

39 *Abandonment* means to forsake entirely or to neglect or refuse to provide or perform the
40 obligations for care and support of an animal by its owner, harbinger or agent.

41 *Affidavit* means a voluntary sworn declaration, in writing, made before competent authority.

42 *Animal* means any living dumb creature domestic or wild.

43 *Animal control authority* means the sheriff of Citrus County and his/her designated agents.

44 *Animal control officer* means any person employed by the Citrus County Sheriff's Office who
45 is authorized to investigate, on public or private property, violations of state and local laws relating
46 to animal care and management or cruelty, and to issue citations as provided in this section. An
47 animal control officer is only authorized to bear arms or make arrests upon being certified as a
48 law enforcement officer by the state pursuant to F.S. Ch. 943.

49 *Animal services* means the animal services division of the Citrus County Community
50 Services Department.

51 *Animal services officer (ASO)* means any person employed by the county who is authorized
52 to investigate, on public or private property, violations of state and local laws relating to animal
53 care and management or cruelty, and to issue citations as provided in this section. An *animal*
54 *services officer* is not authorized to bear arms or make arrests, but is deemed to be a code
55 enforcement officer.

56 *Animal shelter* means a county facility operated for the purpose of impounding and caring
57 for animals held under the authority of this article or state law. The animal shelter is not a
58 commercial boarding kennel.

59 *At large* means off the premises of the owner and not under direct control, custody, charge
60 or possession of the owner, or other responsible person, either by leash, cord, or chain by an
61 individual physically capable of providing restraint.

62 *Board* means the Citrus County Board of County Commissioners.

63 *Cable runner* means a cable or rope, at least 30 feet in length, with each end securely
64 fastened to a stationary object, with a pulley or other similar mechanism attached, allowing the
65 animal to move freely along the length of the cable between stationary objects. The area must be
66 free of obstructions, including trash, waste material, junk, weeds or other discarded materials,
67 allowing the animal to move freely about.

68 *Caretaker* means a person who cares for, looks after, and is responsible for property and
69 animals in the absence of their owner. Such person may be found to have taken on the
70 responsibility pursuant to direct agreement with the owner, or by imputation through their actions
71 in providing adequate food, water, shelter, and otherwise caring for the subject animals.

72 *Cat* means the domestic cat, *Felis catus*.

73 *Chemical capture* means the impoundment of an animal using a tranquilizing drug in a
74 humane manner which renders the animal immobile.

75 *Chronically at-large* means an animal that has been found at large more than two times in
76 any 12-month period.

77 *Circus* means any resident or nonresident variety show, exhibition, or act featuring
78 performing animals. This shall not include petting zoos, resident or nonresident dog and cat shows
79 which are sponsored and/or sanctioned by the American Kennel Club, United Kennel Club, Cat
80 Fancier's Association or any affiliates thereof, nor shall it include any horse show.

81 *Citation* means a written notice, issued to a person by an officer, that the officer has probable
82 cause to believe that the person has committed a civil infraction in violation of this article and that
83 the county court will hear the charge if disputed.

84 *Commercial breeder* means any person who engages in the breeding of dogs and/or cats
85 for the purpose of sale or transfer of such dogs and/or cats for compensation. Hobby breeders
86 are excluded from this definition.

87 *Community cat* means any cat which does not have a known owner or caregiver, which may
88 be considered feral, but that has been sterilized, initially vaccinated against rabies, and has a
89 tipped ear to indicate that such procedures have been performed.

90 *Companion animal* means any domestic animal that lives with and about the habitat of a
91 human and that is dependent upon that human for its survival.

92 *County* means Citrus County, Florida.

93 *Direct control* means immediate, continuous physical control of an animal at all times, such
94 as by means of a fence, leash, cord, or chain of sufficient strength to restrain said animal.

95 *Dog* means any domestic dog, *Canis lupus familiaris*.

96 *Domestic animal* means any equine or bovine animal, goat, sheep, swine, dog, cat, poultry,
97 or other domesticated beast or bird.

98 *Enclosure* means any place where a domestic animal is maintained outdoors including, but
99 is not limited to, a fenced yard, kennel, or run.

100 *Excreta* means any waste product such as sweat, urine, or feces, discharged from the body
101 of the animal.

102 *Exotic animals* means any animal not native to Florida.

103 *Feral* means undomesticated, wild.

104 *Fowl* means poultry of any kind, including but not limited to chickens, pheasants, guineas,
105 turkeys and geese. Any animal belonging to the class Aves.

106 *Harbor* means to provide food, water, and shelter or otherwise care for an animal. If a citizen
107 keeps or harbors a stray dog or cat for five or more days, that person may be held accountable
108 for any violations of the county animal services ordinance or Florida Statutes dealing with animals.
109 Keeping a stray animal for five or more days does not constitute proof of ownership for that stray.
110

111 *Hobby breeder* means any person who breeds and/or raises on his/her property dogs, cats,
112 and or companion animals, and who sells no more than two litters, or 20 dogs, cats and/or
113 companion animals per year, whichever is greater.

114 *Hybrid* means a cross between a wild and domestic animal as defined by the Florida Fish
115 and Wildlife Conservation Commission.

116 *Identification* means traceable identification.

117 *Livestock* means domestic animals kept for farm purposes, especially marketable animals,
118 including but not limited to fowl, cattle, sheep, swine, horses, mules, goats, and offspring thereof.
119

120 *Microchip* means an electronic animal identification device.

121 *Motor vehicle* means any vehicle which is self-propelled operated by a motor or engine; also,
122 one drawn by a vehicle so operated, as a trailer. This includes vehicles propelled by electric
123

124 power, but does not include any bicycle, motorized scooter, electric personal assistive mobility
125 device, or moped.

126 *Owner* means any person, firm, corporation, or organization possessing, harboring, keeping,
127 or having control or custody of an animal or, if the animal is owned by a person under the age of
128 18, that person's parent or guardian. In the case of a corporation, the knowledge and acts of
129 agents and employees of corporations in regard to animals transported, owned, employed by or
130 in the custody of a corporation, shall be held to be the knowledge and act of such corporation.

