

(D) The penalties provided herein are in addition to any penalties that may be imposed by a court of competent jurisdiction for any violation of law.

('58 Code, § 33.30) (Ord. 75-65, passed 6-10-75) Penalty, see § 10.99

### *SAND AND SPURS STABLES*

#### **§ 98.60 SAND AND SPURS ADVISORY BOARD.**

For provisions governing the Sand and Spurs Advisory Board, see §§ 33.100 and 33.101.

#### **§ 98.61 ESTABLISHMENT.**

There is hereby established the Sand and Spurs Stables of the City of Pompano Beach, located at 1600 Northeast 5th Avenue, more particularly described as follows. A parcel of land in the northeast 1/4 of the southeast 1/4 of Section 26, Township 48, Range 42 East, and in the northwest 1/4 of the south-west 1/4 of Section 25, Township 48, Range 42 East, more fully described as follows. Beginning at the northeast corner of the southeast 1/4 of the southeast 1/4 of Section 26-48-42, proceed westerly along the north line of the aforementioned southeast 1/4 to a point 140' east of the east right-of-way line of the F.E.C.R.R., then proceed northeasterly along a line which is 135 feet, more or less, east of and parallel to the east right-of-way line of the F.E.C.R.R. a distance of 790 feet, more or less, then at a right angle to the last described course, run southeasterly to an intersection with the west right-of-way line of Northeast 5th Avenue, then run south-westerly along the right-of-way line, to an intersection with the north line of the southwest 1/4 of the southwest 1/4 of Sections 25-48-42, then westerly along the north line to the point of beginning.

('58 Code, § 33.40) (Ord. 76-51, passed 5-18-76)

#### **§ 98.62 HOURS OF OPERATION.**

The hours of operation of the Sand and Spurs Stables shall be from 6:00 a.m. to 30 minutes after sunset, daily.

('58 Code, § 33.41) (Ord. 76-51, passed 5-18-76)

§ 98.63 PURPOSE.

The purpose of Sand and Spurs Stables is to provide grounds for the care, housing, exercising, and use of riding equine.

('58 Code, § 33.42) (Ord. 76-51, passed 5-18-76; Am. Ord. 95-22, passed 11-22-94)

§ 98.64 STABLE ATTENDANT.

A stable attendant shall be assigned to the Sand and Spurs Stables by the Public Works Director and is charged with the enforcement of all ordinances, rules and regulations of Sand and Spurs Stables and the maintenance of order. The stable attendant will also be responsible for initiating policy regarding the day-to-day operations at the stables, with the approval of the Public Works Director.

('58 Code, § 33.43) (Ord. 76-51, passed 5-18-76; Am. Ord. 93-65, passed 9-7-93; Am. Ord. 2006-70, passed 9-26-06; Am. Ord. 2008-62, passed 9-23-08)

§ 98.65 STALLS; FEES.

(A) The standard rental rates established herein apply to a stall space of 625 square feet or less. Any stall space measuring more than the standard space shall be charged on the basis of the base rental rates for the standard size plus an additional amount per square foot for all space utilized in excess of the standard 625 square feet that the stall and paddock occupy. Beginning on October 1, 2008, the rental rate of the excess space shall be 100% of the per square foot charge charged for the standard stall rate, which calculates to the following:

- (1) Resident,  
per square foot  
per month . . . . . \$0.51 cents
- (2) Nonresident,  
per square foot  
per month . . . . . 0.66 cents

('58 Code, § 33.44)

(B) The following shall comprise the stall fees for the Sand and Spurs Stables effective October 1, 2008.

- (1) Resident  
per month . . . . . \$319.07
- (2) Nonresident  
per month . . . . . 408.76

- (3) Trailer storage fee,  
per month . . . . . \$10.00

(C) For use of city-owned stalls, the above listed fees shall apply, plus payment of additional fees as follows:

- (1) Resident  
Per month . . . . . \$100.00
- (2) Nonresident  
Per month . . . . . 100.00

For a period of 24 months from the effective date of Ordinance 2009-42, the payment of the fees in this subsection shall not be required until July 14, 2011.

