ORDINANCE NO. 2018-09

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PUTNAM COUNTY, FLORIDA, REPEALING ORDINANCE NO. 2011-01 IN ITS ENTIRETY, WHICH IS CODIFIED AS ARTICLE II OF CHAPTER 6 OF THE PUTNAM COUNTY CODE AND REPLACING IT WITH A NEW ANIMAL CONTROL ORDINANCE; PROVIDING FOR ANIMAL CONTROL IN THE UNINCORPORATED AREAS OF PUTNAM COUNTY; PROVIDING FOR DEFINITIONS; PROVIDING FOR ESTABLISHMENT OF COUNTY ANIMAL SHELTER; PROVIDING FOR ANIMAL CONTROL OFFICERS CREATING EXEMPTIONS; PROVIDING FOR SEIZURE, SURRENDER AND IMPOUNDMENT OF ANIMALS BY PROPERTY OWNERS AND TENANTS; REGULATING AT-LARGE ANIMALS; PROHIBITING ANIMAL CRUELTY; PROVIDING REGULATIONS PERTAINING TO NUISANCE AND DANGEROUS ANIMALS; PROVIDING HEARING AND APPEAL PROCEDURES FOR THE CLASSIFICATION OF DOGS AS DANGEROUS; PROVIDING VACCINATION AND LICENSING REQUIREMENTS; PROVIDING REGULATIONS FOR DISPOSAL OF ANIMALS; PROVIDING PROCEDURES FOR QUARANTINE, IMPOUNDMENT AND TREATMENT OF SICK AND INJURED ANIMALS AND DISPOSAL OF DEAD ANIMALS ; PROVIDING PROCEDURES FOR HANDLING BITE CASES; PROVIDING REGULATIONS FOR RELEASING HOUSEHOLD PETS INTO THE WILD; REGULATING DISPOSAL OF ANIMALS BY THE ANIMAL CONTROL DEPARTMENT; CREATING AN ANIMAL SERVICES ADVISORY COMMITTEE; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that the public health and safety of the citizens of Putnam County will be served by enacting animal control legislation; and

WHEREAS, the Board of County Commissioners recognizes the right of the public to own and properly care for and maintain domestic animals; and

WHEREAS, the laws of the State of Florida require the enactment of certain hearing and appeal procedures with regard to the classification of dogs as Dangerous; and

WHEREAS, effective animal control includes the administration of rabies vaccination programs, licensing of certain animals, rules pertaining to animal cruelty, rules pertaining to Dangerous dogs, impoundment of strays, operation of an animal pound, disposition of impounded animals, and confinement of certain animals.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Putnam County, Florida:

Article II of Chapter 6 of the Putnam County Code is hereby amended to read in its entirety as follows:

Sec. 6-19. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) *Animal* means a pet having an identifiable Owner or Keeper.

(b) *Animal at large* means any animal, other than a cat, which is not under control, custody, charge or possession of the Owner or their designated responsible person, by leash, chain, secure fence or other means of confinement or restraint on property not owned or leased by the Owner. An Animal Control officer may allow a dog off leash if the officer determines that the dog is under effective voice command.

(c) *Animal control officer* means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding in the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

(d) Board means the Putnam County Board of County Commissioners.

(e) Collar or tag means identification collar and rabies tag.

(f) Companion Animal means an animal that helps the psychological wellbeing of the Owner who has Post Traumatic Stress Syndrome, or other psychological issues.

(g) Dangerous dog means any dog that, according to Putnam County records:

(1) Has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property; or

(2) Has more than once severely injured or killed a domestic animal while off the Owner's property; or

(3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by Animal control officer.

(h) Department Head means the Director of Planning and Development Services, his or her designee, or a private nonprofit under contract to operate the Animal control department.

(i) Effective voice command means a voice control by a competent person which at all times prevents the Animal subject to the voice control from running at large or otherwise violating the provisions of this article

(j) Habitual Nuisance means Animals that become a nuisance more than three (3) times.