131 *Pound seizure* means claiming or selling of excess animals for research or experimentation.
132

133 *Provocation* means any act that causes an animal to bite or scratch, or attack in protection
134 of self, offspring, owner or owner's premises.

135 *Quarantine* means the humane confinement of an animal in a secure enclosure which
136 prevents the animal from coming in contact with any other animal or person.

137
138 *Rehabilitator* means an individual or group that is certified and/or licensed by the state or
139 federal [government], and saves and/or cares for injured, disabled or misplaced wildlife species.
140 To achieve rescue status, the individual or group must provide proof of proper licensing.

141 *Rescue group/organization* means a group or organization that regularly performs acts or
142 instances of saving an animal from danger, harm, or death by placing the animal in a secure
143 environment to achieve a permanent home. If the group or organization is a nonprofit
144 organization, it must provide proof of a current certification issued under Internal Revenue Code
145 section 501(3)(c).

146 *Scratch* means a scrape caused by the nails or teeth of an animal and of sufficient severity
147 to break the skin, causing an entry point for infection.

148 *Secure enclosure* means a locked pen or other structure with four solid or chain link sides,
149 none of which share perimeter fencing, a solid or chain link roof and a concrete floor that is
150 suitable to prevent the entry of young children and designed to prevent the animal from escaping.
151 Such enclosure shall be secured so as to prevent the dog from escaping over, under, or through
152 the structure, shall be of sufficient size to allow the animal to stand up, lay down and turn around,
153 shall allow a minimum of 80 square feet per dog, shall provide protection from the elements, and
154 shall be posted on all sides with county approved "dangerous dog" signs.

155 *Service animals* means animals that are individually trained to perform tasks for people with
156 disabilities, such as guiding people who are blind, alerting people who are deaf, pulling
157 wheelchairs, alerting and protecting, or performing other special tasks. Service animals are
158 working animals, not pets. Guide dogs, search and rescue dogs, detection and protection dogs
159 and therapy dogs are considered service animals.

160 *Severe injury* means any physical injury that results in broken bones, multiple bites, or
161 disfiguring lacerations requiring sutures or reconstructive surgery.

162 *Shelter* means any structure which provides an animal with protection from the elements
163 (weather).

164 *Small furbearers* means rabbits, ferrets, hamsters, gerbils, guinea pigs and mice which are
165 kept as domesticated animals or pets.

166 *Tethering* means the restraint of an animal via the attachment of a rope, cable or chain
167 conducive to the size of the animal and the other end attached to a stationary object. The area
168

169 must be free of obstructions including trash, waste material, junk, weeds or other discarded
170 materials allowing the animal to move freely about.

171 *Trap* means a humane, mechanical device for the purpose of impounding unrestrained
172 animals.

173 *Veterinarian* means a veterinarian duly licensed and registered by the state or licensing area
174 in which the veterinarian is practicing.

175 *Voucher* means a written statement showing receipt for money that can be redeemed for
176 services at a later date.

177 *Wildlife* means any animal that is not considered domesticated and cannot be legally kept as
178 a pet or livestock under state or federal law, i.e., raccoon, fox, bear, heron, etc.

179 *Working dog* means a canine working animal that has been trained to perform specific tasks
180 for the purpose of aiding its owner, harbinger or caretaker in that person's business functions. For
181 example, but not by limitation, search and rescue dogs, protection dogs, and detection dogs are
182 considered to be working dogs.

183 **Section 2. Licenses.** Article II, Section 14-33 is amended in its entirety as follows:

184 (a) *Requirements.*

185 (1) Except as provided for in subsection (c) of this section, all dogs, cats, and ferrets at
186 least four months of age or older must be registered with animal services. Registration
187 may be obtained for either one or three years.

188 (2) Except as provided for in subsection (c) of this section, all dogs, cats, and ferrets at
189 least four months of age and older must have been issued a tag. A tag may be issued
190 for either one or three years. The tag will expire at the end of that period or when the
191 next rabies vaccine is due, whichever is earlier.

192 (3) In order to register or renew registration for a dog, cat or ferret, a current complete
193 rabies vaccine certification must be provided to animal services along with any and all
194 applicable fees for the rabies vaccine certification and tag.

195 (4) The tag may be obtained either from animal services or a veterinarian. Only rabies
196 vaccination certificates signed by the veterinarian who administered the vaccine and
197 tags approved for issuance by animal services shall be valid. Any rabies vaccination
198 certification signed by any person other than a veterinarian licensed by the State of
199 Florida will be considered invalid and a tag will not be approved for issuance by animal
200 services.

201 (5) Any person who uses a registration or tag upon an animal other than that for which it
202 was issued shall be deemed in violation of this section and shall be punishable as
203 provided for in this article.

204 (b) *Fees.*

205 (1) The fee for registration certificates and tags shall be established by resolution of the
206 board. There shall be a differential between the fee assessed for registration
207 certificates and tags of intact dogs or cats versus sterilized animals, with intact animals
208 to be charged at a higher rate unless a veterinarian has determined that the animal is
209 not healthy enough to sterilize.

210 (2) There will be no tag fee assessed for service animals.