(D) Fees are payable monthly in advance on or before the first day of the month. A late payment penalty in the amount of \$25 per stall shall be added to any fees paid and received by the city after the tenth day of the month. Any payments made will first be applied to any outstanding late payment penalties. No waiver of any provision in this section shall be effective unless it is in writing, signed by the party against whom it is asserted, and any such written waiver of the city's failure to enforce any obligation set forth herein shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver. The first month's fee and a deposit equal to the amount of two monthly payments must accompany all applications. Deposits shall be non-interest bearing and will be refunded upon termination of the permit provided the Permit Holder is current in the fees due to the city. In the event the Permit Holder is not current in the fees due the city or if there are damages attributable to the Permit Holder that are outstanding at the time the permit is terminated, the deposit shall be drawn upon by the city and be applied to the amount of any outstanding fees or damages. However, the Permit Holder shall remain responsible for all amounts owing if the deposit does not sufficiently cover such fees or damages; further, the use of the deposit for the aforesaid reasons shall not preclude the city from pursuing legal action. Fees paid in advance, for a full 12-month period, shall receive an 8% discount.

- (1) Resident fees.

(a) For purposes of this section, **RESIDENT** shall mean a person who meets the requirements for **RESIDENCY** as defined in § 98.01.

(b) Joint stall Permit Holders/co-ownership of equine.

1. Stalls that are jointly held by a city resident and a non-city resident shall pay the higher of nonresidential fees.

2. Stalls containing equine co-owned by a city resident and any non-city resident shall pay the higher nonresident fees. Valid proof of ownership shall be furnished upon demand to the Public Works Department.

(c) City residents may pay resident fees for more than one stall, only, if the resident is the sole owner of all equine stabled in each stall. Valid proof of ownership shall be furnished upon demand to the Public Works Department.

(d) Payments received that cannot be processed due to omissions, shall be returned to sender and a late fee assessed to the account. Such omissions include, but are not limited to, failure to sign or complete checks, or failure to identify the stall for which credit is to be applied. ('58 Code, § 33.47) (Ord. 76-51, passed 5-18-76; Am. Ord. 77-23, passed 2-15-77; Am. Ord. 82-31, passed 2-23-82; Am. Ord. 83-13, passed 10-26-82; Am. Ord. 86-15, passed 11-12-85; Am. Ord. 87-66, passed 7-28-87; Am. Ord. 90-2, passed 9-19-89; Am. Ord. 91-35, passed 2-19-91; Am. Ord. 92-49, passed 7-7-92; Am. Ord. 92-71, passed 9-29-92; Am. Ord. 93-45, passed 5-11-93; Am. Ord. 2001-65, passed 6-12-01; Am. Ord. 2003-37, passed 3-25-03; Am. Ord. 2005-64, passed 7-12-05; Am. Ord. 2006-70, passed 9-26-06; Am. Ord. 2008-62, passed 9-23-08; Am. Ord. 2009-42, passed 7-14-09)

#### § 98.66 PERMITS.

A permit for the use of stall space at Sand and Spurs Stables must be obtained for each stall by submitting an application for each to the Public Works Department provided by the Department. The permit gives an approved Permit Holder a license to utilize only the designated stall space in conformity with the requirements of §§ 98.60 through 98.71, to keep and maintain the stalls located on the designated space, and to modify a stall or construct a new stall within the requirements contained in the above-listed sections. The permit shall be granted subject to the following limitations and provisions.

