

ORDINANCE NO. 75-7

AN ORDINANCE TO BE ENTITLED, "HERNANDO COUNTY ANIMAL ORDINANCE"; UNDER PART I: PROVIDING FOR DEFINITIONS; ESTABLISHING A SCOPE; PROHIBITING CRUELTY TO ANIMALS; REFERRING TO PROVISIONS FOR INVESTIGATION OF CRUELTY; PROHIBITING DOGS FROM RUNNING AT LARGE AND PROVIDING FOR THE IMPOUNDING OF SUCH UPON VALID CITIZEN COMPLAINT; PROVIDING EXCEPTIONS; PROHIBITING THE KEEPING OR HARBORING OF DOGS WHICH CREATE AN ANNOYANCE OR A NUISANCE; REQUIRING THE VACCINATION AND LICENSING OF DOGS; PROVIDING FOR THE PENALTY FOR VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE; AND UNDER PART II: RELATING TO THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY OF THE CITIZENS OF HERNANDO COUNTY; REQUIRING THE VACCINATION OF DOGS AGAINST RABIES; PROVIDING FOR THE ISSUANCE OF A CERTIFICATE OF VACCINATION AND THE WEARING OF A TAG BY ALL VACCINATED DOGS; PROVIDING FOR THE LICENSING OF DOGS AND FEES THEREFOR; PROVIDING FOR THE IMPOUNDING OF UNVACCINATED AND UNLICENSED DOGS AND THEIR DISPOSITION; PROVIDING FOR THE CONFINEMENT OF DOGS WHICH HAVE BITTEN HUMAN BEINGS AND/OR WHICH HAVE BEEN EXPOSED TO RABID ANIMALS; PROVIDING FOR APPOINTMENT OF IMPOUNDING OFFICER AND DEPUTIES, AND FOR THEIR COMPENSATION; PROVIDING FOR ENFORCEMENT; PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

PART I

SECTION 1: DEFINITIONS. Wherever used in this Ordinance, unless a contrary intention is clearly evident:

- A. The term "dog" means and includes all members of the canine family, three months or more of age.
- B. The term "owner" means and includes any person having a right of property in the dog, or who keeps or harbors a dog or who has it in his care or acts as its custodian or who permits the dog to remain on or about any premises occupied or controlled by him.
- C. The term "at large" shall mean off the premises of the owner or off the premises

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of a person who has given permission to the dog owner for the dog to be upon such premises, and not under the control, custody, charge, or possession of the owner or other responsible person either by leash, cord, or chain.

SECTION 2: SCOPE. Provisions of PART I of this Ordinance shall apply and be applicable to only those unincorporated areas within Hernando County which are subdivided with a plat of said subdivision having been filed in the Public Records of Hernando County, Florida, and only in those instances in which any said subdivision shall have a population of actual residents in excess of three hundred (300) persons.

SECTION 3: Provisions pertaining to cruelty to animals shall be as found in Chapter 828, Florida Statutes.

SECTION 4: Provisions pertaining to the investigation of cruelty shall be as found in Chapter 828.03, Florida Statutes.

SECTION 5: RUNNING AT LARGE. No person who owns, harbors, keeps, or maintains any dog shall allow or permit the same either willfully or through failure to exercise due care or control, to roam, wander, or run at large on or about any public street, roadway or public place in Hernando County, Florida, or in, on or about the private property of any person or persons other than that of the person who owns, harbors, keeps or maintains said dog, or that of any person who has given permission to the dog owner for such dog to be upon the premises of such consenting person.

SECTION 6: All dogs when in, on or about public streets, roadways or places in Hernando County, Florida, or when in, on or about the private property of any person or persons, other than that of the person who owns, harbors, keeps or maintains said dog or other than that of the person who has consented

to said dog being upon his property, shall be on a leash, collar or other appropriate restraining devise under the direct care, control and supervision of a person sufficiently mature to care for, control and manage said dog.

SECTION 7: Any dog found roaming, wandering or running at large in, on or about any public street, roadway or place in Hernando County, Florida, or in, on or about said private property of any person or persons, other than that of the person who owns, harbors, keeps or maintains said dog, or other than that of the person who has consented to said dog being upon his property, as prohibited in Section 5 of this Ordinance and as not excepted by any provision of this Ordinance, and upon the receipt of a valid written complaint, as outlined in Section 8 of this Ordinance, shall be impounded by the County Impounding Officer, or his duly appointed deputies (appointments to be made by the Hernando County Board of County Commissioners) and imprisoned and impounded at the place maintained or designated for that purpose. When any dog is impounded by the Impounding Officer or his deputy, it shall be held for at least seven (7) days during which the owner shall be notified if possible. If the owner is unknown, and if known and it is impossible to serve him personally, a notice of impounding and intended disposal shall be published in the newspaper qualified to run legal notices, giving owner seven (7) days after date of publication to redeem.