- 211 (3) There will be no registration fee or tag fee assessed to approved government
212 agencies, government owned or operated animal shelters, or rescue groups holding a
213 valid tax exemption under Internal Revenue Code section 501(3)(c) and registered
214 under Article II, Section 14-47.
- 215 (4) A reimbursement fee, as established by the board of county commissioners, may be
216 available for a dog or cat sterilized within 45 days of vaccination.
- 217 (c) *Exemptions to registration and tag requirements.*
- 218 (1) *Visiting dogs or cats.* The registration and tag requirements of this article shall not
219 apply to any animal that will only remain in the county for a period of 60 days or less
220 and for which animal services has been provided proof of domicile outside of the
221 county, a current, valid certificate of rabies vaccination, and any applicable
222 registration, required license, or permit required by the laws of the jurisdiction of
223 domicile. This exemption is not intended to apply to those animals that are born or
224 raised in the county for possible distribution outside the county.
- 225 (2) *Newly acquired.* The owner of a newly acquired dog, cat or ferret shall have 30 days
226 to register the animal and obtain a tag for the dog or cat. This provision does not
227 excuse the previous owner from any applicable registration or tag requirements.
- 228 (3) *Authorized shelters.* The county shelter shall be exempt from the registration and tag
229 requirements of this article.
- 230
- 231 (4) *Required to wear tag.* All animals required to be registered and vaccinated for rabies
232 shall wear a county animal license tag when not on the owner's property, or when not
233 in proper confinement, except as may be otherwise specified in this article. Any person
234 to whom a tag has been issued shall cause the tag to be fastened to a collar about the
235 animal's neck so as to be clearly visible upon inspection. Violation of the provisions of
236 this article shall be punishable as provided for in this article. Exceptions to the tag wear
237 requirement are as follows:
- 238 a. An animal being shown in competition or being trained for competition.
- 239 b. Dogs being kept in a commercial boarding kennel, or a secure fenced or walled
240 enclosure. It is required that the tag be displayed or otherwise maintained for easy
241 inspection.
- 242 c. Hunting or working dogs while being trained or worked.
- 243 d. Exempt service dogs while performing their service duties.
- 244 e. An animal that has been implanted with a microchip, provided the microchip
245 identification number, with owner's current information, is recorded with animal
246 services.
- 247 (d) *Changes in owner information.* The person named as the owner and the address, as it
248 appears on the registration certificate, shall be prima facie evidence of ownership and
249 domicile of the animal. Animal services must be notified within 30 days of any change in
250 ownership or any other change in the information contained in the registration certificate
251 including address.
- 252 (e) *Costs.* The owner is responsible for all costs associated with the registration and tag
253 requirements of this article.

254 **Section 3. Impoundment.** Article II, Section 14-35 is amended in its entirety as follows:

255 (a) The Citrus County Sheriff and his/her authorized agents shall have the authority to enforce
256 this article, and pick up, catch or procure any animal in violation of this article or any animal
257 infected or believed to be infected with rabies, and cause said animal to be impounded.
258 Animal control officers are not restricted to official citizen complaints while enforcing this
259 article.

260 (b) The Citrus County Sheriff and his/her agents shall have the authority and be required to
261 impound any animal that is in violation of this article, except as otherwise set forth herein.
262 If the Citrus County Sheriff and/or his/her officers personally witness an animal at large,
263 they shall have the authority to enter upon private property in pursuit of the animal. The
264 animal control officers cannot enter a building designated for and used for residential
265 purposes without the property owner's consent or without a properly issued search and
266 seizure warrant. If any owner refuses the Citrus County Sheriff or his/her officers entrance
267 to the premises while attempting to enforce this article, such officer shall proceed on the
268 owner's premises in the company of the law enforcement officer with such legal warrant
269 or other document of authority as is necessary to lawfully enter the owner's premises for
270 the purpose of enforcing this article.

271 (c) There is no mandatory hold time for cats and kittens which have been impounded and are
272 without any form of identification (including but not limited to collars, tags, microchips and
273 tattoos). Cats and kittens impounded without any form of identification may be made
274 available for adoption at any time after impoundment. Intact cats and kittens over the age
275 of four months impounded without any form of identification may be spayed or neutered
276 at any time after impoundment. Cats and kittens which are impounded and which have a
277 form of identification will be held for five days from the date of impoundment unless in
278 imminent danger of death from disease or trauma or injured to such an extent as to cause
279 unjustified pain or suffering. A cat or kitten that is in imminent danger of death from disease
280 or trauma or which has been injured to such an extent as to cause unjustified pain or
281 trauma may be euthanized at any time after impoundment. Euthanasia of cats to prevent
282 overcrowding will be conducted using the following priorities:

283 (1) Sick or diseased;

284 (2) Feral;

285 (3) Unadoptable.

286 (d) All puppies six months of age or less which are impounded without any form of
287 identification (including but not limited to collars, tags, microchips and tattoos) may be
288 made available for adoption and may be spayed or neutered any time after impoundment.
289 Dogs which are impounded without any form of identification and which are not suffering
290 from or suspected to have an infectious or contagious disease, or which have not been
291 injured to such an extent as to cause unjustified pain or suffering, shall be held for
292 redemption for a minimum of three days, including the day said animal was impounded,
293 after which time the dog may be spayed or neutered and made available for adoption.
294 Puppies six months of age or less and dogs which have identification and which have
295 been impounded and are not suffering from or suspected to have an infectious or
296 contagious disease, or which have not been injured to such an extent as to cause
297 unjustified pain or suffering, shall be held for redemption for a minimum of five days,
298 including the day said animal was impounded, after which the animal may be spayed or
299 neutered and made available for adoption.

- 300 (e) Exotic animals, fowl, and small fur-bearers with identification shall be held for redemption
301 for a minimum of five days; those without identification shall be held for twenty-four hours.
- 302 (f) Animal services shall be required to attempt to contact the owner of any animal impounded
303 that is wearing a current tag and/or has been implanted with a microchip before humane
304 disposition of the animal.
- 305 (g) In the event any impounded animal is not claimed prior to the expiration of the proper
306 impoundment period, animal services may release, adopt, destroy or otherwise dispose
307 of such animal in accordance with established laws, rules and regulations and the policies
308 of the board of county commissioners, without any compensation being paid to the owner.
309
- 310 (h) It is the responsibility of the pet owner to come to the shelter to look for and identify their
311 lost pet.
- 312 (i) The following impounded animals shall not be placed for adoption to the general public:
313 (1) Hybrids;
314 (2) Dogs that demonstrate aggression; and
315 (3) Security and guard dogs.
- 316 (j) Impoundment exception for identifiable animals.
317 (1) An officer may release an animal impounded on the officer's vehicle prior to the
318 animal's delivery to animal services when, in the officer's discretion, such release
319 would be in the best interest of the health and welfare of the animal, and:
320 a. The owner can be ascertained and verified;
321 b. The animal does not appear to be abused or neglected; and
322 c. The animal is not chronically at large as defined in this article.
323 (2) Animals released pursuant to this section for which rabies vaccination and/or
324 registration is required pursuant to sections 14-33 and 14-34, and whose owner
325 cannot verify compliance with such requirements, shall be required to provide
326 verification of rabies vaccination and registration, and compliance with the
327 microchip requirements of section 14-37, within ten days of release.
328 (3) In no event shall an animal reported to have bitten or scratched a person be
329 released pursuant to this exception unless all quarantine provisions are met.

