canals, lakes and other bodies of water	\$100.00
Sec. 18-46	Certificate of Convenience and Necessity Required to Operate a Taxicab or Limousine	\$100.00
Sec. 19-168	Impact of Construction	\$150.00
Sec. 19-169	Site Debris (Construction)	\$50.00
Sec. 19-170	Site Debris & Material Hurricane Declaration Warning	\$500.00
Sec. 24-6	Unlawful Signs, Sign Structures	\$25.00
Sec. 25-255	Personal Property Permitted in Swale Areas; Standards for Placement	\$25.00
Sec. 28-720(d)	Outdoor Storage of Motor Vehicles in the NCB Zoning District	\$100.00
Sec. 28-720(e)	Outdoor Storage of any Kind in the NCB Zoning District	\$50.00
Sec. 28-721	Conformance with Requirements for Retail and Business Uses in the NCB Zoning District	\$50.00
Sec. 28-1266	Downtown Development of Regional Impact Regulations	\$50.00
Sec. 28-1309	Outdoor Display of Merchandise	\$50.00
Sec. 28-1311	Garage Sales	\$150.00
Sec. 28-1328	Emission or Creation of Noise, Vibration, Smoke, Dust or other Particulate Matter, Toxic or Noxious Waste Materials, Odors, Fire and Explosive Hazard or Glare	\$75.00
Sec. 28-1507	Parking, Storage, Keeping of Certain Vehicles	\$50.00

Sec. 28-1509	Parking in residential districts - parking on grass, unscreened recreational vehicle, boat or trailer	\$50.00
Sec. 28-1651	Unlawful Elimination of Required Parking or Landscaping	\$100.00