(k) Handler means the Owner of a Service Animal, or the person who is in control of the Service animal.

(l) Keeper means any person or corporation possessing or having custody of an Animal.

(m) Neutered or spayed means rendered permanently incapable of reproduction by surgical alteration, implantation of a device or other physical means, or permanently incapable of reproduction because of physiological sterility, but only where such neutered or spayed condition has been certified by a veterinarian licensed in any state.

(n) Notice of Hearing means a notice to appear before the Special Magistrate on an alleged violation of this Ordinance.

(o) Notice of Violation means a notice to a property owner identifying an alleged violation of the requirements of this Ordinance.

(p) Notice of Violation and Hearing means a letter combining (n) and (o) immediately above.

(q) Nuisance means Animal conduct or behavior that causes an unreasonable disturbance to the peace including, but not limited to any of the following:

(1) Damaging public property or the property of others; or

(2) Habitual chasing of people, cars, bicycles or other vehicles; or

(r) *Owner* means any person, firm, corporation, or organization possessing, harboring, keeping, or having control or custody of an animal or, if the animal is owned by a person under the age of 18, that person's parent or guardian.

(s) Proper enclosure of a "Dangerous dog" means, while on the Owner's property: a Dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements.

(t) Service Animal (Defined by Title II and Title III of the ADA) A Service Animal means any animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

(u) Severe injury means any physical injury which results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

(v) Tethering means to restrain a dog by tying the dog to any object or structure, including but not limited to, a house, tree, fence, post, garage, or shed, by any means, including but not limited to, a chain, rope, cord, leash or running line. (This shall not include using a leash for walking purposes.)

(w) Unprovoked means a victim who has been conducting himself or herself peacefully and lawfully but has been bitten or chased in a menacing fashion or attacked by a dog.

(x) Work Animal means Animals trained to provide tractive force, such as draft horses and logging elephants, or guard dogs for commercial businesses.

(y) Stock dog means a working dog that has been trained in and is kept and utilized for the purpose of herding.

Sec. 6-20. Areas of enforcement; other agencies

(a) The Board may enforce this article throughout the unincorporated areas of the County and municipalities under an adopted Interlocal agreement.

(b) Nothing in this article shall be held to limit the authorities, duties and responsibilities of the state division of health, the county health officer, the sheriff or other law enforcement officer, and other duly qualified agencies as defined by statute.

Sec. 6-21. Animal Shelter

(a) The Board may operate or contract for operation of an Animal Shelter to retain Animals at large or Dangerous animals not properly secured or restrained by the Owner or Keeper; Animals having or believed to have rabies or other infectious or contagious disease; dogs and cats not licensed and inoculated as required by this article, or any animal otherwise owned, kept or maintained in violation of this article.

(b) The Board may charge reasonable fees for impounding Animals under this article. The Owners or Keepers of impounded Animals shall pay fees and execute a sworn statement of ownership or responsibility as a condition precedent to release of an impounded Animal. Fees collected shall be deposited in the general revenue fund of the County, and all expenses of administrating this article shall be paid from that fund first. The Board shall promulgate by resolution all charges to be paid under this article. If the Board contracts operation of the Animal Shelter to a private non-profit organization, the funds collected will be kept by the nonprofit or organization.

(c) An impounded dog or cat shall not be released from the Animal Shelter until provisions have been made to properly inoculate the Animal for rabies, have it spayed/neutered and have it licensed (if not already done).

Sec. 6-22. Animal control Department Head; appointment; duties.

(a) The Department Head has the duty to enforce the provisions of this Ordinance.