330 **Section 4. Adoption and redemption of animals.** Article II, Section 14-37 is amended in its
331 entirety as follows:

332 Any person who adopts or claims an animal from animal services must be 18 years of age,
333 and is subject to the following conditions and/or requirements:

- 334 (1) *Redemption.*
335 a. The owner of an impounded animal shall have the right to redeem their animal, subject
336 to the requirements of this article, unless it has been impounded pursuant to: (a) further
337 investigation, (b) quarantine, or (c) animal service seeking custody, an order to provide
338 care or a dangerous/hazardous dog determination, in which case the animal may only
339 be redeemed when animal services, the public health unit or a court of competent
340 jurisdiction has determined that all applicable state laws, statutes, ordinances and/or
341 administrative polices have been fulfilled.

- 342 b. In the event any impounded animal that is subject to redemption is properly identified
343 by the legal owner or authorized agent of the owner, the animal shall be released to
344 the owner or agent upon payment of all fees as set forth by resolution, and available
345 for inspection at animal services, and all costs incurred by the county on behalf of the
346 impounded animal for the provision of proper care and confinement. All fees and/or
347 costs collected by animal services shall be paid into the general fund as provided by
348 law.
- 349 c. All persons claiming their animal must provide proof of ownership, proof of sterilization,
350 as well as proof of current registration and rabies vaccination if such is required by
351 this article. Redeemed animals for which sterilization, rabies vaccination and/or
352 registration is required pursuant to sections 14-33 and 14-34, and whose owner cannot
353 verify compliance with such requirements, shall be sterilized and vaccinated by the
354 on-staff veterinarian prior to redemption. The owner shall be responsible for paying
355 the cost of the vaccination and sterilization prior to redeeming the animal.
- 356
- 357 d. Exception to the sterilization requirement will be granted to animals impounded for the
358 first time for reasons other than being stray; first time impounded animals having a
359 current unaltered license and microchip; animals too young or infirm to be sterilized as
360 determined by the shelter veterinarian.
- 361 e. All animals shall be implanted with a microchip prior to being redeemed. The owner
362 shall be responsible for the cost of implanting the microchip and shall pay the fee prior
363 to redeeming the animal. The procedure shall be done by, or under the direct
364 supervision of, a veterinarian currently licensed by the state.

365 (2) *Adoption.*

- 366 a. All dogs and cats adopted from animal services must be properly vaccinated and
367 sterilized. All dogs and cats adopted from animal services will be appropriately
368 vaccinated and sterilized by the on-staff county veterinarian prior to the release of the
369 animal. In the absence of the on-staff county veterinarian, a voucher must be obtained
370 from animal services at the time of adoption, redeemable for such service(s) at a local
371 participating veterinarian. Adopted animals for which sterilization and/or rabies
372 vaccination is required shall obtain from animal services at the time of adoption a
373 voucher, redeemable for such service(s) at a local participating veterinarian. The
374 owner of such adopted animal must provide verification of rabies vaccination as
375 required by law and register such animal with animal services within 30 days of
376 adoption. Verification of sterilization shall be provided within 30 days of adoption.
- 377 b. Animal services reserves the right to refuse the adoption of any animal in its custody.
- 378 c. All animals being adopted from animal services shall be implanted with a microchip
379 for positive and permanent identification prior to release, and upon payment of fees
380 for such service.
- 381 d. No live or dead animal in the possession of animal services shall be released to any
382 entity, business, firm, corporation, institution or enterprise for research or experimental
383 purposes other than a veterinary educational institution. Pound seizure is prohibited in
384 the county.
- 385 e. Recognized rescue organizations may be exempt from the purchase of vouchers
386 required by this article for sterilization and/or rabies vaccination, provided, however,
387 that proof of such vaccination and/or sterilization is provided within 30 days.

- 388 f. The animal services director may, at his/her discretion, extend the time period for
389 which an individual must provide verification of rabies vaccination, sterilization and/or
390 registration, when such extension will not be injurious to the health, safety and welfare
391 of the public. In no event shall the time of extension exceed 60 days, unless the animal
392 qualifies for an exemption as set forth in this article or as otherwise recognized by law.
393
- 394 g. Any person who fails to have an adopted animal sterilized within the time allotted by
395 this ordinance, unless such person was acting upon the contrary medical advice of a
396 veterinarian regarding the adopted animal, shall be in violation of this article. The
397 county shall have the right to repossess any adopted animal that is not sterilized
398 pursuant to this section.

399 **Section 5. Quarantine of animals.** Article II, Section 14-38 is amended in its entirety as follows:
400

- 401 (a) Any person bitten or scratched, or having knowledge of any person bitten or scratched by
402 any dog, cat or other animal shall report the fact immediately to the county health
403 department.
- 404 (b) The provisions of sections 64D-3.028 through 64D-3.031, section 64D-3.033 and section
405 64D-3.037, Florida Administrative Code, as the same may be amended from time to time,
406 and any agreement in effect between the Florida Department of Health and Citrus County,
407 are hereby adopted by reference in this article. It is a violation of this article for any person
408 to commit an act, or cause an act to be committed, in violation of said Florida
409 Administrative Code provisions, as the same may be amended from time to time.
- 410 (c) It is a violation of this article for any person to commit an act, or cause an act to be
411 committed, in violation of section 64D-3.001 through 64D-3.010 or 64D-3.012 through
412 64D-3.014, Florida Administrative Code, as the same may be amended from time to time.
413
- 414 (d) If quarantine of a dog or cat cannot be maintained at the owner's home or at another
415 location pursuant to section 64D-3.038, Florida Administrative Code, the dog or cat shall
416 be quarantined at the county animal shelter or other holding facility. It is a violation of this
417 article for the owner of a dog or cat to refuse or fail to maintain the dog or cat under rabies
418 quarantine as required by section 64D-3.038, Florida Administrative Code, as the same
419 may be amended from time to time. If a quarantined animal shows signs of rabies infection
420 prior to the end of the quarantine period, the animal shall be turned over to the Florida
421 Department of Health for euthanasia and testing.
- 422 (e) The fees established pursuant to resolution for impoundment and maintenance of animals
423 shall be applied to quarantined animals. No animal quarantined pursuant to this section
424 may be released until all such fees have been paid.
- 425 (f) Notwithstanding any other provision of this section to the contrary, a dog that is
426 quarantined in conjunction with a dangerous dog investigation shall additionally be subject
427 to the provisions of section 14-45.
- 428 (g) The state health officer or his/her designated representative, or the county health
429 department director or administrator or his/her designated representatives shall declare
430 an area-wide quarantine when prevalence of rabies so indicates. The conditions of the
431 quarantine shall control the movement, sale, impoundment or required euthanasia of
432 animals in the quarantine area as specified by departmental policy and procedure

