

1 CITY OF MARGATE, FLORIDA

2 ORDINANCE NO. _____

3 AN ORDINANCE OF THE CITY OF MARGATE,
4 FLORIDA, PROVIDING FOR A TWELVE MONTH
5 MORATORIUM ON THE ISSUANCE OF ANY NEW PET
6 STORE, PET SHOP, AND LIVE ANIMAL DISPLAY
7 PERMIT APPROVALS OR DEVELOPMENT ORDERS;
8 DIRECTING THE REVIEW AND DEVELOPMENT OF
9 APPROPRIATE AMENDMENTS TO THE CITY OF
10 MARGATE COMPREHENSIVE PLAN, LAND
11 DEVELOPMENT CODE, ZONING, AND OTHER
12 REGULATIONS RELATING TO PET STORES AND
13 ANIMAL DISPLAYS; PROVIDING FOR REPEAL;
14 PROVIDING FOR SEVERABILITY; PROVIDING
15 FOR AN EFFECTIVE DATE.
16
17

18 **WHEREAS**, the City Commission recognizes that the operation of
19 pet stores and the display or exhibit of live animals within the
20 City present unique concerns relating to the health, safety, and
21 welfare of the City's residents, including the humane care,
22 confinement, and treatment of animals; the transmission of
23 diseases; sanitation; noise; and public safety; and
24

25 **WHEREAS**, these concerns are heightened for exotic animals and
26 other species not indigenous to South Florida, which may pose
27 elevated risks of injury and disease transmission, and may require
28 specialized care, containment, and handling beyond that required
29 for domesticated animals; and
30

31 **WHEREAS**, the City Commission also recognizes that the
32 responsible display of live animals may offer educational,
33 cultural, and recreational benefits to residents, and desires to
34 ensure that any such activities occur under regulations that
35 appropriately balance those benefits against the risks to public
36 health, safety, and welfare; and
37

38 **WHEREAS**, the City's existing regulatory framework for pet
39 stores and live animal displays, including the City Code, Land
40 Development Code, Comprehensive Plan, and zoning regulations, may
41 not adequately address the location, licensure, operational
42 standards, and permitting of such uses, and a comprehensive review
43 of that framework is warranted; and

1
2 **WHEREAS**, the City Commission requires a reasonable period of
3 time to review, consider, prepare, process for adoption, and
4 implement any appropriate amendments to the City Code, the Land
5 Development Code, the Comprehensive Plan, and the City's zoning
6 requirements relating to pet stores and the display or exhibit of
7 live animals, and to preserve the status quo while that review is
8 completed; and
9

10 **WHEREAS**, courts have recognized that local governments may use
11 temporary land use moratoria to preserve the status quo while
12 studying and adopting appropriate land development regulations,
13 see *WCI Communities, Inc. v. City of Coral Springs*, 885 So. 2d 912
14 (Fla. 4th DCA 2004), *Tahoe-Sierra Preservation Council, Inc. v.*
15 *Tahoe Regional Planning Agency*, 535 U.S. 302 (2002); and
16

17 **WHEREAS**, the City Commission finds that a temporary moratorium
18 of a limited duration of twelve months on the acceptance,
19 processing, review, and approval of applications for such
20 development orders, permits, and approvals is reasonable and a
21 valid exercise of the City's police power and home rule authority.
22

23 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
24 CITY OF MARGATE, FLORIDA:

25 **SECTION 1:** That the foregoing "**WHEREAS**" clauses are
26
27 ratified and confirmed and are made a part of this Ordinance.

28 **SECTION 2:** That it is deemed to be in the best interest
29 of the health, safety, and welfare of the residents and citizens
30 of the City of Margate that a twelve-month (12) moratorium be
31 imposed on the issuance of any new development orders, permits,
32 temporary use agreements or other approvals for pet stores or for
33 the display or exhibit of live animals within the City of Margate.
34 This Moratorium shall not apply to any lawfully existing Pet
35 Stores, Pet Groomers, Pet Rescue, Temporary Pet Care facilities,
36 or live animal display permit holders as of the effective date of
37 this Ordinance, provided that they do not add species categories

1 not previously offered, relocate during the time of the moratorium,
2 or expand its floor area devoted to the sale or display of live
3 animals.

4 **SECTION 3:** During the Moratorium, City staff shall review the
5 City's Code of Ordinances, Comprehensive Plan, Land Development
6 Code, Zoning regulation, and any related local, state, or Federal
7 regulations and prepare proposed amendments addressing Pet Stores
8 and Live Animal displays.

9 **SECTION 4:** All ordinances or parts of ordinances in
10 conflict herewith are repealed to the extent of such conflict.

11 **SECTION 5:** If any section, sentence, clause, or phrase of
12 this Ordinance is held to be invalid or unconstitutional by a court
13 of competent jurisdiction, then said holding shall in no way affect
14 the validity of the remaining portions of this Ordinance.

15 **SECTION 6:** This Ordinance shall become effective
16 immediately upon adoption at its second reading.

17 PASSED ON FIRST READING THIS ___ day of _____, 2026.

18 PASSED ON SECOND READING THIS ___ day of _____, 2026.

19 ATTEST:

20
21
22 _____
23 JENNIFER M. JOHNSON
24 CITY CLERK

MAYOR ANTONIO V. ARSERIO

25
26 RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

27
28 Caggiano _____
29 Ruzzano _____

Caggiano _____
Ruzzano _____

1 Schwartz _____
2 Simone _____

Schwartz _____
Simone _____