

ORDINANCE NUMBER: 79-23

INTRODUCED BY: COMMISSIONER BENET

AN EMERGENCY ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING ST. JOHNS COUNTY ORDINANCE 79-1, WHICH IS THE ORDINANCE PROVIDING FOR DOG CONTROL IN THE UNINCORPORATED AREAS OF ST. JOHNS COUNTY, FLORIDA. THIS AMENDMENT DECLARES THAT AN EMERGENCY EXISTS AND WAIVES NOTICE REQUIREMENTS, IT PROVIDES THAT UNCLAIMED IMPOUNDED DOGS MAY BE DESTROYED OR CONVEYED AFTER 5 DAYS OF IMPOUNDMENT UNLESS THEY WERE IMPOUNDED IN CONNECTION WITH SUSPECTED RABIES OR THE BITING OF A HUMAN BEING, IN WHICH CASE THE DOG MAY BE DESTROYED OR CONVEYED AFTER 10 DAYS OF IMPOUNDMENT; IT PROVIDES AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA.

Section 1. Due to the limited size of the St. Augustine Humane Society Shelter, and the large number of dogs that are in violation of St. Johns County Ordinance 79-1, it is impossible to maintain, keep and care for such dogs that are impounded pursuant to the non-rabies, non-human bite, provisions of said ordinance for a period of 10 days. The Board of County Commissioners of St. Johns County, Florida waives notice requirements for this emergency ordinance and declares that an emergency exists and that the immediate enactment of this emergency ordinance is necessary.

Section 2. Section 10 of St. Johns County Ordinance 79-1 is deleted and the following sections are substituted and added in its stead:

Section 10A: DESTRUCTION OR CONVEYANCE OF IMPOUNDED DOGS
All dogs seized and impounded pursuant to this ordinance for reasons other than suspected rabies or suspicion of biting human beings, whose owners have not claimed the dogs and paid the accrued fees, fines, costs and payments within 5 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 10B: DESTRUCTION OR CONVEYANCE OF IMPOUNDED DOGS
 All dogs seized and impounded pursuant to this ordinance for suspected rabies or for the suspected biting of human beings, 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 3. This ordinance is passed pursuant to Florida Statute 125.66(3) and shall take effect when a copy has been accepted by the postal authorities of the United States for special delivery by registered mail to the Department of State.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS REGULARLY SCHEDULED MEETING THIS 27TH DAY OF MARCH, 1979.

BOARD OF COUNTY COMMISSIONERS
 OF ST. JOHNS COUNTY, FLORIDA

BY: *Robert E. Cantan*
 Its Chairman

ATTEST:

Marie Hudson
 Deputy Clerk
 for OLIVER LAWTON, CLERK

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REGISTERED NO. <i>2419</i>	POSTMARK OF S. AUGUSTINE, FL MAR 27 1979 USPO
Value \$ <i>NV</i>	Special Delivery \$ <i>2.00</i>
Reg. Fee \$ <i>3.00</i>	Return Receipt \$
Handling Charge \$	Restricted Delivery \$
Postage \$ <i>.15</i>	<input type="checkbox"/> AIRMAIL
POSTMASTER (By) <i>13</i>	MAILING OFFICE
FROM <i>Board of Co. Comm. P.O. Box 300 St. Augustine, Fl. 32084</i>	<i>5-15 paid</i>
TO <i>Office of Sec. of State The Capitol Tallahassee, 32304</i>	

*GPO: 1978-257-300



Secretary of State

STATE OF FLORIDA
THE CAPITOL
TALLAHASSEE 32304

GEORGE FIRESTONE
SECRETARY OF STATE

BETTY CASTOR
Director, Division of Elections
904/488-7690

March 28, 1979

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

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 March 27, 1979 and certified copy/ies of St. Johns Emergency County Ordinance/s No./s 79-23
2. We have filed this/these Ordinance/s in this office March 28 1979
3. Receipt of an original/s and certified copy/ies of County Ordinance/s No./s
4. Receipt of County Ordinance/s relative to
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

Oliver Lawton
CLERK CIRCUIT COURT

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FILED