(b) The Department Head and his authorized animal control officers may catch, seize or pick up:

(1) Any stray Animal; and

(2) Any Animal at large; and

(3) Any Dangerous dog not properly restrained or secured by the Owner or Keeper; and

(4) Any Animal carrying or believed to be carrying rabies or other infectious or contagious disease; and

(5) Any sick, injured, neglected or cruelly treated Animal for which the Owner or Keeper cannot be found after reasonable effort to do so, or for which the Owner or Keeper is unable or unwilling to provide proper care; and

(6) Any other Animal authorized by this article to be impounded, caught, seized or picked up.

(c) The Department Head shall ensure that the Animal Shelter is maintained in a clean and safe manner.

(d) In the enforcement of this Ordinance, the Department Head and the Animal control officers are authorized to use reasonable force as necessary to protect any person or domestic animal from injury against imminent attack by an Animal.

Sec. 6-23. Animal control officer immune from prosecution

Any Animal Control Officer or any other person authorized by the Board of County Commissioners, shall be immune from prosecution, civil or criminal, for discharging in good faith the duties of this Ordinance or other authorized duties.

Section 6-24 Exempt Animals

The following Animals are exempt from the provisions of this Ordinance unless they are being treated cruelly as defined by Section 6-30 or are Dangerous as defined in section 6-19(g):

(a) Poultry, hoofed animals of any type or any animal that is normally raised to provide food for people, with the exception of any having rabies or other infectious or contagious diseases; and

(b) Hamsters, birds, reptiles, tropical fish, spiders or similar Animals kept inside the main use structure for the personal enjoyment of the occupants; and

(c) Dogs actively used for hunting purposes so long as they do not become nuisances, have rabies or carry other infectious or contagious diseases; and

(d) Stock dogs; and

(e) Service and Work Animals.

Sec. 6-25 Reserved

Sec. 6-26 Reserved

Sec. 6-27 Seizure of Animals by property owners or tenants; delivery to Department Head; impoundment and disposal; standard of care to be exercised by seizing party

The Board finds and declares that problems of Animal overpopulation in Putnam County require not only the resources of the Department, but also the aid and assistance of private deputies. Therefore:

(a) It is lawful for a property owner or tenant to seize in a humane manner, any dog, cat or other Animal running at large, as defined in Section 6.19 on his property in violation of Section 6.29 of this article. Where such seizure is made, the property owner or tenant shall notify Animal Control and deliver the Animal to the Animal Shelter. If unable to bring the Animal into the facility for health or other reasonable reasons, the property owner or tenant can make arrangements to have the Animal picked up by an Animal Control Officer. The property owner or tenant shall treat the Animal humanely and shall exercise reasonable care to ensure the Animal's safety and well-being.

(b) The Department Head may impound any Animal delivered pursuant to the above paragraph and may release or dispose of the animal pursuant to this article.

Sec. 6-28. Surrender of Animal to Animal Shelter; interference with Department Head in performance of duty

It is unlawful for any person to refuse to surrender an Animal listed under Section 6-22(b) (1-5) upon lawful demand by the Department Head or Animal Control officer. It is unlawful for any person to attempt to take any Animal from the custody of the Animal Shelter or Animal Control Officer without permission of the Department Head, or otherwise to interfere with the Department Head or Animal Control Officer in the performance of their duties under this article.

Sec. 6-29. Animals at large; Owners' responsibilities

(a) *Prohibition; exceptions.* It is unlawful for any Owner or Keeper of an Animal other than a cat to willfully or negligently allow the Animal to run at large on any public property or private property. Any Animal under the close supervision of its Owner or Keeper engaged in lawful hunting, in an organized Animal exhibition, field trial, competition, lawful sport or training for these activities shall not be deemed to be an Animal at large. It is unlawful for Owners or

Keepers of a diseased cat to allow the Animal to run at large. An Animal Control Officer may allow a dog to be off leash and not a nuisance if the Animal is responsive to effective voice command.

(b) *Restraint of Dangerous dogs.* It is unlawful for the Owner or Keeper of a dog declared by the Department Head to be Dangerous, either willfully or negligently to allow the dog to run at large or to fail to secure, restrain animal or confine the dog as ordered by the Department Head or Special Magistrate pursuant to this article.

