

ORDINANCE NUMBER: 79-1

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, PROVIDING FOR DOG CONTROL IN THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY, PROVIDING FOR APPOINTMENT OF AN ANIMAL CONTROL OFFICER; REQUIRING ALL DOGS TO CARRY IDENTIFICATION ESTABLISHING THE NAME AND CURRENT ADDRESS OF THE DOG'S OWNER; PROHIBITING FEMALE DOGS IN HEAT (ESTRUS) FROM RUNNING LOOSE; PROVIDING FOR THE SEIZURE, CONTAINMENT AND DESTRUCTION OF DOGS NOT PROPERLY IDENTIFIED OR THAT ARE SUSPECTED OF HAVING RABIES; PROVIDING FOR THE SEIZURE AND CONTAINMENT OF DOGS WHO BITE HUMANS; PROVIDING FOR THE SEIZURE AND CONTAINMENT OF LOOSE FEMALE DOGS IN HEAT (ESTRUS); PROVIDING PENALTIES AND IMPOUNDMENT FEES; PROVIDING FOR DESTRUCTION OR CONVEYANCE OF UNCLAIMED DOGS AND DOGS WHOSE OWNERS HAVE NOT PAID THE PENALTIES AND IMPOUNDMENT FEES; PROVIDING FOR THE DESTRUCTION OF RABID DOGS AND DOGS RUNNING LOOSE THAT ARE SUSPECTED OF BEING RABID; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognize that the public health and safety of the citizens of St. Johns County will be served by enacting dog control legislation, and

WHEREAS, effective dog control includes the impoundment of strays, disposition of impounded dogs, confinement of certain dogs, and the control of rabies and other matters,

NOW, THEREFORE, be it ordained by the Board of County Commissioners of St. Johns County, Florida.

SECTION 1. DEFINITIONS

- A. DOG shall mean and include all members of the canine families.
- B. OWNER shall mean any person or entity having a right of property in a dog, or who keeps or harbors a dog, or has it in his care, or acts as its custodian, or who permits a dog to remain on or about any premises occupied or controlled by him;
- C. VACCINATION AGAINST RABIES shall mean the injection of a canine with antirabies vaccine approved by and administered in an amount and manner approved by the State Board of Health.

SECTION 2. ANIMAL CONTROL OFFICER

The Board of County Commissioners of St. Johns County, or their designated agent is authorized to employ, and to pay such compen-

sation as deemed advisable, some suitable person or persons to be known as the "Animal Control Officer of St. Johns County." The Animal Control Officer shall give bond for one thousand (\$1,000.00) to faithfully discharge the duties of this office, and shall have full authority within the unincorporated areas of St. Johns County to pick up, catch, or procure any dog that is not properly identified, or that is in heat (estrus) and is roaming at large, or believed to be a stray and cause such dog to be impounded in the St. Augustine Humane Society Shelter or at such other shelter as the Board may designate. He shall also have said authority for dogs believed to be rabid or believed to have bitten a human being within 10 days of the dogs seizure and impoundment.

SECTION 3. ANIMAL INFECTED WITH RABIES AND SUSPECTED RABIES CASES.

In the event any dog is impounded because of rabies or suspected rabies, the Board of County Commissioners or the Animal Control Officer shall have full and complete authority to secure the services of a licensed veterinarian in order to observe such disease for a period as deemed necessary by the County Health Officer. In the event the County Health Officer or Animal Control Officer is of the opinion that the health and safety of the citizens of St. Johns County would be jeopardized by the continued existence of such infected animal then the animal may be destroyed without any compensation to the owner.

SECTION 4. IMPOUNDMENT OF DOGS BELIEVED TO HAVE BITTEN HUMANS.

All dogs that are believed to have bitten a human being shall be contained at the St. Augustine Humane Society Shelter or at a Veterinary Clinic or hospital of the owners choice. All costs of confinement, observation and testing shall be paid by the dog's owner. The confinement shall be for the purposes of observing and/or testing the dog for rabies and shall continue for at least 10 days subsequent to the date of the dog bite. The dog may be released to the owner at any time prior to the expiration of 10 days upon payment of a \$2.00 impoundment fee and all costs and upon presentation to the animal control officer, or such other person as the Board may appoint, of

adequate proof that the dog has been vaccinated against rabies by a licensed veterinarian within the past 12 months; provided that the owner guarantees that he will confine the dog at the owner's home for the 10 days period and will permit observation of the dog by the animal control officer and county health officials at reasonable times during the 10 day period. The dog may be released subsequent to the 10 day period upon a determination that the dog is not rabid and upon payment of a \$2.00 impoundment fee and all costs of impoundment, observation and testing.