(A) For purposes of this chapter, the term *PERMIT HOLDER* shall mean an approved applicant who may utilize an existing stall, erect, place, or alter a stall or stalls for the quartering of equine upon the designated space, provided the stall is constructed or altered in accordance with plans and specifications to be submitted to and approved in writing by the Public Works Director or his designee, and after approval of the City's Engineering Department and Building Department. Any such Permit Holder may assign, sell, transfer or trade his/her stall only in accordance with the requirements contained in § 98.67. *STALL USER* is anyone who routinely turns out, rides, or takes care of the equine stabled in the stall. A stall user uses the S&S facility, but does not hold the stall permit and uses the facility at the sole discretion of the Permit Holder. Stall users must be listed by Permit Holders on permit renewals and permit applications and must sign waiver and release of liability forms with the City. Stall Users' contact phone numbers must be listed on the Application and Renewals. A proposed *STALL USER* must not have any unpaid stall fees owed to the city or have been evicted for any reason within the past five years, or the city may deny that person the right to utilize the Sand and Spurs facility as a *STALL USER*.

(B) The city may terminate all rights by giving written notice of said violation of the Sand and Spurs ordinances, which shall be sent by certified or registered mail to the Permit Holder's address currently on file with the Public Works Department. The Permit Holder shall have 14 calendar days to correct the violation(s) of the ordinance following the receipt of the violation(s). During the 14-day period the Permit Holder shall have the option to appeal the violation(s) of the ordinance to the City Manager by a written statement to the City Manager requesting review within seven (7) days of receipt of the notice of termination. Following the review the City Manager will forward his or her decision to the Permit Holder. The City Manager may uphold, revoke or modify the termination. The Permit Holder shall have a 30-day period within which to sell, assign or transfer the permit to another applicant approved by the city, any stall or stalls occupied by the Permit Holder. At the expiration of the 30-day period, all rights to occupy and use any stall or stalls not transferred shall revert to the city together with all fixtures and appurtenances thereto. However, no right to sell, assign or transfer the permit shall exist should the city be required to abandon the land upon which Sand and Spurs is located pursuant to § 98.66(E). If the Permit Holder does not correct the violation or appeal to the City Manager within 14 calendar days, the 30 calendar day period to sell, assign, or transfer shall begin.

(C) The city may require that any stall, or stalls, be moved to another location designated by the city after giving 90 days' written notice, which shall be sent by certified or registered mail to the Permit Holder's address currently on file with Public Works.

(D) Under no circumstances may any stall or stalls or other building be removed or dismantled, or other exterior alterations made, except for routine maintenance, without following the steps outlined in subsection (A) above.

(E) The land upon which the Sand and Spurs Stables is situated is part of the Pompano Beach Air Park, and the manner in which air park land may be utilized by the city is subject to regulation by the Federal Aviation Administration. Should any order, regulation, or decree of the Federal Aviation Administration necessitate the abandonment of the Sand and Spurs Stables by the city, the city shall be under no obligation to reimburse stall users for any stall or stalls owned by them or for any other loss occasioned by the abandonment.

(F) Permit Holder may use the recreation area and facilities at Sand and Spurs Park including the riding range, trails, water, and lights. All persons shall keep the area clean and free of debris of all kinds whatsoever.

(G) Applicants/Permit Holders shall take out and maintain at all times while occupying stall space at Sand and Spurs Stables, a liability insurance policy with a combined single limit of \$500,000, that shall protect them from claims for damages for personal injury, including accidental death, as well as from claims for property damage. No applicant shall be approved until the applicant has provided either a certificate of insurance or a copy of their policy to the city risk manager. The certificate or policy shall specify that the insurance provided there-under shall not be canceled without at least 30-days' notice to the city. Additionally, the applicant shall agree to indemnify the city, its officers, agents, employees, and any guests or invitees on the premises for any and all damages caused by the applicant's use of the stall, and the applicant further understands and agrees that the city shall not be responsible for any of the applicant's property located on the premises, and in recognition thereof the applicant specifically releases the city, its officers, agents, and employees from any claims or causes of action on account of any damage or loss to any and all of the applicant's property located on the premises.

(H) Upon the Permit Holder's failure to pay all fees when due, the city may:

(1) Take and hold all property of the Permit Holder on the premises and the value of any property may be applied toward any monies owing the city.

(2) Proceed with eviction of Permit Holder.