433 guidelines as set forth in section 64D-3.040(d), Florida Administrative Code, as may be
434 amended from time to time.

435
436 (h) All animals quarantined for biting a person shall be microchipped at the owner's expense
437 within 14 days of the end of the quarantine period.

438 **Section 6. Unlawful to keep stray animal.** Article II, Section 14-39 is amended in its entirety as
439 follows:

440 It shall be unlawful for any person to harbor, feed, and/or keep a stray animal except as
441 follows:

442 (1) A qualified not-for-profit organization or other persons may feed or care for feral cats which
443 are within a community cat colony.

444 (2) Any person who has notified animal services within 24 hours from the time such animal
445 came into his or her possession. Except that upon receiving such notice, an animal control
446 officer may take such animal and place it in the animal shelter. It shall be unlawful for any
447 person to refuse to surrender any such stray animal to an animal control officer upon such
448 officer's demand.

449 (3) Any person actively engaged in an attempt to trap/neuter/return stray cat(s) to include
450 having the ear tipped for indication, microchipped and vaccinated against rabies. Upon
451 such sterilization of stray cat(s), [it] will become known as a community cat.

452 **Section 7. Confinement of cats and dogs in heat (estrus).** Article II, Section 14-41 is amended
453 in its entirety as follows:

454 (a) It shall be a violation of this section for the owner, harborer or caretaker of a cat or dog in
455 heat (estrus) to fail to humanely and securely confine the cat or dog indoors or in an
456 enclosed and locked structure that prevents the entry of a male cat or dog and prevents
457 the female in heat from escaping. Confinement solely by leash, legal tether or other similar
458 restraint, or with a fence, open kennel, open cage or run, does not comply with this section.
459

460 (b) If a female animal is to be released for an acceptable reason from the secured enclosure,
461 then the owner of the female animal in heat shall have physical control over the animal at
462 a distance of six feet or less, and be able to physically restrain the animal from coming
463 into contact with a male animal. Acceptable reasons for release from confinement are
464 limited to excretion, breeding and veterinary visits.

465 (c) A person intentionally breeding a female animal in a controlled environment, with the
466 consent of the owner of the male animal, is exempt from this section during breeding.

467 (d) A violation of this section shall be a civil infraction and subject to a fine or other penalty as
468 listed in section 14-60 of this chapter.

469 **Section 8. Dangerous dogs.** Article II, Section 14-45, is amended in its entirety as follows:

470 (a) *Definitions.* When used in this section, the following terms shall have the meaning
471 indicated:

472 (1) *Dangerous dog* means any dog that according to the records of animal services:

473 a. Has aggressively bitten, attacked, or endangered or has inflicted severe injury on
474 a human being on public or private property;

- 475 b. Has more than once severely injured or killed a domestic animal while off the
476 owner's property;
- 477 c. Has been used primarily or in part for the purpose of dog fighting or is a dog trained
478 for dog fighting; or
- 479 d. Has, when unprovoked, chased or approached a person upon the streets,
480 sidewalks, or any other public or private property that the person had a legal right
481 to be on, in a menacing fashion or apparent attitude of attack, provided that such
482 actions are attested to in a sworn statement by one or more persons and dutifully
483 investigated by the appropriate authority.

484 (2) *Animal control authority* means the Citrus County Sheriff's Office, whether acting alone
485 or in concert with Citrus County Animal Services, or other local governmental units
486 and authorized by them to enforce the provisions of this ordinance as well as the
487 animal control laws of the state.

488 (3) *Unprovoked* means that the victim who has been conducting himself or herself
489 peacefully and lawfully has been bitten or chased in a menacing fashion or attacked
490 by a dog.

491 (b) *Classification of dogs as dangerous.*

492 (1) An animal control authority shall investigate reported incidents involving any dog that
493 may be dangerous and shall, if possible, interview the owner and require a sworn
494 affidavit from any person, including any animal control officer or enforcement officer,
495 desiring to have a dog classified as dangerous.

496 (2) An animal that is the subject of a dangerous dog investigation because of severe injury
497 to a human being may be immediately confiscated by an animal control authority,
498 placed in quarantine, if necessary, for the proper length of time, or impounded and
499 held. The animal may be held pending the outcome of the investigation and any
500 hearings or appeals related to the dangerous dog classification or any penalty imposed
501 under this section. If the dog is to be destroyed, the dog may not be destroyed while
502 an appeal is pending. The owner is responsible for payment of all boarding costs and
503 other fees as may be required to humanely and safely keep the animal pending any
504 hearing or appeal.

505 (3) Any animal that is the subject of a dangerous dog investigation, that is not impounded
506 with the animal control authority, shall be humanely and safely confined by the owner
507 in a securely fenced or enclosed area pending the outcome of the investigation and
508 resolution of any hearings related to the dangerous dog classification. The address of
509 where the animal resides shall be provided to the animal control authority.

510 (4) No dog that is the subject of a dangerous dog investigation may be relocated or
511 ownership transferred pending the outcome of an investigation or any hearings related
512 to the determination of a dangerous dog classification. In the event that a dog is to be
513 destroyed, the dog shall not be relocated or ownership transferred.