(c) *Confinement of dogs, cats in heat.* It is unlawful for any Owner or Keeper to permit a female dog or cat in heat (estrus) to be upon the streets or in any public place except at an organized animal exhibition. The Owner or Keeper of a female dog or cat in heat shall confine the animal so as to make it inaccessible to any male dog or cat except for controlled and intentional breeding purposes within such confinement. Confinement solely by leash, chain or other similar restraint, or within a fence, open kennel, open cage or run may be, but shall not be presumed to be, in compliance with this section.

Sec. 6-30 Animal cruelty

It is unlawful for any person to subject any Animal to Animal Cruelty. For purposes of this subsection, the term "Animal Cruelty" shall mean any act or acts of neglect, torture, or torment that causes unjustifiable pain or suffering of an Animal. With respect to any Animal, such acts include, but are not limited to:

(a) overdriving;

(b) overloading;

(c) overworking;

(d) torturing;

(e) deprivation of necessary sustenance;

(f) beating, whipping, striking or kicking;

(g) riding; driving or working when sick and unfit to work;

(h) failure to provide reasonable veterinary care;

(i) failure to provide proper food, drink; failure to provide, for any Animal that is kept out-of-doors for any length of time, sufficiently weatherproof shelter, to include, but not be limited to, a structure of at least two (2) windproof sides, a waterproof roof, and flooring or ground-covering to protect any animal intended to be sheltered thereby from extremes of temperature;

(j) carrying any Animal in or upon any vehicle in a cruel or inhumane manner;

(k) abandonment upon any street, road, or other place;

(l) luring, enticing, molesting or teasing an Animal;

(m) keep any Animal in an enclosure without wholesome exercise or change of air; and

(n) other similar practices; and

(o) It shall also be considered "*Animal Cruelty*" to tether a dog outdoors, except when all the following conditions are met;

(1) The tether is connected to the dog with a buckle-type collar or a body harness made of a fabric, nylon or leather, appropriate for the size of the dog; and

(2) The tether has the following properties:

i. It must be at least five (5) times the length of the dog's body, as measured from the tip of the nose to the base of the tail, and

ii. It terminates at both ends with a swivel; and

iii. It does not weigh more than one eighth (1/8) of the dog's weight; and

iv. It is free of tangles; and

(3) The dog is tethered so as to prevent injury, strangulation, or entanglement; and

(4) The dog has access to reasonable shade, water, shelter and dry ground; and

(5) The dog is at least six (6) months of age; and

(6) The dog is not sick or injured; and

(7) Pulley, running line or trolley systems are at least fifteen (15) feet in length and are less than seven (7) feet above the ground; and

(8) If there are multiple dogs, each dog must be tethered separately, and be spaced so that the tethers will not get tangled with another tether.

Section 6-31. Procedures for dealing with Dangerous dog allegations

(a) The Department Head or Animal Control Officer shall investigate allegations regarding Dangerous dogs and make the initial determination using the following methods:

(1) Interview the person making the allegation and require a sworn affidavit from the person desiring to have the dog declared fierce or Dangerous; and

(2) Interview the Owner of the dog; and

(3) Interview witnesses, if any, who saw what happened, obtaining sworn affidavits if appropriate.

(b) A dog may not be declared Dangerous if: the threat, injury, or damage sustained by a person who, at the time, was unlawfully on the property or who, while lawfully on the property, was tormenting, abusing or assaulting the dog or its Owner or a family member.

(c) If the Department Head finds sufficient evidence to determine that there is probable cause to believe the dog is Dangerous, he/she shall give the Owner a written notice of his determination that includes the reasons why it was determined that the dog is Dangerous or ferocious and inform the Owner that he may, within seven (7) days of the Department Head's determination, request a hearing before the Special Magistrate to appeal the determination.

(d) The Department Head shall then take the dog to the Animal Shelter until such time as a determination is made concerning the allegations and the decision is made at the hearing before the Special Magistrate.