(3) Take any and all legal action available to collect past due amounts, and any amounts due for the remainder of the permit period.

(4) In addition, seek to recover all costs and attorney's fees for any litigation commenced under subsection (1), (2) and (3) of this subsection.

(I) The rights, privileges, and duties of the Permit Holder are transferable upon approved application.

(J) A Permit Holder may be permitted to donate to the city a stall for which he holds a permit provided that the Permit Holder is current with any and all monies due to the city and such donations shall be subject to review and approval by the Public Works Department. All such stalls must be in the same condition as when the city inspected same and agreed to accept the donated stall. No such stall may be stripped or otherwise altered after said inspection and approval.

(K) The Public Works Department may rent available city-owned stalls, or sell stalls that the city has taken over or is otherwise holding for \$250 by offering same on a first-come, first-served basis provided that Pompano Beach residents shall be given first preference in the use of available stalls. All city-owned stalls shall be sold with the condition that the purchaser shall bring that stall up to all applicable codes.

(L) Requirements for permit.

(1) No permit will be granted if the applicant is in arrears with fees for other stalls, or has an outstanding balance from prior stall use, or has a delinquent payment history. Four or more late payments, or three checks returned unpaid by a bank for any reason, within the preceding 12 month period shall constitute a delinquent payment history for purposes of this section. Any check that is returned unpaid by a bank shall also constitute a late payment.

(2) Each permit shall be valid for a 12-month period and shall obligate the Permit Holder for payment of all fees for the assigned stall for a 12-month period, unless the stall has been sold with city approval, or the permit has been terminated with city approval. A Permit Holder with a delinquent history will not be allowed to purchase any other stalls.

(3) To renew a permit for 12-month or other period, a Permit Holder must:

- (a) Have current photo of equine; and
  - (b) Provide proof of current insurance and new negative test results for Equine Infectious Anemia (Coggins Test), both as required in this section; and
  - (c) Be current with all fees owed to the city for stall use; and
  - (d) Not have a delinquent payment history, as defined in subsection (L)(1) above; and
  - (e) Have on file with the Public Works Department a signed warning notice in accordance with F.S. § 773.04(1)(b); and
  - (f) Complete Permit Holder renewal application; and
  - (g) Have no current building code violations on the stall.
- (4) (a) No permit will be approved for renewal unless all of the requirements in subsection (3) of this subsection are met.
- (b) Automatic renewal will take place if all portions of § 98.66(L)(3) are met.

(c) A delinquent payment history shall constitute grounds for non-renewal of a permit unless the Permit Holder pays for the entire 12-month renewal period in advance by cashier's check, money order or cash for the upcoming year. Such required payment shall not be eligible for the advance payment discount set forth in § 98.65(D), and the following year at the time of renewal payment shall return to a monthly payment basis for the next 12 month period. However, if a Permit Holder with a delinquent payment history is up to date on their payments

at the time of renewal, the renewal takes place and (c) does not apply. Monthly late fees shall still be applicable for late payments.

(5) Stalls must be vacated no later than 14 days after expiration of the permit or the Permit Holder will be subject to additional fees for stall use, along with eviction and all court costs and attorney's fees associated with the litigation.

(6) All denials of stall renewals may be appealed by the Permit Holder to the City Manager in writing within 14 days after notice of the denial.

(7) The Public Works Department is authorized to approve a permit for a period less than 12 months, based upon extraordinary circumstances of the applicant.

(8) The Public Works Department is authorized to terminate any permit prior to the expiration of the permit time period pursuant to request by the Permit Holder based upon extraordinary circumstances of the Permit Holder.

