

ORDINANCE NO. 2007-06

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2004-58, AS AMENDED, KNOWN AS THE ANIMAL CONTROL ORDINANCE; SPECIFICALLY AMENDING SECTION 2 - RABIES VACCINES AND LICENSING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 27, 2005, Governor Bush signed a new rabies law, that had Florida joining thirty-four (34) other states that either require or recognize three (3) year rabies vaccine; and

WHEREAS, prior to the passage of the new law, many Florida counties did not recognize a three (3) year rabies vaccine for the full duration of immunity, which resulted in thousands of currently vaccinated animals being required to revaccinated for no justifiable medical reason; and

WHEREAS, local governments and veterinarians are required to follow the new law and recognize a rabies vaccine for its "duration of immunity" - either one (1) or three (3) years; and

WHEREAS, local governments can realize a cost savings on tags forms and administrative costs on three (3) year vaccine and license requirements; and

WHEREAS, veterinarians will still have the option of using a rabies vaccine of either one (1) or three (3) years' duration of immunity in their practice; and

WHEREAS, rabies titers are not allowed in lieu of re-vaccination, because, first, they only provide a sketch of the animal's past exposure to the rabies virus and do not indicate a level of protection, and, secondly, the owner is often not aware that a bite occurred or that the biting animal was rabid; and

WHEREAS, incorporating these new requirements will greatly benefit animals by maximizing protection against rabies while minimizing vaccine-associated risks.

NOW, THEREFORE, BE IT ORDAINED this 12th day of February, 2007, by the Board of County Commissioners of

Nassau County, Florida, that Ordinance 2004-58, as amended, is further amended as follows:

1. **SECTION 2. RABIES VACCINES AND LICENSING**

(A) Any person owning, keeping, harboring, or having custody of a dog, cat, or ferret four months of age or older within this county must secure a county license from a veterinarian or from the county Animal Control facility and, as a part of such license, shall show proof of a current rabies vaccination which shall have been administered by a veterinarian.

(1) Animals not "currently vaccinated" include:

- (a) Dog, cat, ferret, or livestock whose first vaccination was given less than one month before exposure to a known or suspected rabid Animal;
- (b) Dog, cat, ferret, or livestock whose previous vaccination expired;
- (c) Dog, cat, ferret, or livestock whose previous vaccination expired and whose revaccination was given less than one (1) month before exposure to a known or suspected rabid Animal;
- (d) Dog or cat over the age of two (2) years given a three-year vaccine at less than one (1) year of age and not boosted one (1) year later;
- (e) Any Wild Animal, including wolf-dog or coyote-dog hybrids.

(B) All dogs, cats, and ferrets four (4) months of age or older must be vaccinated by a licensed veterinarian against rabies with a United States Government Department of Agriculture approved vaccine pursuant to Florida Statute Section 828.30. The cost of vaccination must be borne by the Animal's Owner. The animal shall be revaccinated twelve (12) months after the initial vaccination, and, thereafter, the interval between vaccinations shall conform to the vaccine manufacturers' directions. A veterinarian in his or her discretion may use a rabies vaccine of either one

(1) or three (3) years' duration of immunity. Evidence of circulating rabies virus neutralizing antibodies shall not be used as a substitute for current vaccination in managing rabies exposure or determining the need for booster vaccinations. It is a violation of this article for the owner or keeper of a dog, cat or ferret to refuse or fail to have the dog, cat or ferret vaccinated against rabies as required by this section.

(1) Upon vaccination against rabies, the licensed veterinarian shall provide the Animal's Owner and the county Animal Control with a rabies vaccination certificate which must contain at least the following information:

- (a) The license number of the administering veterinarian;
- (b) The name, address, and phone number of the veterinarian and Owner;
- (c) The date of vaccination;
- (d) The expiration date of the vaccination;
- (e) The species, age, sex, color, breed, weight, and name of the Animal vaccinated;
- (f) The rabies vaccine manufacturer;
- (g) The vaccine lot number and expiration date;
- (h) The type and brand of vaccine used;
- (i) The route of administration of the vaccine;
- (j) The signature or signature stamp of the licensed veterinarian.

