



CITY OF Boca Raton

CITY HALL
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DATE: September 15, 2026
TO: Mayor and City Council
FROM: Mark Sohaney *Sold*
City Manager
SUBJECT: Ordinance No. 5809– Repeal of Ordinance No. 5792 (Feeding of Certain Nuisance Animals Prohibited)

RECOMMENDATION: I recommend that the City Council consider Ordinance No. 5809, which would repeal Ordinance No. 5792.

BACKGROUND: On August 25, 2026, the City Council adopted Ordinance No. 5792 by a vote of 3-2. The ordinance created Section 5-4 of the City Code, "Feeding of Certain Nuisance Animals Prohibited," and amended Section 9-60 of the City Code to authorize enforcement of Section 5-4 through direct citations.

At the same meeting, the City Council adopted Resolution No. 79-2026, which established a minimum civil penalty of \$100 for a violation of Section 5-4.

Council Member Stacy Sipple, who voted in favor of Ordinance No. 5792, has requested that the City Council reconsider the adoption of that ordinance and has advised that, based on information learned after its adoption, she would vote differently if the matter were presented again.

A companion resolution, which is anticipated to be considered concurrent with the second public hearing of Ordinance No. 5809 at the October 13, 2026 Council meeting, repeals the minimum civil penalty of \$100 for a violation of Ordinance 5792. A copy of the draft resolution as well as the proposed amendment to the schedule of civil violation penalties is included in the agenda package for information only.

FISCAL IMPACT: There is minimal fiscal impact associated with the adoption of this ordinance.

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. 5809**

DATE: September 15, 2026

TO: Mayor and City Council

FROM: Mark Sohaney
City Manager

SUBJECT: Business Impact Estimate- Ordinance 5809
(Repeal of Ordinance No. 5792")

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. 5809 is proposed for adoption by the City on October 13, 2026, and is subject to this requirement.

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

1. Summary of proposed Ordinance No. 5809.

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

- Amend Chapter 5, "Animals," Article I, "In General," by deleting Section 5-4, "Feeding of Certain Nuisance Animals Prohibited";
- Amend Section 9-60, "Supplemental Code Enforcement Procedures," to remove provision allowing 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.**

None

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

None

- 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.**

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.

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



ORDINANCE

5809

1 AN ORDINANCE OF THE CITY OF BOCA RATON
2 REPEALING ORDINANCE NO. 5792 BY DELETING
3 CHAPTER 5, "ANIMALS," ARTICLE I, SECTION 5-4,
4 "FEEDING OF CERTAIN NUISANCE ANIMALS
5 PROHIBITED," CODE OF ORDINANCES AND AMENDING
6 CHAPTER 9, "MISCELLANEOUS OFFENSES," ARTICLE IV,
7 SECTION 9-60, "SUPPLEMENTAL CODE ENFORCEMENT
8 PROCEDURES," CODE OF ORDINANCES, TO DELETE
9 SUBSECTION 2(H) THEREBY REMOVING SECTION 5-4
10 FROM THE PROVISIONS AUTHORIZED FOR DIRECT-
11 CITATION ENFORCEMENT; PROVIDING FOR
12 SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING
13 FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

14
15 WHEREAS, on August 25, 2026, the City Council adopted Ordinance No. 5792 by a
16 vote of 3-2; and

17 WHEREAS, the City Council finds that repealing the provisions adopted by Ordinance
18 No. 5792 is in the best interest of the City; now, therefore
19

1 THE CITY OF BOCA RATON HEREBY ORDAINS:

2
3 Section 1. Chapter 5, "Animals," Article I, "In General," Section 5-4, "Feeding of certain
4 nuisance animals prohibited," Code of Ordinances, is hereby deleted in its entirety as follows:

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

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

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

12 * * *

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

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

16 * * *

17 (h) reserved ~~Section 5-4, "Feeding of certain nuisance animals prohibited;"~~

18 * * *

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

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

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

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

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

3 CITY OF BOCA RATON, FLORIDA

4
5 ATTEST:

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10 Mary Siddons, City Clerk

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Andy Thomson, Mayor

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 L. SIPPLE			