

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, PROVIDING FOR A TWELVE MONTH MORATORIUM ON THE ISSUANCE OF ANY NEW PET STORE, PET SHOP, AND LIVE ANIMAL DISPLAY PERMIT APPROVALS OR DEVELOPMENT ORDERS; DIRECTING THE REVIEW AND DEVELOPMENT OF APPROPRIATE AMENDMENTS TO THE CITY OF MARGATE COMPREHENSIVE PLAN, LAND DEVELOPMENT CODE, ZONING, AND OTHER REGULATIONS RELATING TO PET STORES AND ANIMAL DISPLAYS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the City Commission requires a reasonable period of time to review, consider, prepare, process for adoption, and implement any appropriate amendments to the City Code, the Land

1 Development Code, the Comprehensive Plan, and the City's zoning
2 requirements relating to pet stores and the display or exhibit of
3 live animals, and to preserve the status quo while that review is
4 completed; and
5

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

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

19 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
20 CITY OF MARGATE, FLORIDA:
21

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

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

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

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

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

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

PASSED ON FIRST READING THIS 19TH day of AUGUST, 2026.

PASSED ON SECOND READING THIS ____ day of _____, 2026.

ATTEST:

JENNIFER M. JOHNSON
CITY CLERK

ANTONIO V. ARSERIO
MAYOR

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

Schwartz	_____	Schwartz	_____
Simone	_____	Simone	_____
Ruzzano	_____	Ruzzano	_____
Caggiano	_____	Caggiano	_____
Arserio	_____	Arserio	_____