

Chapter 6 ANIMALS*

***Editor's note:** Section 1 of Ord. No. 1998-01, adopted April 6, 1998, repealed former Ch. 6 in its entirety, and enacted a new Ch. 6 to read as herein set out. Former Ch. 6 pertained to similar subject matter. For a detailed history of the provisions of former Ch. 6, see the Code Comparative Table.

Cross references: Horses on beaches, § 7-30.

State law references: Saltwater fisheries, F.S. ch. 370; wildlife, F.S. ch. 372; damage by dogs, F.S. ch. 767; cruelty to animals, F.S. ch. 828.

Article I. In General

Sec. 6-1. Definitions.

Sec. 6-2. Bird sanctuary; exception.

Sec. 6-3. Keeping of certain animals prohibited; ~~licensing required for dogs and cats.~~

Sec. 6-4. Nuisances caused by animals.

Sec. 6-5. Penalties.

Sec. 6-6. Quarantine of biting animal; laboratory analysis; city's liability; costs.

Sec. 6-7. Impounding of animals.

Sec. 6-8. City of Jacksonville authorized to enforce animal ordinances.

Sec. 6-9. Enforcement.

Sec. 6-10. Interference with authorized personnel in performance of duties; breaking into official property, etc.

Sec. 6-11. Legislative findings.

Sec. 6-12. Injuries caused by animals.

Sec. 6-13. Dangerous Dogs; Definitions.

Sec. 6-14. Classification of dogs as dangerous; certification of registration; notice and hearing requirements; confinement of animal; exemption; appeals; unlawful acts.

Sec. 6-15. Attack or bite by dangerous dog; penalties; confiscation; destruction.

Sec. 6-16. Bite by a police or service dog; exemption from quarantine.

Secs. 6-17--6-26. Reserved.

Article II. Dogs and Cats

Sec. 6-27. Leash required; exceptions.

Sec. 6-28. Rabid animals.

Sec. 6-29. Persons bitten must report to police department.

Sec. 6-30. Fecal Matter disposal.

Sec. 6-31. Dogs on the beach.

Sec. 6-32. Exceptions.

Sec. 6-33. Enforcement of municipal codes or ordinances; penalties.

Formatted: Default Paragraph Font

Deleted:

Formatted: Strikethrough

Deleted: Definitions; running at-large prohibited.

Deleted: Sec. 6-17. Animal causing injury.

Deleted: 8

Deleted: Defecation

ARTICLE I. IN GENERAL

Sec. 6-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter, except where the context clearly indicates a different meaning:

Altered animal means any animal that is spayed or neutered.

Formatted: Font:
Not Italic

Animal means any domesticated mammal, reptile or bird, which, if improperly kept, could create a nuisance.

Animal control officer means any individual employed, contracted with, or appointed by the City of Neptune Beach for the purpose of aiding in the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals and includes any state or local law enforcement officer or other employee whose duties in whole or in part include assignments that involve the seizure and impoundment of any animal.

At large means:

(1) Off the premises of the owner of the dog, and upon public property or other private property without the permission of the owner or occupant of such private property, and not under control, custody, charge or possession of the owner or other person responsible for the dog, either by leash, or chain;

(2) Off the premises of the owner of the cat, and upon public property or other private property without the permission of the owner or occupant of such private property, and not under control, custody, charge or possession of the owner or other person responsible for the cat.

Inoculation means vaccination with a currently available vaccine recognized to prevent rabies in the vaccinated animal.

Nuisance means any wrongful thing done or permitted which injures or annoys another in the enjoyment of his legal rights, with particular reference to the breeding of flies, the creation of odors and other obnoxious circumstances caused by the keeping of animals, any fecal material left by an animal, or habitual, objectionable noisemaking, chasing after vehicles and persons or damaging or destroying of property by an animal.

Owner means any person, firm, corporation or organization owning, harboring, keeping or having control or custody of an animal or, if the animal is owned by a person under the age of eighteen (18), that person's parent or guardian.