SECTION 5. DOG IDENTIFICATION

Every dog in the unincorporated area of St. Johns County, Florida shall have a collar or such other appropriate device on the dog that contains the name and current address of the owner of the dog. This identification shall be on the dog at all times in which the dog is not confined.

SECTION 6. FEMALE DOGS IN HEAT (ESTRUS)

Female dogs in heat (estrus) shall not be permitted to run loose in the unincorporated areas of St. Johns County, Florida.

SECTION 7. CLAIMING OF DOG BY OWNER

The owner of any dog seized and impounded or confined pursuant to this ordinance for any reason other than dog bite or suspected rabies shall be entitled to receive the dog upon the occurrence of each of the following:

- A. Payment of a \$2.00 impoundment fee.
 - B. Payment of \$5.00 for each 24 hours and fraction thereof over an initial 8 hours that the dog is confined at the St. Augustine Humane Society Shelter or other shelter designated by the County.
 - C. Payment of the fine, if any, specified in Section 8.
8. Payment of the above amounts shall be made

to the person or entity designated by the Board
of County Commissioners of St. Johns County,
Florida.

SECTION 8. FINES

The owner of any dog whose dog or dogs has been seized and/or
impounded pursuant to this ordinance shall pay a fine as follows:

- A. For a second seizure or impoundment within 12
months, the fine shall be \$5.00.
- B. For each seizure or impoundment over 2 within
a 12 month period, the fine shall be \$10.00.

This fine shall apply even if more than one dog is involved. The
fine shall be paid to the person or entity designated by the Board
of County Commissioners of St. Johns County.

SECTION 9. NOTICE OF IMPOUNDMENT

The animal control officer, or such other person as he may desig-
nate, shall, within 24 hours, or during the next business day,
after seizure and impoundment, notify the owner of the dog, if
known, of the dogs impoundment. This notice shall be a written
notice mailed to the owners address as it appears on the dog's
identification. If there is no such identification on the dog,
notice is not required.

SECTION 10. DESTRUCTION OR CONVEYANCE OF IMPOUNDED DOGS

All dogs seized and impounded pursuant to this ordinance whose
owners have not claimed the dogs and paid the accrued fees, fines,
costs and payments within 10 days of their impoundment may be
destroyed or they may be conveyed to other suitable persons or
entities upon payment of all accrued fees and costs. Conveyance
pursuant to this section shall operate as a complete forfeiture
and relinquishment of all rights, title, and interest of the
previous owners to the dog. Neither the county nor its officers
or employees shall be liable to the previous owners of the dog
for any cause arising from the destruction or conveyance of
the dog pursuant to this ordinance.

SECTION 11. OFFICER SAFETY IN SUSPECTED RABIES CASES

Should the Animal Control Officer of St. Johns County, or anyone acting under his authority, have reasonable grounds to believe that any dog running at large in St. Johns County is infected with rabies and such dog cannot safely be caught or impounded, such animal may be killed by the Animal Control Officer or other law enforcement officer without liability by such officer or the County to the dogs owner.

SECTION 12. This ordinance shall take effect on the 1st day of February, 1979.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA this 4th day of January, 1979.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: *R. M. W. & Anton*
Its _____ Chairman

ATTEST: OLIVER LAWTON, CLERK

BY: *Marie Hudson*
Deputy Clerk



Adopted: special meeting 1/4/79

Effective: February 1, 1979

The St. Augustine Record
 PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
 ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA. }
 COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Robert E. James _____ who on oath says that he is
Advertising Manager _____ of the St. Augustine Record, a
 daily newspaper published at St. Augustine in St. Johns County, Florida;
 that the attached copy of advertisement, being a Legal Notice
Board of County Commissioners Meeting
 _____ in the matter of _____
Dog Control
 _____ in the _____ Court,
 was published in said newspaper in the issues of _____
December 8, 1978