(e) The Special Magistrate shall hold a hearing no sooner than 5 days but no later than 21 days after receipt of the request for a hearing.

(f) The Special Magistrate may make a determination as outlined in Section 6-42(d).

(g) A determination made by the Special Magistrate may be appealed to county court within thirty (30) days of the determination. The dog shall be kept confined throughout the appeal process.

Section 6-32. Rules for Dangerous dogs

(a) A dog that has been designated Dangerous must be registered as such with the Animal Control Office on a yearly basis.

(b) The following must be provided at the time of the yearly registration:

(1) A current certificate of rabies vaccination and a current license.

(2) A proper enclosure to confine the Dangerous dog and a posting of the premises with a clearly visible warning sign at all entry points that informs people of the presence of a Dangerous dog.

(3) An Animal control officer shall verify that the enclosure is proper.

(c) The Dangerous dog shall be kept in the enclosure when outside. When the Owner decides to take the Dangerous dog for a walk, the dog shall wear a muzzle.

(d) The Dangerous dog shall have a permanent identification such as a tattoo on the inside thigh or microchip.

(e) Dogs that have been classified as Dangerous shall not be used for hunting purposes.

(f) Attack or bite by dangerous dog; penalties; confiscation; destruction.

(1) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held for 10 business days after the owner is given written notification under s. 767.12, and thereafter destroyed in an expeditious and humane manner. This 10-day time period shall allow the owner to request a hearing under s. 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

(2) If a dog that has previously been declared dangerous attacks and causes severe injury to or death of any human, the owner is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for 10 business days after the owner is given written notification under s. 767.12, and thereafter destroyed in an expeditious and humane manner. This 10-day time period shall allow the owner to request a hearing under s. 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

(3)If the owner files a written appeal under s. 767.12 or this section, the dog must be held and may not be destroyed while the appeal is pending.

(4) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner is not guilty of any crime specified under this section.

(g) Attack or bite by unclassified dog that causes death;

(1) If a dog that has not been declared dangerous attacks and causes the death of a human, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for 10 business days after the owner is given written notification under s. 767.12, and

thereafter destroyed in an expeditious and humane manner. This 10-day time period shall allow the owner to request a hearing under s. 767.12. If the owner files a written appeal under s.767.12 or this section, the dog must be held and may not be destroyed while the appeal is pending. The owner is responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

(h) Attack or bite by unclassified dog that causes severe injury or death; penalties.

(1) If a dog that has not been declared dangerous attacks and causes severe injury to, or the death of, a human, and the owner of the dog had knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) If the dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner of the dog is not guilty of any crime under this section.

(i) Exemption:

Any dog that is owned, or the service of which is employed, by a law enforcement agency, or any dog that is used as a Service animal for blind, hearing impaired, or disabled persons, and that bites another animal or human is exempt from any quarantine requirement following such a bite if the dog has a current rabies vaccination that was administered by a licensed veterinarian.

(j) The Owner must pay all filing fees for County court hearings under subsection 6-31(e).

(k) Within thirty (30) days after a dog has been classified as Dangerous by the Special Magistrate or within fourteen (14) days after a Dangerous dog classification is upheld by the County court on appeal, the Owner of the dog must obtain a certificate of registration for the dog from the Animal control department, and the certificate shall be renewed annually. The Animal control department is authorized to issue such certificates of registration, and renewals thereof, only to persons who are at least 18 years of age and who present to the Animal control department sufficient evidence of:

(1) A current certificate of rabies vaccination for the dog; and

(2) A proper enclosure to confine the Dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points that informs both children and adults of the presence of a Dangerous dog on the property; and

(3) Permanent identification of the dog, such as a tattoo on the inside thigh or electronic implantation; and

(4) An annual fee shall be imposed for the issuance of certificates of registration.