(9) The Public Works Department shall provide renewal notices at least 45 days prior to permit expiration to all Permit Holders at the address currently on file with the Public Works Department. ('58 Code, § 33.45) (Ord. 76-51, passed 5-18-76; Am. Ord. 77-14, passed 1-18-77; Am. Ord. 86-67, passed 5-27-86; Am. Ord. 87-43, passed 5-19-87; Am. Ord. 87-46, passed 6-2-87; Am. Ord. 92-58, passed 7-28-92; Am. Ord. 93-65, passed 9-7-93; Am. Ord. 95-22, passed 11-22-94; Am. Ord. 2001-65, passed 6-12-01; Am. Ord. 2003-37, passed 3-25-03; Am. Ord. 2007-33, passed 2-27-07; Am. Ord. 2008-62, passed 9-23-08; Am. Ord. 2009-42, passed 7-14-09)

#### § 98.67 APPLICATION.

Persons desiring to use stall space at the Sand and Spurs Stables shall be required to file an application with the city, for each and every stall, which shall provide for the approval by the City Manager and the Public Works Director or his designee, and for space assignment as approved by the Public Works Director or his designee. The application shall be accompanied by a statement to the effect that the applicant has reviewed both this chapter as it pertains to the Sand and Spurs Stables and has also received a copy of the rules and regulations governing the Sand and Spurs Stables. The applicant shall further

acknowledge in the statement that the applicant agrees to be bound by the Codes of Ordinances as it currently exists or as may be amended from time to time as well as any additional rules and regulations governing Sand and Spurs Stables promulgated by the city. The applicant shall also agree to accept responsibility for payment of stall fees for the required time period, and shall sign a warning notice pursuant to F.S. § 773.04(1)(b). The application shall also have attached thereto proof of ownership of the equine. No waiver of any provision in the Sand and Spurs Stables Application shall be effective unless it is in writing, signed by the party against whom it is asserted, and any such written waiver or the city's failure to enforce any obligation set forth in the application shall only be applicable to the specific instance to which it relates and shall not be deemed to be a continuing or future waiver.

(A) No assignment, sale, transfer or trading of stalls shall be permitted without prior written approval of the Public Works Department. No leasing or renting of stalls shall be permitted by Permit Holders without specific authorization from the Public Works Department. Permit Holder will still be responsible for all rent payments and both Permit Holder and any Lessee shall be subject to eviction for non-payment of any rents due. Lessee must comply with all regulations for use of the facilities in this chapter.

(1) Any prospective Permit Holder of a stall must first submit an application under this section and any other required information.

(2) No assignment or transfer of a stall will be approved unless all fees due have been paid in full by the current Permit Holder of the stall.

(3) No trade of stalls will be approved if Permit Holder is not current with all fees owed the city.

(4) No stall shall be loaned or otherwise provided for use to others by the designated Permit Holder without first obtaining permission from the Public Works Department.

(B) Upon the city approved assignment, transfer, or trade of a stall, a new deposit shall be required from the

new incoming Permit Holder. The original deposits will be returned to the Permit Holders or utilized toward any outstanding balance.

('58 Code, § 33.46) (Ord. 76-51, passed 5-18-76; Am. Ord. 93-45, passed 5-11-93; Am. Ord. 93-65, passed 9-7-93; Am. Ord. 95-22, passed 11-22-94; Am. Ord. 2001-65, passed 6-12-01; Am. Ord. 2003-37, passed 3-25-03; Am. Ord. 2008-62, passed 9-23-08; Am. Ord. 2009-42, passed 7-14-09)

#### § 98.68 RULES AND REGULATIONS.

(A) The following rules and regulations shall apply to the use of the Sand and Spurs Stables.

(1) Any and all equine owners must present to the Public Works Department proof of all State of Florida mandated vaccinations along with a blood test showing a negative result for Equine Infectious Anemia (Coggins Test) not more than one year old. Each year on the anniversary date of this equine's original blood test for Equine Infectious Anemia (Coggins Test) the owner must present a new blood test for Equine Infectious Anemia showing a negative result, along with proof of any state mandated vaccinations. It is the responsibility of the equine owner to notify the stable attendant if they plan to remove their equine for an extended period of time. Any equine coming onto the grounds of Sand and Spurs Stables must be accompanied by an Equine Infectious Anemia (Coggins Test) showing a negative result, according to the state guidelines. The Public Works Director or his designee may order the removal of an equine from the premises of Sand and Spurs Stables if the equine is known to have a communicable disease or is determined by a licensed veterinarian to be a health hazard to the equine population. Similar certificates of health may also be required from time to time when in the opinion of the Public Works Director or his designee it is necessary to protect persons or animals using Sand and Spurs Stables. An equine pre-purchase trial form to be completed prior to bringing equine to Sand and Spurs for trial.