The license certificate as described herein will also include the above information required for rabies certification.

(2) As is already required for dogs and cats, each ferret vaccinated according to this section must be quarantined, when necessary according to rules of the Department of Health.

- (3) Per Florida Statute, Section 828.30, an Animal Owner's name, street address, phone number, and Animal tag number contained in a rabies vaccination certificate provided to the county Animal Control is exempt from Florida Statutes, Section 119.07(1), (Public Records Request). Law enforcement and prosecutorial agencies; other Animal Control authorities; emergency and medical response and disease control agencies; or other governmental health agencies shall be provided information contained in the rabies vaccination certificate for the purpose of controlling the transmission of rabies; however, the receiving agencies and authorities must not release the exempt information.

(C) The license shall consist of a rabies vaccination and license certificate and a tag.

- (1) The certificate shall only be issued and signed by county authorized entities, or by a veterinarian, and shall be evidence of the rabies vaccination. The issuer of the certificate shall only issue such certificate upon proper administration of the vaccine or upon evidence presented to show proof of a current rabies vaccination by a licensed veterinarian. Licenses may be issued without the administration of a rabies vaccination provided a veterinarian has examined the dog, cat or ferret and has certified that a rabies vaccination could endanger its health because of infirmity, debility, illness, or other medical consideration and states on the certificate, "Rabies vaccination not given for medical reasons". The dog, cat or ferret must be vaccinated as soon as its health improves sufficiently to tolerate the vaccine.
- (2) The certificate (**See Form #1 A**) and tag shall be approved and supplied by the Board of County Commissioners. No other license certificate or tag shall be valid in the county, except as otherwise provided under this article. The certificate shall provide space for pertinent data for identification of the Animal as well as the required information for the rabies

certificate (NASPHV Form 51). The license tag shall consist of a serially numbered piece of metal or other material bearing the same number as the certificate and the year of issuance and designated shape and color for that year. All dogs and cats shall be required to wear a tag, except as otherwise provided under this section. The person to whom a dog or cat license has been issued shall cause the tag to be securely fastened by a substantial device about the Animal's neck so as to be clearly visible at all times. If a license tag is lost or destroyed, a duplicate shall be issued by the county Animal Control upon presentation of the certificate and upon payment of a fee to Animal Control as established by the Board of County Commissioners. In lieu of the tag, Owners of cats and ferrets may choose a breakaway collar or an alternate form of identification as approved by county Animal Control.

- (3) Veterinarians shall distribute county rabies vaccination and license certificates and tags to dog and cat Owners on such form as is provided by the County. Following issuance, the veterinarian shall file the original certificates with the county Animal Control on a monthly basis; one (1) copy shall be given to the Owner of the Animal, and one (1) copy shall be retained by the veterinarian.
- (4) All tags and certificates provided by the county and issued by the veterinarians and monies collected therefrom must be accounted for on such form as the county shall provide. Completed accounting forms shall be maintained by the veterinarian for a period of one (1) year from the document's origination. In addition, veterinarians shall remit to county Animal Control the issued certificates, completed accounting forms, and all money due from license sales in any calendar month by the end of the following month regardless of whether or not the fees were collected from the dog, cat or ferret Owner. All such remitted payments shall be in the form of a check or money order payable to Animal Control.

(D) If not revoked, licenses for the keeping of dogs, cats and ferrets shall be for a period of one (1) year, running concurrently with the rabies vaccination.

(E) Application for a license must be made within thirty (30) days after obtaining a dog, cat, or ferret which are four (4) months of age or older.

(F) Dogs must wear identification tags at all times when off the premises of the Owner, and Owners of cats and ferrets must provide proof of licensing upon request.