(l) Failure to timely obtain the certificate of registration or to otherwise comply with this subsection shall constitute a forfeiture of the dog and entitle the Department Head to make an appropriate disposition thereof.

(m) The Owner shall immediately notify the appropriate Animal control department when a dog that has been classified as Dangerous:

(1) Is loose or unconfined; or

(2) Has bitten a human being or attacked another animal; or

(3) Is sold, given away, or dies; or

(4) Is moved to another address.

(n) Prior to a Dangerous dog being sold or given away, the Owner shall provide the name, address, and telephone number of the new Owner to the Animal control department. The new Owner must comply with all of the requirements hereof, even if the animal is moved to another local jurisdiction in the State. The Animal control department must be notified by the transferring Owner of a dog classified as Dangerous that the dog is in his/her jurisdiction.

(o) It is unlawful for the Owner of a Dangerous dog to permit the dog to be outside a proper enclosure unless the dog is wearing wire basket muzzle and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The Owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his or sight and only members of the immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.

(p) Dogs that have been classified as Dangerous shall not be used for hunting purposes.

(q) This section does not apply to dogs used by law enforcement officials for law enforcement work.

(r) Any person who violates any provision of this section is guilty of a noncriminal infraction, punishable by a fine not exceeding $500. Each day of such action is considered a separate offense.

Sec. 6-33. Reserved

Sec. 6-34. Nuisance Animals

(a) No person shall allow an Animal under his or her control to become a nuisance as defined in this Ordinance.

(b) An Owner with an Animal that is a habitual nuisance shall be sent to the Special Magistrate for a hearing.

(c) The Animal control officer or law enforcement officer may cite the Owner or any person having custody of such Animal(s) for violation of this section when either the citing Animal control officer or law enforcement officer has witnessed the commission of such habitual nuisance or the Animal control officer or law enforcement officer has received at least one sworn affidavit from each of at least two unrelated adult witnesses from different residences so that taken together, the affidavits attest to the committing of a nuisance pursuant to this section.

Section 6-35. Rabies control and license

(a) Vaccination of dogs, cats and ferrets:

(1) Every Owner of a dog, cat or ferret over four (4) months old shall, at the Owner's expense, cause it to be vaccinated against rabies by a licensed veterinarian.

(2) Each Animal shall be re-vaccinated every twelve (12) months after the initial vaccination, unless the veterinarian uses a product that has a different effective time.

(3) Upon vaccination by the veterinarian, a license tag to be placed on the collar shall also be provided to the Owner. The license shall be good for the length of time the vaccination will last.

(4) All dogs, cats and ferrets are required to wear the license, which shall be renewed at the time of each rabies vaccination.

(5) A dog, cat or ferret may be exempt from vaccination against rabies if a licensed veterinarian has examined the animal and certifies in writing that the vaccination would endanger the animal's health because of its age, infirmity, disability, illness, or other medical considerations. An exempt animal shall be vaccinated against rabies as soon as its health permits.

(6) Upon vaccination against rabies, the licensed veterinarian shall provide the Owner with a tag to place on the Animal's collar and a rabies vaccination certificate. Each veterinarian shall use Form 51, "Rabies Vaccination Certificate," of the National Association of State Public Health Veterinarians or an equivalent certificate approved by the County.

(7) One copy of the vaccination certificate shall be filed with the County Animal control department, and one copy retained by the veterinarian.

(8) The County's license fee as set by the Board of County Commissioners shall be remitted by the veterinarians at least monthly to the Department of Planning and Development Services office, or the entity that is under contract to operate the Animal control department.

(9) Owners of Animals that require the rabies vaccination and license shall affix said license to the Animal's collar for the period it is active.

Section 6-36. Quarantine; Impoundment and treatment of sick and injured Animals; disposal of dead Animals

(a) When an Animal has bitten a person or another Animal or is believed to have bitten a person or another Animal or is suspected by the Department Head to have rabies, it shall be quarantined by the Owner under the supervision of the Department Head, or

(b) At the discretion of the Department Head, the Animal may be held in quarantine at a County-specified facility. The quarantine shall be for a reasonable period of time as determined by the Department Head, but in no case less than ten (10) days.