(2) Permit Holders are responsible for timely submission of paperwork. An automatic 5 point citation will be given if the following items are not submitted to Public Works within 15 business days of due date: coggins, renewal paperwork, liability insurance certificate, and trailer registrations. For each additional 15-day period, an additional 5 points will be assessed.

(3) In the event any equine that is stabled at Sand and Spurs Stables receives a positive test result for a contagious disease, the other equine stabled at Sand and Spurs may be required to submit results of medical tests upon the request of the Public Works Director, and also a second health test after the incubation period for the specific disease has expired.

(4) Stall Permit Holders and/or users shall be responsible for the removal of all waste matter from the stall enclosures and for the placement of all bottles, trash, and similar refuse in trash cans.

(5) The motor vehicle speed limit in the area of the stables shall be five miles per hour.

(6) There shall be no smoking west of the main road in the stable area and no obscene language anywhere on the premises. No alcoholic beverages or controlled substances as defined in F.S. Ch. 893, shall be permitted on the grounds of Sand and Spurs Stables.

(7) Tack rooms must be kept in a safe condition and be in compliance with the Broward County Environmental Protection Department guidelines for household hazardous waste and are subject to inspection by the Public Works Department.

(8) Riding lessons for permit holders, authorized stall users and their family members or authorized guests only may be conducted only by instructors certified by USEF, USEA, or by some other recognized equine organization. Prior to conducting any group riding lessons or lessons where some participants do not have a horse stabled at Sand & Spurs, all instructors shall enter into a written agreement which will provide for acquisition of all necessary licenses along with insurance coverage approved by the city's Risk Manager. An annual fee of \$100 shall be charged for each registered instructor. Each instructor shall have the relationship with the city as an independent contractor under the control and supervision of the Public Works Director or his authorized designee. Instructors and trainers conducting private training to Permit Holders or stall users or their authorized guests must sign the Equine Release form along with all participants, and no equine may be brought from outside into the park facility for such purposes. Any person providing lessons for compensation must first obtain a Business Tax Receipt pursuant to Chapter 113, applicable to any person engaged in any business or profession within the city. Renting of any equine will not be permitted.

(9) Riding equipment that is inhumane, unsafe, or detrimental to the health and welfare of the equine or rider will not be permitted.

(10) All equine must have halter and halter shank on before being led from a stall. Only walking of equine is permitted west of main entry road. Loose equine will be permitted only in rings and paddocks and not in the main riding ring. Any person placing equine in the ring or paddock must remain on the premises during such time as the equine is within said areas.

(11) Equine may not be trailered from the Sand and Spurs Stables premises except by the owner or by written permission of the owner.

(12) Double riding will be permitted only in rings. No equine may be tied to the rail of the main ring at any time.

(13) Individuals may use the show ring for riding and practice purposes under the general rules and regulations of the stables. Use of the show ring may also be used for organized shows by recognized groups of equine owners subject to conditions as specified by the City Commission for any particular show.

(14) Mistreatment of any equine will not be permitted.

(15) Any person who does not possess a Sand and Spurs Stables permit or who is otherwise not authorized by the Public Works Department shall not be permitted to bring any equine into the stable area or to use the trails, riding rings, or any of the facilities. This provision, however, shall not apply to persons who are official entrants in equine special activities or events scheduled at Sands and Spurs Stables by the Public Works Department.

(16) (a) Prior to the use of any jumps by persons under the age of 18 years, written permission must be obtained from a parent or guardian allowing the person to use the jumps, assuming full responsibility for the safety of the person and for any injury which may result to him by the use of the jumps.