514 (5) A dog shall not be declared dangerous if the threat, injury, or damage was sustained
515 by a person who, at the time, was unlawfully on the property or, while lawfully on the
516 property, was tormenting, abusing, or assaulting the dog or its owner or a family
517 member. No dog may be declared dangerous if the dog was protecting or defending a
518 human being within the immediate vicinity of the dog from an unjustified attack or
519 assault.

520 (c) *Notice and hearing requirements for determination of dangerous dog classification.*

521 (1) After the investigation, the animal control authority shall make an initial determination
522 as to whether there is sufficient cause to classify the dog as dangerous and shall afford
523 the owner an opportunity for a hearing prior to making a final determination as to
524 whether there is sufficient cause to classify the dog as dangerous and if so, the
525 appropriate statutory penalty, i.e., 1) classify the dog as a dangerous subject to secure
526 confinement by the owner; or, 2) destroy the dog if the dog caused severe injury to a
527 human being and constitutes a likely future threat to public safety, health and welfare.
528

529 (2) The animal control authority shall provide written notification of the sufficient cause
530 finding to the owner, by registered mail, certified hand delivery, or service in
531 conformance with the provisions of Chapter 48, Florida Statutes, relating to service of
532 process.

533 (3) The owner may file a written request for a hearing with the Office of the County
534 Administrator within seven calendar days from the date of receipt of the notification of
535 the sufficient cause finding and, if requested, the hearing shall be held as soon as
536 possible, but not more than 21 calendar days and no sooner than five days after receipt
537 of the request from the owner. If the owner does not timely request a hearing, the
538 determination of animal control is final. If the dog is impounded and an appeal is
539 requested, at the time appeal is requested the owner shall pay boarding costs and
540 fees incurred from the date of impoundment through the date of the request to appeal.
541 When the appeal to the County Administrator is concluded, the owner of an
542 impounded dog shall pay the boarding costs and fees incurred after the date of appeal
543 through the date of the County Administrator's decision. If the impounded dog is
544 released to the owner at the conclusion of the appeal, the owner shall pay any
545 boarding costs and fees due through the date of release.

546 (4) The formal rules of evidence shall not apply at the hearing and hearsay is admissible,
547 but the hearing officer may not base his decision solely upon hearsay testimony.

548 (5) Upon a dangerous dog classification becoming final after hearing or by operation of
549 law, the animal control authority shall provide a written final order to the owner by
550 registered mail, certified hand delivery or service pursuant to F.S. Ch. 48. The owner
551 may appeal the final order in the circuit court within ten business days after receipt of
552 the final order. If the dog is not held by animal control, the owners must confine the
553 dog in a securely fenced or enclosed area pending a resolution of the appeal. The
554 appeal shall be the traditional record review applicable to other types of appeals from
555 quasi-judicial decisions of administrative bodies or hearing officers. If the dog is
556 impounded and the owner files an appeal to the circuit court, at the time the notice of
557 appeal is filed the owner shall pay the County any boarding costs and fees due through
558 the date of the filing of the notice of appeal. If the impounded dog is released to the
559 owner at the conclusion of the appeal, the owner shall pay any boarding costs and
560 fees due through the date of release.

561 (d) *Registration.*

562 (1) Within 14 days after a dog has been classified as dangerous by the animal control
563 authority or a dangerous dog classification is upheld by the county court on appeal,
564 the owner of the dog must obtain a certificate of registration from animal services. The
565 owner must provide two current photographs of the dangerous dog to animal services
566 at the time of registration.

- 567 (2) The owner of a dangerous dog will be required to purchase annually a certificate of
568 registration and a dangerous dog tag. Certificates of registration are renewed in
569 January of each year. Partial year registrations will be pro-rated by month.
- 570 (3) Animal services may issue certificates of registration, and renewals thereof, only to
571 persons who are at least 18 years of age and who present to animal services sufficient
572 evidence of:
- 573 a. A current certificate of rabies vaccination for the dog.
- 574 b. A secure enclosure, as defined in section 14-32, to confine a dangerous dog and
575 the posting of the premises with a clearly visible warning sign on all sides that
576 informs both children and adults of the presence of a dangerous dog on the
577 property.
- 578 c. Permanent identification of the dog with a tattoo on the inside thigh or microchip.
- 579 d. Sterilization. All dangerous dogs that are unsterilized will be required to be spayed
580 or neutered immediately at the owner's expense.
- 581 (4) Unless the statutory penalty requires that the animal be destroyed, a dog that has been
582 impounded which is subsequently classified as dangerous shall remain impounded
583 until the owner purchases a certificate of registration and provides for its secure
584 confinement in accordance with this section. If the owner does not make such
585 provisions within 14 days of the latter of:
- 586 a. the final order of classification of dangerousness; or,
- 587 b. the conclusion of any appeal which is decided adversely to the owner,
588 the county will seek an order to have the animal remanded to the custody of the county.
589 The owner shall be responsible for boarding fees, veterinary and other costs incurred
590 by the county to maintain the dog during impoundment.
- 591 (5) The owner shall immediately notify animal services when a dog that has been
592 classified as dangerous:
- 593 a. Is loose or unconfined.
- 594 b. Has bitten a human being or attacked another animal.
- 595 c. Is sold, given away, or dies.
- 596 d. Is moved to another address.
- 597 Prior to a dangerous dog being sold or given away, the owner shall provide the name,
598 address, and telephone number of the new owner to animal services. The new owner
599 must comply with all of the requirements of this section.
- 600 (6) Once a dog has been declared dangerous and registered in accordance with this
601 section, any animal control officer shall, at any reasonable hour, have the right to
602 inspect the owner's premises to determine compliance with the requirements of F.S.
603 Ch. 767, and the conditions of this section. It shall be unlawful for an owner of a
604 dangerous dog to deny the animal control authority access to inspect the owner's
605 premises to determine compliance as provided in this section.
- 606 (e) *Exemptions.* The following shall be exempt from this section:
- 607 (1) Hunting dogs when engaged in any legal hunt or training procedure. Dogs engaged in
608 training or exhibiting in legal sports such as obedience trials, conformation shows, field
609

610 trials, hunting/retrieving trials, and herding trials, when engaged in any legal
611 procedures. However, such dogs at all other times in all other respects shall be subject
612 to this section. Dogs that have been classified as dangerous shall not be used for
613 hunting purposes.

