

ORDINANCE NO. 96-10

AN ORDINANCE AMENDING ORDINANCE 76-5, WHICH AMENDED ORDINANCE 74-34, REGULATING AND LICENSING THE KEEPING OF DOGS; SPECIFICALLY AMENDING SECTION 3, LICENSING; SECTION 5, RESTRAINT; SECTION 17, PENALTIES; SECTION 18, CODE ENFORCEMENT.

WHEREAS, the Board has been made aware that the fees set forth in Ordinance 76-5, as amended, should be further amended; and

WHEREAS, the Board feels this increase to be in the best interest of the citizens of Nassau County.

NOW, THEREFORE, BE IT ORDAINED this 10th day of June, 1996, by the Board of County Commissioners of Nassau County, Florida, that Ordinance 76-5, as amended, be further amended as follows:

1. SECTION 3. LICENSING.

a. No person, shall own, keep or harbor any dog within the County unless such dog is licensed as herein provided. Written application for such license shall be made to the Animal Control Authority or such agents of the Animal Control Authority as shall be designated by the Animal Control Authority and shall state the name and address of the owner and the name, breed, color, age and sex of the dog, as well as proof of inoculation against rabies if the animal is old enough to receive said shots. The license fee shall be paid at the time of making application, a numbered receipt given the applicant, and a numbered metallic tag shall be issued to the owner.

b. The yearly license fee shall be established by the Board of Commissioners of Nassau County, Florida, by resolution

from time to time.

c. Every person, group of persons, or corporation, engaged in the commercial business of buying, selling, breeding, or boarding, and who owns, harbors, or keeps, five or more dogs in a kennel, shall pay an annual license fee of \$50.00, provided, however, that any persons operating such kennel may elect to license individual dogs as provided in subsection (b) of Section 3 of this ordinance.

d. All dog licenses and kennel licenses shall be issued for one year beginning with the first day of July. Applications for licenses may be made prior to and for 45 days after the start of the licensing year have elapsed, the applicant shall be assessed a penalty of 50 percent of the license fee, which amount shall be added and collected with the regular license fee. Provided, if the dog or kennel did not become subject to licensing until after the start of the licensing year, then no penalty shall be assessed.

e. In the event that a metallic license tag issued for a dog shall be lost, the owner may obtain a duplicate tag upon the payment of one dollar (\$1.00).

f. If there is a change in ownership of a dog or kennel during the license year, the new owner may have the current license transferred to his name upon the payment of a transfer fee of \$1.00 to cover the cost of the dog tag.

g. No person shall use for any dog a license receipt, or license tag issued for another dog.

h. If a person owns, keeps or harbors any dog, within

the county, and said dog is not licensed pursuant to the provisions herein, the Animal Control Officer may issue a citation to the owner or individual who is keeping or harboring said dog. If the owner or person who is keeping or harboring said dog does not contest the citation, the fine shall be twenty five dollars (\$25.00) for the first offense; fifty dollars (\$50.00) for the second offense; and one hundred dollars (\$100.00) for each offense thereafter. If the person who owns or harbors the dog contests said citation, then the maximum penalty shall not exceed five hundred dollars (\$500.00) per offense.

2. SECTION 5. RESTRAINT

The owner shall keep his dog under restraint at all times and shall not permit such dog to be at large, off the premises or property of the owner, unless under the control of a competent person. However, a hunting dog shall not be considered to be at large when he is found to be within an area designated as a hunting area. If a person owns, keeps or harbors any dog, within the county, and said dog is not restrained pursuant to the provisions herein, the Animal Control Officer may issue a citation to the owner or individual who is keeping or harboring the dog. If the owner or person who is keeping or harboring said dog does not contest the citation, the fine shall be fifty dollars (\$50.00) for the first offense; one hundred dollars (\$100.00) for the second offense; and one hundred dollars (\$100.00) for each offense thereafter. If the person who owns or harbors the dog contests said citation, then the maximum penalty shall not exceed five

hundred (\$500.00) per offense.

3. SECTION 17. PENALTY:

Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor of the ~~third~~second degree as ~~provided by Chapter 775.081, Florida Statutes,~~ and upon conviction thereof shall be punished in accordance with Chapter 775.082, Florida Statutes, relating to punishment for misdemeanors. If such violation be continued, each day's violation shall be a separate offense.

4. SECTION 18. REPEALS CODE ENFORCEMENT

~~The ordinance relating to the keeping, licensing, restraining and quarantining of dogs, passed and approved December 9, 1974, and any others are hereby repealed. All other ordinances in conflict herewith are repealed to the extent of such conflict.~~

The Animal Control Officers may enforce the provisions of this ordinance pursuant to the procedures as set forth in Ordinance 94-34, as amended, the County's Code Enforcement Ordinance.

5. EFFECTIVE DATE: This Ordinance shall become effective upon its being filed in the Office of the Secretary of State.

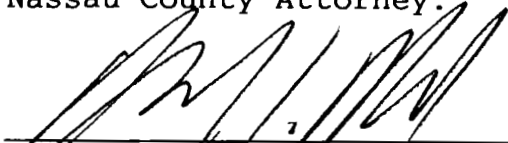
ATTEST:

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA


T. J. GREESON
Its: Ex-Officio Clerk


JIM B. HIGGINBOTHAM
Its: Chairman

Approved as to form by the
Nassau County Attorney:



MICHAEL S. MULLIN