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WHEREAS, the City of Belle Isle is an environmentally concerned city, sensitive and dedicated to the preservation of birds and wildlife; and

WHEREAS, habitat destruction is the greatest threat to birds and wildlife, and the City of Belle Isle is dedicated and committed to the protection of such habitat wherever reasonably possible; and

WHEREAS, the Orange County Audubon Society recognizes and accredits the City of Belle Isle's efforts to preserve and enhance bird and wildlife sanctuary programs, and the Society is prepared to assist in making the program successful; and

WHEREAS, the Cornerstone Charter Academy School believes that the key to understanding environmental concerns is education. Cornerstone Charter Academy commits to providing learning experiences for students to enhance their awareness of the environment and the role played by birds and wildlife in that environment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1. That all the land and airway area embraced within the city limits of Belle Isle, Florida is hereby declared to be and shall hereafter be designated as a "Bird Sanctuary".

SECTION 2. That all City owned property shall be managed in such a manner as to promote both human enjoyment and the development of bird and wildlife habitat.

1 SECTION 3. That wherever possible the City will leave the environment in its natural state. The City,  
2 through its Public Works Department, will attempt to mitigate the effect of development of  
3 roads, parking facilities, utilities and other necessary improvements through seasonal plantings  
4 and feeding stations. Enhancement programs, such as bird houses for birds and private  
5 preserves will be encouraged. The City will also provide relief from drought stress. The City  
6 Public Works Department and private property owners will post the area boundary with signs  
7 bearing the words "RESTRICTED HUNTING AREA, Hunting by Special Permit Only" or "BIRD  
8 SANCTUARY, No Hunting" established by Rule 68A-19.002, F.A.C., which shall be placed at  
9 intervals of no more than 500 feet, be easily visible from any point of ingress or egress and  
10 provide other necessary notice of such area to the public. In addition, the City may protect  
11 "wetlands" as they exist in the City. Wetlands which are prime habitat of birds and other  
12 wildlife, may not be drained, filled, or destroyed in such a manner as to render them  
13 unacceptable to birds and wildlife as temporary or permanent habitat.  
14 The Belle Isle Police Department, including the Marine Patrol, shall be responsible for  
15 enforcement of regulations of the Florida Fish and Wildlife Conservation Commission and this  
16 ordinance.

17 SECTION 4. That it shall be unlawful to trap, hunt, shoot, or attempt to shoot or molest in any manner any  
18 bird or wild fowl, or to rob bird nests or wild fowl nests within the City. No person shall take  
19 any wildlife in any bird sanctuary using a gun unless such taking is authorized by specific rule  
20 relating to such sanctuary. Provided; the sanctuary established by this section shall not include  
21 protection of (Columbia livia) feral pigeon populations or other invasive and/or non-native  
22 species such as Starlings, House Wrens, which are not protected by state or federal law and  
23 which may threaten native bird species. In the event that other invasive and/or non-native  
24 species are found congregating in numbers in a particular locality within the city limits, as to  
25

1 constitute a public nuisance or menace to the public health or to private or public property,  
2 then in that event or any of them, the congregated birds or wild fowl may be destroyed as is  
3 deemed advisable by and under the supervision and control of the Police Department of the  
4 city.

5 SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be  
6 invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force  
7 and effect.

8 SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance  
9 shall be deemed to be guilty of a Misdemeanor of the First Degree and upon conviction in the  
10 District Court shall be punished by a fine not to exceed One Thousand (\$1,000.00) Dollars for  
11 each offense.

12 SECTION 7. That the present ordinances of the City of Belle Isle are inadequate to properly protect birds,  
13 wildlife and their habitat within the City of Belle Isle, creates an urgency and an emergency for  
14 the preservation of the public health, safety, and welfare and requires that this ordinance shall  
15 take effect immediately from and after its passage and publication of said ordinance, as the law  
16 in such cases provides.

17 SECTION 8: Severability: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is  
18 for any reason held invalid or unconstitutional by any court of competent jurisdiction, such  
19 portion shall be deemed a separate, distinct, and independent provision and such holding shall  
20 not affect the validity of the remaining portion hereto.

21 SECTION 9: Effective Date: This Ordinance shall take effect upon its passage and as provided by law.

22 First Reading held this 5th day of September, 2017

23 Second Reading held this 19th day of September, 2017

24 Advertised for Second Reading on the 9<sup>th</sup> day of September, 2017.  
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|                 | YES   | NO    | ABSENT |
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| Ed Gold         | <hr/> | <hr/> | <hr/>  |
| Anthony Carugno | <hr/> | <hr/> | <hr/>  |
| Jeremy Weinsier | <hr/> | <hr/> | <hr/>  |
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| Harvey Readey   | <hr/> | <hr/> | <hr/>  |
| Lenny Mosse     | <hr/> | <hr/> | <hr/>  |
| Sue Nielsen     | <hr/> | <hr/> | <hr/>  |

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LYDIA PISANO, MAYOR

ATTEST: 

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Yolanda Quiceno, CMC-City Clerk 

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Approved as to form and legality City Attorney

STATE OF FLORIDA  
COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document  
ORDINANCE 17-07 was duly and legally passed by the Belle Isle City Council, in session assembled on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2017, at which session a quorum of its members were present.

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Yolanda Quiceno, CMC-City Clerk