614 (2) Dogs used by law enforcement officials for law enforcement work.

615 (f) *Restraint of dangerous dog.*

616 (1) The owner of a dangerous dog shall not permit the dog to be outside a secure
617 enclosure unless the dog is muzzled and restrained by a substantial chain or leash
618 and under control of a competent adult. The muzzle must be made in a manner that
619 will not cause injury to the dog or interfere with its vision or respiration but will prevent
620 it from biting any person or animal.

621 (2) The owner may exercise the dog in a securely fenced or enclosed area that does not
622 have a top, without a muzzle or leash, if the dog remains within his or her sight and
623 only members of his or her immediate household or persons 18 years of age or older
624 are allowed in the enclosure when the dog is present, provided such person(s) is
625 informed as to the animal's classification as dangerous.

626 (3) When being transported, such dogs must be safely and securely restrained within a
627 vehicle.

628 (g) *Unlawful acts.* The following shall constitute a violation of this section:

629 (1) Failure to properly license a dangerous dog.

630 (2) Failure to maintain a current rabies vaccination.

631 (3) Failure to have animal wear a dangerous dog license.

632 (4) Failure to provide proper secure enclosure.

633 (5) Failure to have dog permanently identified with a tattoo or microchip.

634 (6) Failure to have a current certificate of registration.

635 (7) Failure to report a bite, scratch, or attack by his/her dangerous dog upon a human
636 being or another animal.

637 (8) Failure to report a change of ownership or death of his/her dangerous dog.

638 (9) Failure to report change of address.

639 (10) Allowing the dog to run at large or remain unconfined.

640 (11) Allowing the dog to be outside of a secure enclosure without proper restraint.

641 (12) Failure to have the dog spayed or neutered.

642 Any owner of a dangerous dog who fails to maintain compliance with all provisions
643 under this section shall be guilty of a misdemeanor of the second degree,
644 punishable as provided by F.S. §§ 775.082 and 775.083. In addition, the
645 dangerous dog shall be immediately confiscated by the animal control authority,
646 placed in quarantine, if necessary, for the proper length of time, or impounded and
647 held for ten business days after the owner is given written notification as provided
648 for in this section, and thereafter destroyed in an expeditious and humane manner.
649 Notice shall be by certified mail return receipt requested to the address of the
650 owner on file with the animal services division, certified hand delivery, or service
651 of process in conformance with F.S. ch. 48. This ten-day time period shall allow

652 the owner to request a hearing as provided in section (i) The owner shall be
653 responsible for payment of all boarding costs and other fees as may be required
654 to humanely and safely keep the dog during the impoundment.

655 (h) *Attack or bite by dangerous dog; penalties; confiscation; destruction.*

656 (1) If a dog that has previously been declared dangerous attacks or bites a person or a
657 domestic animal without provocation, the owner is guilty of a misdemeanor of the first
658 degree, punishable as provided in F.S. §§ 775.082, or 775.083. In addition, the
659 dangerous dog shall be immediately confiscated by the animal control authority,
660 placed in quarantine, if necessary, for the proper length of time, or impounded and
661 held for ten business days after the owner is given written notification as provided for
662 in this section, and thereafter destroyed in an expeditious and humane manner. This
663 ten-day time period shall allow the owner to request a hearing as provided in section
664 (i). The owner shall be responsible for payment of all boarding costs and other fees as
665 may be required to humanely and safely keep the animal during any appeal procedure.
666

667 (2) If a dog that has not been declared dangerous attacks and causes severe injury to or
668 death of any human, the dog shall be immediately confiscated by the animal control
669 authority, placed in quarantine, if necessary, for the proper length of time or held for
670 ten business days after the owner is given written notification as provided for in this
671 section, and thereafter destroyed in an expeditious and humane manner. This ten-day
672 time period shall allow the owner to request a hearing as provided in section (c). The
673 owner shall be responsible for payment of all boarding costs and other fees as may be
674 required to humanely and safely keep the animal during any appeal procedure. In
675 addition, if the owner of the dog had prior knowledge of the dog's dangerous
676 propensities, yet demonstrated a reckless disregard for such propensities under the
677 circumstances, the owner of the dog is guilty of a misdemeanor of the second degree,
678 punishable as provided in F.S. §§ 775.082, or 775.083.

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

689 (i) *Hearing on humane disposal of dangerous dog.*

690 (1) The purpose of a hearing under this section is not to determine whether or not a dog
691 should be classified as a dangerous dog; this section only applies to those dogs who
692 have previously been classified as dangerous either through the consent of the owner
693 or by the animal control authority pursuant to the hearing and appeal process in section
694 (c).

695 (2) The request for the hearing must be in writing and must be received by the office of
696 the county administrator by the close of business on the final business day prior to
697 expiration of the applicable deadline.

- 698 (3) The hearing shall be confined to the issue of whether or not the owner of the dangerous
699 dog is able to properly meet the requirements listed in this ordinance to both care for
700 the dog and keep the dog from being a threat to the health, safety and welfare of
701 humans and other animals.
- 702 (4) The hearing shall be held as soon as possible, but not more than 21 calendar days
703 and no sooner than five days after receipt of the request from the owner.
- 704 (5) The formal rules of evidence shall not apply during the conduction of the hearing and
705 hearsay is admissible, but the hearing officer may not base his decision solely upon
706 hearsay testimony.
- 707 (6) A written copy of the decision shall be provided to the owner by certified mail return
708 receipt requested, certified hand delivery or service pursuant to F.S. ch. 48. If the
709 decision is to humanly dispose of the dog and the owner wishes to appeal that
710 decision, the owner may file a written request for a hearing, in the county court to
711 appeal the decision within ten business days after receipt of the decision. The appeal
712 shall be the traditional record review applicable to other types of appeals from quasi-
713 judicial decisions of administrative bodies or hearing officers.
- 714 (j) If the owner files a written appeal under either section (c) or (i), the dog must be held and
715 may not be destroyed while the appeal is pending.
- 716 (k) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal
717 activity at the time of the attack, the owner is not guilty of any crime specified under this
718 section.
- 719 (1) Animal services maintains the authority to carry out euthanasia of a dangerous dog
720 prior to the end of the ten-day quarantine period if a medical emergency exists. The
721 following provisions must be met if the dog owner objects to his/her dog being
722 euthanized.
- 723 (2) The victim's attending physician must provide, to the county health department, a
724 signed written statement describing the medical emergency and the need for
725 immediate euthanasia of the dangerous dog.
- 726 (3) The director of the county health department will evaluate the physician's request and
727 make a written recommendation to the director of community services.
- 728 (4) The director of community services and the county attorney will review the physician's
729 letter and the written recommendation of the public health director and then advise the
730 animal services operations manager of the proper course of action.