When any dog has been impounded and due notice has been given to the owner, as set forth above, it shall be disposed of or humanely dispatched when not redeemed within seven (7) days. Any impounded dog may be redeemed by a humane society or any other reputable person providing the owner fails to redeem the animal. Any humane society shall have the privilege of dispatching unredeemed dogs, if it so elects, and is so authorized by the Impounding Officer. Impounded dogs may be redeemed by

the payment of board during the period of which impounded, a fee of Five Dollars (\$5.00).

SECTION 8: The provisions of Sections 5, 6, 7 and 11 of PART I of this Ordinance shall apply and become operative only upon the receipt by the Impounding Officer or his duly appointed deputies of a valid written complaint made by the landowner or his authorized agent, upon whose property the dog is running at large.

SECTION 9: Dogs under the direct voice command of the person or his agent who owns, harbors, keeps or maintains said dog are exempt from the provisions of Sections 5, 6 and 7 of PART I of this Ordinance. However, this exemption shall not be construed to allow said dog to roam, wander, or run at large in, on or about the private property of any person or persons other than that of the person who owns, harbors, keeps or maintains such dog or that of the person who has consented to said dog being upon his property.

SECTION 10: Dogs, while being used for hunting purposes, are exempt from the provisions of Sections 5, 6 and 7 of PART I of this Ordinance and may be permitted to run freely for training or hunting purposes:

A. While being accompanied or under supervision of owner or agent, provided that dog and hunter have permission of landowner to be on the property.

B. Provided, however, if such hunting dogs are impounded under the provisions of this Ordinance, and at the time of such impoundment said hunting dogs have a valid dog tag upon a collar, which carries identification of the owner, his address, and telephone number, the Impounding Officer shall

notify such owner of impoundment, and if such owner shall redeem such hunting dog within twenty-four (24) hours of such notice, and produce a current valid State-wide hunting license, there shall be no charge of board nor impounding fee nor any other amount whatsoever.

SECTION 11: NUISANCE. It shall be unlawful for any person who owns, harbors, keeps or maintains any dog to allow or permit the same to be or constitute a public nuisance. A public nuisance shall be defined as meaning the harboring, keeping or owning of any dog, which by loud and frequent or habitual barking, yelping or howling, or by constant and frequent threat of attacking and biting, causes an annoyance to the neighborhood. If any dog is adjudged or determined by a Court of competent jurisdiction to constitute a public nuisance in accordance with the provisions of this Ordinance or any State law governing nuisances, the Hernando County Impounding Officer is authorized to pick up, catch or procure the same dog and to impound said dog and to dispose of said dog in a manner directed by the Court.

SECTION 12: LICENSING AND VACCINATION. All dogs in Hernando County shall be licensed and vaccinated as required in Sections 3 and 4 of PART II of this Ordinance.

SECTION 13: VIOLATIONS. Any person or persons convicted of violating any of the provisions of PART I of this Ordinance shall be punished as provided by law for violations of County Ordinances.

SECTION 14: PART I of this Ordinance shall become effective as provided by law.

#### PART II

SECTION 1: Whenever used in this Ordinance, unless a contrary intention is clearly evident:

A. The term "dog" means and includes all members of the canine family three (3) months or more of age.

B. The term "owner" means and includes any person having a right of property in the dog, or who keeps or harbors a dog, or who has it in care, or acts as its custodian or who permits a dog to remain on or about any premises occupied or controlled by him.

C. The term "vaccination against rabies" means the injection of a canine anti-rabies vaccine approved by the State Veterinarian and administered in an amount and manner approved by the State Board of Health.

D. The term "him" or "his" means any person, and includes females as well as males, and includes the plural as well as the singular.

SECTION 2: From and after July 1, 1967, it shall be unlawful for any person to own any dog in Hernando County unless the dog has been licensed under the provisions of this Ordinance:

A. The owner of each dog in Hernando County shall pay an annual license on each such dog in amount of One Dollar (\$1.00). Such license fee shall be deposited in the General Fund of the County, and shall be due and payable on or before July 1, 1967, and thereafter, annually, on or before July 1 of each and every year.

B. There is created the office of Impounding Officer, which shall be filled by appointment by the Board of County Commissioners of Hernando County at a salary or fee to be set

by such Board. The compensation of such officer shall be paid out of the General Fund of said County.

C. The Board of County Commissioners of said County may appoint such deputy impounding officers as it may deem necessary and pay the said deputies such compensation as it may set.