Affiant further says that the St. Augustine Record is a newspaper
 published at St. Augustine, in said St. Johns County, Florida, and that the
 said newspaper has heretofore been continuously published in said St.
 Johns County, Florida, each day, except Sundays, and has been entered
 as second class mail matter at the post office in the City of St. Augustine,
 in said St. Johns County, Florida, for a period of one year next preceding
 the first publication of the attached copy of advertisement; and affiant
 further says that he has neither paid nor promised any person, firm or
 corporation any discount, rebate, commission or refund for the purpose
 of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
 this 14th day of December
 A.D. 19 78
Walter M. Floyd
 Notary Public

COPY OF ADVERTISEMENT

NOTICE IS HEREBY GIVEN THAT
 THE BOARD OF COUNTY COM-
 MISSIONERS OF ST. JOHNS
 COUNTY, FLORIDA, AT ITS
 SPECIAL MEETING ON JANUARY
 4, 1979, AT 7:00 O'CLOCK P.M., IN
 THE COUNTY COMMISSIONERS
 ROOM, ST. JOHNS COUNTY
 COURTHOUSE, ST. AUGUSTINE,
 FLORIDA, WILL HOLD A PUBLIC
 HEARING TO CONSIDER THE
 PASSAGE OF THE FOLLOWING
 ORDINANCE:
 AN ORDINANCE OF ST. JOHNS
 COUNTY, FLORIDA PROVIDING
 FOR DOG CONTROL IN THE
 UNINCORPORATED AREAS OF
 ST. JOHNS COUNTY, PROVIDING
 FOR APPOINTMENT OF AN
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 IDENTIFICATION ESTABLISHING
 THE NAME AND CURRENT AD-
 DRESS OF THE DOGS OWNER;
 PROHIBITING FEMALE DOGS IN
 HEAT (ESTRUS) FROM RUNNING
 LOOSE; PROVIDING FOR THE
 SEIZURE, CONTAINMENT AND
 DESTRUCTION OF DOGS NOT
 PROPERLY IDENTIFIED OR THAT
 ARE SUSPECTED OF HAVING
 RABIES; PROVIDING FOR THE
 SEIZURE AND CONTAINMENT OF
 DOGS WHO BITE HUMANS,
 PROVIDING THE SEIZURE AND
 CONTAINMENT OF LOOSE
 FEMALE DOGS IN HEAT
 (ESTRUS); PROVIDING
 PENALTIES AND IMPOUNDMENT
 FEES; PROVIDING FOR
 DESTRUCTION OR CONVEYANCE
 OF UNCLAIMED DOGS AND DOGS
 WHOSE OWNERS HAVE NOT
 PAID THE PENALTIES AND IM-
 POUNDMENT FEES; PROVIDING
 FOR THE DESTRUCTION OF
 RABID DOGS AND DOGS RUN-
 NING LOOSE THAT ARE
 SUSPECTED OF BEING RABID;
 PROVIDING EFFECTIVE DATE.
 The proposed Ordinance is on file
 in the office of the Clerk of the
 Circuit Court, St. Johns County,
 Florida, St. Johns County Cour-
 thouse, and may be examined by
 parties interested prior to said
 public hearing.
 All parties having any interest in
 said Ordinance will be afforded an
 opportunity to be heard at the
 public hearing.
 BOARD OF COUNTY COM-
 MISSIONERS
 OF ST. JOHNS COUNTY, FLORIDA
 BY: OLIVER LAWTON
 Its Clerk
 D8-L31BAdv.



Secretary of State

STATE OF FLORIDA
THE CAPITOL
TALLAHASSEE 32304

George Firestone
SECRETARY OF STATE

Director, Division of Elections
904/488-7690

January 8, 1978

Honorable Oliver Lawton
Clerk of Circuit Court
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32084

CLERK OF CIRCUIT COURT

78 JAN 10 PM 1 57

FD

Attention: Marie Hudson, Deputy Clerk

Dear Mr. Lawton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

- 1. Receipt of your letter/s of January 5, and certified copy/ies of St. Johns County Ordinance/s No./s 79-1
2. Receipt of County Ordinance/s relative to
3. Receipt of an original/s and certified copy/ies of County Ordinance/s No/s
4. We have filed this/these Ordinance/s in this office January 8, 1979
5. We have numbered this/these Ordinance/s and was/were filed in this office 1979.
6. The original/duplicate copy/ies showing filing date is/are being returned for your records.

Cordially,

Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/ mb