731 **Section 9.** Article II, Section 14-49(a) (1)d is amended in its entirety as follows:

- 732 d. *Adequate space* means a space that allows a companion animal to easily sit, stand, lie
733 down, turnabout and make other normal body movements in a comfortable normal position
734 for a companion animal. An enclosure shall provide each animal a minimum of 80 square
735 feet of open space and shall be suitable to prevent the escape of the animal or the entry
736 of young children. Working law enforcement canines may be kept in a smaller enclosure.

737 **Section 10. Euthanasia of Animals.** Article II, Section 14-55 is amended in its entirety as
738 follows:

- 739 (a) Animal services will offer the service of euthanasia of animals after said animal has been
740 released to the county. The form of euthanasia used is lethal injection.
- 741 (1) The owner of the animal must sign a release form stating that the animal has not bitten
742 any person during the last ten days, and has not been exposed to rabies.
- 743 (2) Any individual requesting the euthanasia of an animal must provide proof of ownership
744 (e.g., AKC or UKC, CFA registration papers, health records, bill of sale, adoption
745 agreement). Personal identification is required.
- 746
- 747 (b) Animal services reserves the right to refuse to perform euthanasia on any animal for which
748 the above criteria cannot be met.

749 **Section 11. Mandatory spay and neuter for cats.** Article II, Section 14-65 is amended in its
750 entirety as follows:

- 751 (a) *Purpose.* The board has determined that the unintended or uncontrolled breeding of cats
752 within the county leads to many cats and kittens being unwanted, becoming strays,
753 suffering privation and death, being impounded and euthanized at great expense to the
754 community, and constituting a public nuisance and public health hazard. It is, therefore,
755 declared to be the public policy of the county to encourage every feasible means of
756 reducing the number of unwanted cats and kittens in the county.
- 757 (b) *Spaying, neutering of cats.*
- 758 (1) Every cat four months of age or older within the county shall be spayed or neutered,
759 unless proof of one of the following exemptions is provided to the county:
- 760 a. The cat is registered with a national or international club or association and the
761 owner certifies in writing to the county that the animal is being used, trained, or
762 considered for use in a show(s), sporting competition(s), or other similar
763 competitive event(s) held by one or more national or international clubs or
764 associations.
- 765 b. A veterinarian licensed in the state certifies in writing that the cat is medically unfit
766 to undergo the required spay or neuter procedure because of a medical condition,
767 including but not limited to age, that would be substantially aggravated by such
768 procedure or would likely cause the cat's death. The writing must state the date by
769 which the cat may be safely spayed or neutered. The county may extend the time
770 for spaying or neutering a cat or may exempt such cat from the spay/neuter
771 requirement based upon the written medical recommendation of a licensed
772 veterinarian. For a cat that is not spayed or neutered due to a health condition as
773 provided herein, the license tag fee established by the board for sterilized cats shall
774 apply. As soon as the medical condition that prevents a cat from being spayed or
775 neutered ceases to exist, it shall be the duty of the owner of such cat to promptly
776 comply with this section.
- 777 c. The owner wishes to keep the cat unsterilized and has purchased an unsterilized
778 license and has microchipped the cat for identification. However, if the cat is
779 trapped or otherwise found at large and impounded at animal services more than
780 once, the license will be forfeited and the cat will be sterilized.

- 781 d. The cat is used for breeding purposes by a licensed hobby or commercial breeder
782 and is registered as a pedigreed cat with the Cat Fancier Association or the
783 International Cat Association.
- 784 e. The cat is being harbored by a shelter, humane society, or private animal nonprofit
785 organization, whether public or private, whose principal purpose is securing the
786 adoption of cats or offering sanctuary for cats, provided that the cat is spayed or
787 neutered prior to being placed for adoption.

788 **Section 12.** Article II, Section 14-66, entitled "Registration of rescue groups, breeders, hobby
789 breeders and owners of eleven or more companion animals," is added as follows:

- 790 (a) Rescue groups, breeders, hobby breeders and owners of eleven or more dogs, cats and
791 companion animals shall register annually with the County.
- 792 (b) The fee for annual registration is \$25.
- 793 (c) Those registering shall submit a disaster plan and shall authorize animal control to inspect
794 the location where the animals are kept.
- 795 (d) A \$250 penalty may be assessed for failure to register.
- 796 (e) Law Enforcement personnel are exempt from registration.

797 **Section 13. Severability.** If any section, sentence, clause, phrase or provision of this Ordinance
798 is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
799 unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining
800 provisions of this Ordinance.

801 **Section 14. Codification.** The publisher of the County's Code of Ordinances, the Municipal
802 Code Corporation, is directed to incorporate this article into the Code of Ordinances where
803 indicated.

804 **Section 15. Modification.** The provisions of this Ordinance may be modified as a result of
805 considerations that may arise during public hearings. Such modifications shall be incorporated
806 into the final version of the ordinance adopted by the Board and filed with the Clerk.

807 **Section 16. Effective Date.** This Ordinance shall take effect as provided by law.

808 **PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting, this
809 ____ day of _____, 2021.

810 BOARD OF COUNTY COMMISSIONERS
811 OF CITRUS COUNTY, FLORIDA

812 ATTEST:

813 _____

814 ANGELA VICK, CLERK

SCOTT CARNAHAN, CHAIRMAN

815 APPROVED AS TO FORM FOR THE
816 RELIANCE OF CITRUS COUNTY ONLY:

817 _____
818 DENISE A. DYMOND LYN, COUNTY ATTORNEY