(b) Any minor shall wear a hard hat when riding anywhere within the facility.

(17) Stall maintenance responsibilities.

(a) All permits holders are required to keep and maintain their assigned stalls in accordance with the standards set forth in this Code, Application and Permit Renewal, and, in any regulations governing Sand and Spurs Stables, and in accordance with the applicable building code of jurisdiction. Should any Permit Holder fail to maintain his stall in good repair or in a manner not in compliance with the aforementioned requirements, the Public Works Department may notify the Permit Holder of the necessary corrective action by providing notice by regular U.S. Mail and by posting notice in a conspicuous place on the stall. Upon failure of the Permit Holder to take the required corrective action within ten days of posting the notice, the Public Works Department may proceed to take any necessary corrective action. The Permit Holder shall be responsible for any and all costs incurred by the city in taking the corrective action. In such situations, the city may at its discretion bill the person for the costs or may terminate the permit as provided in this section.

(b) Permit Holders shall be responsible for the maintenance of the structure and exterior of all city-owned stalls, including the painting of such stalls. City shall provide water and electrical service connections to such stalls. All Permit Holders of city-owned stalls shall be responsible for maintaining the stalls in a clean and sanitary condition and in accordance with all other requirements for the Sand and Spurs Stables. No modification of any such stall shall be permitted without the express written permission of the Public Works Director and Building Official.

(18) Destruction, abuse of, or vandalism to either private or public property shall be cause for suspension of a permit.

(19) Stall occupancy.

(a) Each equine at Sand and Spurs shall have a separate stall, which shall only be occupied by equine owned by the approved Permit Holder or equine which is otherwise specifically approved by the Public Works Department for occupancy of that stall. Adequate proof of the ownership shall be furnished to the Public Works Department upon demand by using a State of Florida approved Horse Bill of Sale form (Form No. 1989), which is available from the Public Works Administration or Stable Attendant.

(b) No equine shall be placed in any stall without obtaining prior approval from the Public Works Department.

(20) Only mares, fillies and castrated males over the age of two years are permitted to be stabled at Sand and Spurs Stables. Pregnant mares must be moved prior to giving birth.

(21) Rules and regulations.

(a) A copy of Sand and Spurs Stables rules and regulations, as may be amended from time to time, shall be signed by each Permit Holder and, in the case of a minor, a copy shall be signed by a parent or guardian and the minor, and shall be displayed at all times in all tack rooms. A copy shall also be displayed on the bulletin board in the pavilion.

(b) Permit Holders shall provide for review and signature to all participants engaging in equine activity, a warning notice in accordance with F.S. § 773.04(1)(b). Copies of the warning notice shall be available at the Stable Attendant's office or the Public Works Department.

(22) No person shall ride an equine in a way that is dangerous to the equine, the rider, or others.

(23) Only walking of equine is allowed in the stall area.

(24) Dogs outside the stall area, not under the physical control of a responsible person by leash, are considered Animals Running at Large as defined in § 90.08(A)(B)(C) of Chapter 90: Animals. Additionally, dog(s) must comply with all other minimum standards set forth in Chapter 90, including, but not limited to, §§ 90.09, 90.10 and 90.11. No unattended dog(s) may be kept at Sand and Spurs Stables. Dog(s) are unattended when the owner is not present at Sand and Spurs Stables.

(25) Children under nine years of age are not allowed anywhere on the premises unless accompanied by a parent, guardian or supervising adult under constant supervision.

(26) The stable attendant may restrict the riding habits of any person who rides an equine in an unsafe manner.



(27) All persons or groups desiring to conduct shows or exhibitions shall first enter into a written agreement with the city which will require necessary permits along with insurance coverage approved by the city's Risk Manager. A \$200 fee shall be charged for each show or exhibition conducted by persons or groups who are not tenants of Sand and Spurs Stables.

(28) All city posted signs must be obeyed.

(29) Trailers shall be parked within designated areas only, unless for the purpose of loading and unloading horses, which said parking shall be for 48 hours or less.