(G) The county or county's designee shall maintain a record of the identifying numbers of all tags issued and shall make this record available to the public. Per Florida Statute, Section 828.30, an Animal Owner's name, street address, phone number, and Animal tag number contained in a rabies vaccination certificate provided to the county Animal Control is exempt from s. 119.07(1), Florida Statutes (Public Records Request). However, any person who has been bitten, scratched, or otherwise exposed to a zoonotic disease or the physician of such person; a veterinarian who is treating an Animal that has been bitten, scratched, or otherwise exposed to a zoonotic disease; or the Owner of an Animal that has been bitten, scratched, or otherwise exposed to a zoonotic disease shall be provided with any information contained in a rabies vaccination certificate but only with respect to the particular Animal biting, scratching, or otherwise causing exposure. Any person with an Animal tag number may receive vaccination certificate information with regard to that Animal. Law enforcement and prosecutorial agencies; other Animal Control authorities; emergency and medical response and disease control agencies; or other governmental health agencies shall be provided information contained in the rabies vaccination certificate for the purpose of controlling the transmission of rabies; however, the receiving agencies and authorities must not release the exempt information.

(H) Licenses, certificates and tags shall not be transferable from the Owner of one dog, cat or ferret to another.

(I) Those persons who relocate their dogs, cats, or ferrets which are four (4) months of age or older, to the

county shall secure a license within thirty (30) days of relocation.

(J) When ownership of a dog, cat or ferret is transferred from one party to another, the transferor shall report the change of ownership to the county Animal Control on such form as provided by the county, whether such change is effectuated by sale, barter, gift, or otherwise, within thirty (30) days of such transfer. The new Owner shall maintain a record of the date of transfer, the name and address of the transferor, and proof of previous vaccination and license. Such records shall be maintained by the new Owner for a minimum period of one (1) year from the date of transfer and shall be subject to inspection upon demand by any Animal Control Officer. All Owners of dogs, cats or ferrets four (4) months of age or older shall obtain a county license within thirty (30) days of the date that they became the Owner as defined in this article.

(K) Every person selling or transferring ownership of a dog, cat or ferret shall keep records of the most recent proof of vaccination, license, and, when applicable pursuant to Florida Statutes Chapter 828, certificate of veterinary inspection. The previous Owner shall maintain such records for a minimum period of one (1) year from the date of transfer. All dogs and cats offered for sale, and copies of vaccination or license records, or certificates of veterinary inspection, held by the seller and veterinarian shall be subject to inspection by any Animal Control Officer.

(L) Every person owning, possessing, harboring, keeping or having control or custody of a dog, cat or ferret shall keep records of proof of vaccination, license, and, when applicable pursuant to Florida Statutes Chapter 828, certificates of veterinary inspection. Every person owning, possessing, harboring, keeping or having control or custody of a ferret shall keep records of proof of vaccination. Such records shall be subject to inspection upon demand by any Animal Control Officer.

(M) The Board of County Commissioners is authorized to establish reasonable fees for the issuance and renewal of dog, cat or ferret licenses payable to Animal Control. License fees shall be waived for the following:

- (1) Those persons who are legally blind and whose dogs are registered Seeing Eye dogs; or those persons who are legally deaf and whose dogs are certified "hearing" dogs; or such other handicapped persons whose dogs are certified and trained to assist the physically and mentally handicapped or such dogs who were retired from such practices.
- (2) Dogs owned or retired by a law enforcement agency and used for law enforcement purposes.
- (3) The initial license issued for dogs or cats adopted from state chartered nonprofit humane organizations based upon registry data provided in accordance with Section 3.