Poultry means domesticated fowl of all kinds such as chickens, turkeys, ducks, geese and the like.

Rabies means acute, often fatal, infectious disease of the central nervous system, also known as hydrophobia.

Formatted: Right:
0.25"

Vaccination means inoculation with a currently available vaccine recognized to prevent rabies.

Veterinarian means a person licensed to practice veterinary medicine and surgery by the state board of veterinary medicine.
(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 1, 5-2-05)

Cross references: Definitions and rules of construction generally, § 1-2.

Sec. 6-2. Bird sanctuary; exception.

(a) The entire area embraced within the city is hereby designated as a bird sanctuary. The city manager is authorized to have the city so designated by appropriate signs.

(b) It shall be a violation to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or to rob birds' nests; provided, that if any birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or a menace to health or property, then the birds may be destroyed in such numbers and in such manner as is deemed advisable by the city authorities.

(c) Anyone found guilty of violating this section shall be sentenced and have a fine imposed not to exceed of five hundred dollars (\$500.00) or thirty (30) days in prison or both fine and imprisonment.
(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 2, 5-2-05)

Sec. 6-3. Keeping of certain animals prohibited; licensing required for dogs and cats

(a) Whoever shall keep or cause to be kept or have custody or control of or be in charge of or stable or pen up any equine or bovine animal, goat, sheep, swine or poultry, shall be guilty of a municipal offense, punishable as provided in section 6-5.

(b) ~~Licensing required for dogs and cats.~~

(1) ~~No person shall own, keep or harbor any dog or cat over four months of age within the Neptune Beach city limits unless such dog or cat is vaccinated against rabies, and licensed. The provisions of this section do not apply to animals owned or held by a veterinary medical facility or government-operated or licensed animal shelter. Failure to have proof of a current vaccination is a \$100 fine.~~

(2) ~~All dogs and cats shall be vaccinated against rabies by a licensed veterinarian. Dogs or cats that should not be vaccinated due to medical problems can be exempted from the vaccination requirement with a letter documenting the medical reasons for the vaccination exemption from a licensed veterinarian.~~

(3) ~~A certificate of vaccination shall be issued to the owner of each animal vaccinated. Each owner shall also receive a durable vaccination tag indicating the year in which it was issued, which must be on the dog or cat when off the owners property. Failure to have the tag displayed is a \$100 fine.~~

(4) ~~Application for a license must be made within 30 days after obtaining a dog or cat over four months of age, except that this requirement will not apply to a nonresident keeping a dog or cat within the Neptune Beach city limits for no longer than 60 days.~~

- Deleted: veterinaria n
- Deleted: .
- Formatted: Strikethrough
- Formatted: Strikethrough
- Formatted: Indent: First line: 0.5"
- Formatted: Strikethrough
- Formatted: Indent: Left: 0.5"
- Formatted: Font: Italic, Strikethrough
- Formatted: Strikethrough
- Formatted: Indent: First line: 0.5"
- Formatted: Font: (Default) Arial, 11 pt, Strikethrough
- Formatted: Strikethrough
- Formatted: Font: (Default) Arial, 11 pt, Strikethrough
- Formatted: Strikethrough
- Formatted: Font: (Default) Arial, 11 pt, Strikethrough
- Formatted: Strikethrough
- Formatted: Font: (Default) Arial, 11 pt, Strikethrough
- Formatted: Strikethrough
- Formatted: Font color: Dark Blue, Strikethrough
- Formatted: Strikethrough
- Formatted ... [1]
- Formatted ... [2]
- Formatted ... [3]
- Formatted ... [4]
- Deleted: -
- Inserted: - [... [5]
- Formatted ... [6]
- Formatted ... [7]
- Formatted ... [8]
- Formatted ... [9]
- Formatted ... [10]

~~Written application for a dog or cat license shall be made to the City of Neptune Beach and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog or cat. Applicants shall pay the prescribed licensing fee and provide proof of vaccination as defined below.~~