(30) Permit Holders leaving the premises while allowing equine to abuse the grass paddocks and allowing the equine to overstay the half hour time limit in the rings will be issued a three-point citation.

(B) Failure to comply with these rules and regulations may be cause for expulsion and termination of the relationship between a Permit Holder and the city.

('58 Code, § 33.48 (1) through (22)) (Ord. 76-51, passed 5-18-76; Am. Ord. 78-60, passed 6-20-78; Am. Ord. 81-68, passed 6-30-81; Am. Ord. 93-65, passed 9-7-93; Am. Ord. 95-22, passed 11-22-94; Am. Ord. 97-28, passed 10-22-96; Am. Ord. 99-42, passed 4-27-99; Am. Ord. 2001-65, passed 6-12-01; Am. Ord. 2003-37, passed 3-25-03; Am. Ord. 2006-70, passed 9-26-06; Am. Ord. 2008-62, passed 9-23-08; Am. Ord. 2009-42, passed 7-14-09)

**Cross-reference:**

*Termination of privileges; point system, see § 98.71*

**§ 98.69 CONTROVERSIES.**

The City Manager or his delegated subordinate shall have the authority to settle any controversies among persons at the Sand and Spurs Stables, and his decision in such matters shall be final and binding on all parties. ('58 Code, § 33.49) (Ord. 76-51, passed 5-18-76)

**§ 98.70 OBSTRUCTING OFFICIALS.**

It shall be unlawful for any person to obstruct or hinder the officials of the city in the performance of their duties of inspecting or administering the Sand and Spurs

Stables or carrying out any of the duties necessary to the proper operation of the Sand and Spurs Stables. ('58 Code, § 33.50) (Ord. 76-51, passed 5-18-76). Penalty, see § 10.99

**§ 98.71 TERMINATION OF PRIVILEGES; POINT SYSTEM.**

(A) Any person while on the grounds of Sand and Spurs Stables who violates any ordinance or the rules and regulations of the Sand and Spurs Stables as provided in §§ 98.67 & 98.68, shall receive a written warning citation from the stable attendant.

(B) There is established a point system for the revocation of the permit issued under this chapter. The stable attendant is authorized to terminate the privilege of any person riding any equine on showing of his records or other good and sufficient evidence that he has violated the rules of §§ 98.67 & 98.68 amounting to five or more points as determined by the point system.

(1) When a person accumulates 15 points within a 12-month period, the permit shall be revoked.

(2) The point system shall have as its basic element a graduated scale of points assigning relative values as follows:

(a) As to § 98.67 (A)(4) - three points.

(b) As to § 98.68 (A)(1), (2), (3), (5), (6), (14), (17), (18), (25), (28), (29) and (30) - five points.

(c) As to § 98.68 (A)(8), (9), (11), (12), (16), (20), (22), and (30) - three points.

(d) As to § 98.68 (A) (4), (7), (10), (13), (19), (21), (23), and (24)- two points.

(C) (1) Any person receiving citations under this section may appeal the citation to the City Manager, if the appeal is submitted in writing to the City Manager within three business days of the receipt of the citation. The City Manager may void the citation if he finds it wrongfully issued.

(2) Any person whose permit is revoked may, in accordance with the provisions set forth in § 98.66 (B),

within seven (7) days after notice of such revocation is received, file a written petition to the City Manager, to show cause why his permit should not be revoked. Upon review of the petition, the City Manager shall uphold, revoke or modify the termination, and shall forward a written decision to the permit holder.

('58 Code, § 33.48 (23)) (Ord. 76-51, passed 5-18-76; Am. Ord. 78-60, passed 6-20-78; Am. Ord. 81-68, passed 6-30-81; Am. Ord. 93-65, passed 9-7-93; Am. Ord. 95-22, passed 11-22-94; Am. Ord. 2006-70, passed 9-26-06; Am. Ord. 2008-62, passed 9-23-08; Am. Ord. 2009-42, passed 7-14-09) Penalty, see § 10.99