D. It shall be the duty of the Impounding Officer so appointed and his deputies to issue licenses for any and all dogs upon the payment of the required fee. He shall issue for said dog a license and a metal license tag with the number of the said license stamped or impressed on said license tag. The license tag shall be attached to the collar or harness of the dog for which issued.

E. A license shall not be issued for any dog unless the dog shall have been vaccinated against rabies, as provided in this Ordinance, and evidence of such vaccination filed with the said Impounding Officer.

F. The license shall contain the name, age, sex and description of the dog for which issued.

SECTION 3: Prior to July 1 of each year, every owner of a dog shall cause such a dog to be vaccinated against rabies by a licensed veterinarian. Evidence of vaccination shall consist of a certificate signed by the person administering the vaccine and containing pertinent data for identification of the dog. One (1) copy of the certificate shall be given to the owner, one (1) filed with the Impounding Officer, and one (1) retained by the person administering the vaccine.

SECTION 4: Coincident with the issuance of the certificate of inoculation, as prescribed in the preceding Section, the person administering the vaccine shall issue a metal serially numbered tag to be attached to the collar or harness of the dog and which must be worn at all times. The shape of this tag shall be changed each year. This tag shall be in addition to the license tag.

SECTION 5: On and after July 1 of each year, the owner of any dog found running at large and not licensed or wearing evidence of vaccination and for which no approved certificate of vaccination can be produced, shall be subject to a fee of not more than Twenty-five Dollars (\$25.00) in addition to the fee prescribed for vaccination.

SECTION 6. It shall be the duty of the Board of County Commissioners of Hernando County to provide a suitable enclosure for the impounding of all dogs found running at large in violation of this Ordinance. When any dog is impounded by the Impounding Officer or his deputy, it shall be held for at least seven (7) days during which the owner shall be notified if possible. If the owner is unknown, and if known and it is impossible to serve him personally, a notice of impounding and intended disposal shall be published in a newspaper qualified to run legal notices, giving owner seven (7) days after date of publication to redeem.

SECTION 7. When any dog has been impounded, for failure to be vaccinated and licensed under the provisions of this Ordinance and due notice has been given to the owner, as set forth above, it shall be disposed of or humanely dispatched when not redeemed within seven (7) days. Any impounded dog may be redeemed by a humane society or any other reputable person, providing the owner fails to redeem the animal. Any humane society shall have the privilege of dispatching unredeemed dogs, if it so elects, and is so authorized by the Impounding Officer. Impounded dogs may



be redeemed by the payment of the vaccination fee, board during the period of which impounded, a fee of Five Dollars (\$5.00) and procurement of a proper license as provided herein.

SECTION 8. When any dog, whether vaccinated or not, has been bitten by another animal or exhibits symptoms suggestive of rabies, the owner or the veterinarian attending such dog shall immediately notify the State Public Health Officer or his representative. The dog shall be confined under suitable observation for a period of sixty (60) days or until officially released by the State Board of Health.

SECTION 9. Veterinarians, physicians, dog owners, or any other person having knowledge that any animal or person has been bitten by a dog suspected of having rabies shall report same immediately to the State Health Officer or his duly authorized representative. The dog or other animal shall be confined in suitable and adequate quarters for a period of fourteen (14) days to maintain quarantine, or until the State Board of Health authorizes release. Any expense incurred in handling the dog during this period shall be borne by the owner of the dog.

SECTION 10: This Ordinance shall not apply to any incorporated municipality within Hernando County which has ordinances complying in general with the requirements of this Ordinance, and shall not limit the power of any municipality to institute and require additional control measures and regulations within such municipality.

SECTION 11. Nothing in this Ordinance shall be held to limit the authorities, duties, and responsibilities of the State Board of Health Officer and duly qualified agencies as defined by Statute.

SECTION 12. If any part of this Ordinance be declared unconstitutional, the remainder hereof shall be unaffected.


SECTION 13. All laws or parts of laws in conflict are repealed.

SECTION 14. Chapter 67-1450 of Laws of Florida, as a Special Act pertaining to Hernando County, Florida, is hereby repealed pursuant to the authority of Chapter 71-29 of the Laws of Florida.

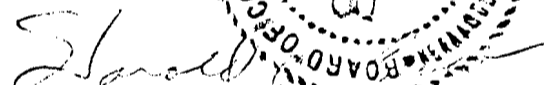
SECTION 15. This Ordinance shall take effect immediately upon becoming a law.

ADOPTED in Special Session this 29th day of May, 1975.

BOARD OF COUNTY COMMISSIONERS  
HERNANDO COUNTY, FLORIDA

By   
Frank Fish, Chairman

ATTEST:

  
Harold William Brown, Clerk