(c) The Department Head may impound any Animal believed to be carrying an infectious or contagious disease, or any injured Animal and may retain the services of a licensed veterinarian to treat it.

(d) The Department Head may accept a sick or injured Animal upon delivery by a licensed veterinarian or other person.

(e) When a sick or injured Animal is owned and the Owner is identified, such Owner shall be liable for payment of veterinary expenses or reimbursement of the County's expense in treating the animal.

(f) At the discretion of the Department Head, a sick or injured Animal may be destroyed and its remains disposed of or otherwise disposed of without compensation to the Owner or Keeper, provided that the Department Head shall make a reasonable effort to notify the Owner or Keeper that the Animal is impounded.

(g) A dog, cat or ferret which is not inoculated against rabies shall not be released until provisions have been made to inoculate the Animal properly.

(h) When an impounded Animal is not claimed within a reasonable period of time, as determined by the Department Head, the Department Head may transfer custody or ownership of the Animal to a humane agency, Animal rescue organization or a new Owner, or, as a last resort, may destroy the Animal and dispose of its remains. In any event, the Owner or Keeper will not be entitled to compensation.

(i) When an Animal dies, the Owner or Keeper of the Animal shall dispose of the remains immediately.

(j) When the Department Head discovers a dead animal, he shall notify the Owner or Keeper, if known, and shall order the Owner or Keeper to dispose of the remains immediately.

(k) If the Owner or Keeper is unknown, the Department Head shall notify the owner of the property upon which the remains are located, and shall order him to dispose of the remains immediately.

(l) If the party notified fails to comply within twenty-four (24) hours, the Department Head shall cause the remains to be disposed of and shall bill the Animal Owner or Keeper or property owner as appropriate for the cost of disposal.

(m) Such Animal Owner or Keeper or property owner may be further held in violation of this article and punished as provided in Section 6-42.

(n) The Department Head may dispose of the remains of an Animal which is found dead on public property, but only where an Owner or Keeper cannot be notified and if found and notified the Owner or Keeper does not dispose of the Animal within twenty-four (24) hours of receipt of notice. Nothing in this section shall be deemed to limit or contravene the provisions of Florida Statute §823.041, Florida Statutes.

Sec. 6-37. Report of bite cases

Veterinarians, physicians, Animal Owners, and any other person having knowledge that any person has been bitten by an Animal shall report same immediately to the County Health Office, Department Head, Animal control officer, or law enforcement agency. Said Animal shall be quarantined for a period of ten (10) days in suitable quarters. The County Health Department or law enforcement agency may require the Owner of said Animal to quarantine the Animal at home until the Animal control officer can be notified, at which time the Animal control officer will make the final determination as to the location where the Animal will be quarantined. Any expense incurred in said quarantine shall be borne by the Animal Owner.

Sec. 6-38. Officer safety in suspected rabies cases

Should the Department Head, or anyone acting under his authority, have reasonable grounds to believe that any unlicensed stray dog is infected with rabies or cannot safely be caught or impounded, such animal may be killed by the Department Head or his/her designee in such manner as allowed by law.

Section 6-39. Release of household pets into the wild

The releasing of domesticated Animals or exotic pets into the wild is illegal and any person found guilty of doing so is guilty of a civil infraction to be adjudicated by the Special Magistrate.

Section 6-40. Enforcement

If a violation of this Ordinance is observed by an Animal control officer, or a complaint is filed from a third party and investigated and found to be factual, the Department Head may take one or more of the following actions:

(a)Issue a warning to the Owner or Keeper of the Animal, provided the warning:

(1) sets forth the date and time of issuance; and

(2) the name and address of the person warned; and

(3) the nature of the offense, and

(4) the description of the animal involved; or

(b) Proceed under Section 11.06 of the Putnam County Land Development Code regarding notifications and hearings before the Special Magistrate; or

(c) Impound the Animal that is subject to the violation; or

(d) Any other enforcement procedure authorized by law.