(N) A license shall be issued after payment of the following application fee to Animal Control:

|                          |          |
|--------------------------|----------|
| • Unneutered male dog    | \$ 23.00 |
| • Unneutered male cat    | \$ 23.00 |
| • Unspayed female dog    | \$ 23.00 |
| • Unspayed female cat    | \$ 23.00 |
| • Unneutered male ferret | \$ 23.00 |
| • Unspayed female ferret | \$ 23.00 |
| • Neutered male dog      | \$ 10.00 |
| • Neutered male cat      | \$ 10.00 |
| • Neutered male ferret   | \$ 10.00 |
| • Spayed female dog      | \$ 10.00 |
| • Spayed female cat      | \$ 10.00 |
| • Spayed female ferret   | \$ 10.00 |

plus a fee of Two Dollars (\$2.00) for the veterinarians, if issued through a veterinarian's office. The sum of Three Dollars (3.00) from the application fees for each unneutered male dog, unneutered male cat, unspayed female dog, unspayed female cat, unneutered male ferret, and unspayed female ferret shall be remitted to the Spay Nassau Program.

(O) A duplicate license may be obtained from the county's Animal Control facility upon payment of a \$5.00 replacement fee.



2. **EFFECTIVE DATE**

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

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA

  
\_\_\_\_\_  
JIM B. HIGGINBOTHAM  
Its: Chairman

Attest as to Chairman's  
Signature:

  
\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk

Approved as to form by the  
Nassau County Attorney:

  
\_\_\_\_\_  
DAVID A. HALLMAN

cap proj\jarzyna\animalcontrol-ord-12-19-06

Form 1A

Nassau  
~~WHEELER~~ COUNTY COPY

LICENSE & BABIES VACCINATION CERTIFICATE  
AS REQUIRED BY Nassau COUNTY CODE CHAPTER 14

LICENSE DUE  DOG  CAT  OTHER

LICENSE FEE

|         |         |      |                          |
|---------|---------|------|--------------------------|
| STERILE | 1 YEAR  | \$10 | <input type="checkbox"/> |
| INTACT  | 1 YEAR  | \$20 | <input type="checkbox"/> |
| STERILE | 3 YEARS | \$10 | <input type="checkbox"/> |
| INTACT  | 3 YEARS | \$25 | <input type="checkbox"/> |

ENTER BELOW ANY CHANGED ITEM(S) FROM RIGHT SIDE

OWNER (LAST NAME) FIRST NAME INITIAL

STREET APT/LOT #

CITY STATE ZIP CODE

PHONE ALT PHONE NAME OF ANIMAL SPAY/NEUTER  
 Y  N

SPECIES BREED COLOR SEX AGE WT

IF CAT/DOG IS DECEASED OR LOST, RETURN FORM TO ANIMAL SERVICES  
DECEASED  NO LONGER OWNED  MOVED OUT OF COUNTY

**YOU MUST TAKE THIS FORM TO YOUR VETERINARIAN!  
WHEELER COUNTY RECOMMENDS 3 YEAR VACCINE**

ANIMAL CONTROL #

LAST YEAR TAG #

TATTOO # / MICROCHIP #

BABIES TAG #  LIC. TAG #

ISSUED ONLY WHEN NO LICENSE PURCHASED AT TIME OF VACCINATION

LICENSE EXPIRATION DATE: SEE REVERSE

|                     |                                |                     |  |
|---------------------|--------------------------------|---------------------|--|
| DATE OF VACCINATION | MANUFACTURER (FIRST 3 LETTERS) | VACCINATION EXPIRES | VACC. TYPE (K) <input type="checkbox"/> (L) <input type="checkbox"/> |
| / /                 |                                | / /                 | 1 YR <input type="checkbox"/> 3 YR <input type="checkbox"/>          |
| MONTH / DAY / YEAR  |                                | MONTH / DAY / YEAR  | 3 YR <input type="checkbox"/> 5 YR <input type="checkbox"/>          |

BRAND NAME VACC. LOT# / EXPIRES DATE LIC. ISSUED  1 Y  3 Y

OWNER PHONE# NAME SEX BREED SPAY/NEUTER AGE COLOR

VET. SIGNATURE / LICENSE#

ADDRESS / PHONE#

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WHEELER COUNTY ANIMAL SERVICES • 12350 OLIVERTON ROAD • DARGO, FL 32774-2700 • TELEPHONE (787) 583-2600