Section 6-41. Disposal of Animals

(a) Where this article authorizes the disposal by the Department Head, of any Animal lawfully seized and impounded, such disposal, unless otherwise stated elsewhere herein, shall be expressly limited to the following methods:

(1) Redemption by Owner; or

(2) Relinquishment to a third party as an adoption or to a Animal rescue entity; or

(3) Euthanasia.

(b) Except for Animals that have been euthanized, under no circumstances may any Animal lawfully in the custody of the Putnam County Animal Control Department be sold, loaned or donated for research, experimental or educational purposes.

Section 6-42. Violation; Penalty

(a) It shall be unlawful for any person to hinder or prevent the performance of any act duly authorized or required by this Ordinance. Except as otherwise specified in Section 6-42(f), a violation of any provision of this Ordinance is a civil infraction with a maximum fine of $500.00 per day. The Department Head, the Animal control officer, or a law enforcement

officer finding probable cause that a person has committed an act in violation of this Ordinance, may proceed under Section 6-40.

(b) A fine imposed pursuant to this section shall not exceed $250 per day for a first violation and shall not exceed $500 per day for a repeat violation.

(c) The Department Head or his designee may record a certified copy of an Order imposing a fine (including costs of prosecution) in the public records of Putnam County, Florida, which shall constitute a lien against the land on which the violation exists, and upon any other real or personal property Owned by the violator. Such Order may be enforced in the same manner as a court judgment, including levy against the personal property of the violator. Such lien shall be superior to any mortgage, lien or other encumbrance created or recorded subsequent to the recording of such lien. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit filed hereunder, whichever occurs first.

(d) The Special Magistrate may take one or more of the following actions in nuisance or Dangerous dog cases:

(1) Require the Owner to install measures that will keep the offending dog from being a public nuisance or contain the Dangerous dog; or

(2) If found to be a Dangerous dog, the Special Magistrate may require the dog be euthanized.

(e) The Board of County Commissioners may reduce a fine imposed pursuant to this section.

(f) Any aggrieved party, including the Board of County Commissioners, may appeal a final administrative order pursuant to §162.11, Florida Statutes. An appeal must be filed within thirty (30) days of the execution of the order being appealed. The County may assess a reasonable charge for the preparation of the record to be paid by the petitioner in accordance with §119.07, Florida Statutes. A copy of all documents filed by the aggrieved party with the Court shall also be served upon the Department Head.

Section 6-43. Animal Services Advisory Committee

Responsibilities are to make recommendations to the Board of County Commissioners regarding proposed animal control ordinances, County animal initiatives and other animal welfare issues and conduct meetings as deemed necessary.

The Board of County Commissioners shall appoint an Animal Services Advisory Committee that meets the requirements of Section 11.03 of the Land Development Code. The Board of County Commissioners should attempt to include at least one veterinarian, a dog behaviorist (if available) and other people who are knowledgeable about Animals.

Section 6-44. Repeal of prior provisions

By the adoption of this Ordinance, Ordinance 2011-01, as amended, is hereby repealed.

Section 6-45. Conflict and severability

Should this Ordinance conflict with any other ordinance of Putnam County, this Ordinance shall control. Should any section, subsection or provision of this Ordinance be declared unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof other than the parts declared to be unconstitutional or invalid.

Section 6-46. Effective date

This Ordinance shall become effective upon receipt of official acknowledgement of filing by the Secretary of State.

DONE, ORDERED, AND ADOPTED in regular session on this 12th day of June, 2018.

BOARD OF COUNTY COMMISSIONERS
PUTNAM COUNTY, FLORIDA

By: _____
Buddy Goddard, Chairman

ATTEST:

_____
Clerk of Courts