~~(5) The licensing period shall be based upon the rabies vaccination expiration date. At time of application, the resident owner shall provide proof of rabies vaccination and pay the licensing fees for an altered dog and cat described herein:~~

~~1 year: \$10~~

~~3 years: \$15~~

~~The licensing fees for an unaltered dog and cat shall be as follows:~~

~~1 year: \$15~~

~~3 years: \$20~~

~~(6) License renewal may be applied for within 60 days prior to the expiration date. New residents must apply for a license within 30 days of establishing residence.~~

~~(7) License fees shall be waived for service animals, senior citizens 65 years of age or older and government-owned dogs used for law enforcement. All other licensing provisions shall apply.~~

~~(8) Upon acceptance of the license application and fee, the City of Neptune Beach shall issue a durable license tag including an identifying number, date of expiration (mm/yyyy), city, county, and state. Both rabies and license tags must be attached to the collar of the dog or cat. Tags must be worn at all times while in public and are not transferable. The City of Neptune Beach shall maintain a record of all licenses issued and such records shall be available to Neptune Beach Animal Control.~~

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 2, 5-2-05)

Sec. 6-4. Nuisances caused by animals.

(a) *Failure to remove fecal matter; loud noises; two (2) or more occurrences; and citations.*

(1) It shall be a violation for the owner or any person having custody of an animal to fail to remove and dispose, immediately of fecal matter of the animal upon any property not owned, leased, rented or otherwise in the care, custody or control of the owner or any person having custody of the animal when the animal has caused the nuisance by defecating upon the property and when the owner of the animal has not received notification from the owner or any person having custody of the property that the animal's act and fecal matter will be tolerated.

(2) It shall be a violation for the owner of an animal to receive two (2) or more violations of this chapter relating to that animal within a six-month period, whether or not the violation with

- Formatted: Font: (Default) Arial, 11 pt
- Formatted: Font: (Default) Arial, 11 pt, Strikethrough
- Formatted ... [11]
- Formatted ... [12]
- Formatted ... [13]
- Formatted ... [14]
- Formatted ... [15]
- Formatted ... [16]
- Formatted ... [17]
- Formatted ... [18]
- Formatted ... [19]
- Formatted ... [20]
- Formatted ... [21]
- Formatted ... [22]
- Formatted ... [23]
- Formatted ... [24]
- Formatted ... [25]
- Formatted ... [26]
- Formatted ... [27]
- Formatted ... [28]
- Formatted ... [29]
- Formatted ... [30]
- Formatted ... [31]
- Formatted ... [32]
- Formatted ... [33]
- Formatted ... [34]
- Formatted ... [35]
- Formatted ... [36]
- Formatted ... [37]
- Formatted ... [38]
- Formatted ... [39]
- Formatted ... [40]
- Formatted ... [41]
- Formatted ... [42]
- Formatted ... [43]
- Formatted ... [44]
- Formatted ... [45]
- Formatted ... [46]
- Formatted ... [47]
- Deleted: defecation
- Formatted ... [48]

that animal has occurred while in the actual presence of the registered owner or the presence of the owner as defined in this chapter.

(3) A citation may be issued to the owner or any person having custody of an animal for violation of said subsection when, and only when, either (1) the city has received, from an adult witness, a sworn affidavit attesting to the animal having committed a nuisance pursuant to said subsection or (2) the citing officer, or other person duly authorized under this chapter to issue citations for nuisances pursuant to this chapter, has witnessed the commission of such nuisance.

(b) *Habitual nuisances.* It shall be a violation for the owner of an animal to permit the animal, either willfully or through failure to exercise due care or control, to commit a nuisance by running at large habitually; by chasing or running after vehicles or persons habitually; by causing serious annoyance to any neighboring residence habitually; by trespassing upon public or private school grounds habitually; interfering with the reasonable use and enjoyment of another persons' property; or by doing any other thing habitually which is so offensive as to create a nuisance. For the purpose of this subsection, "habitually" shall be defined as totaling at least three (3) different times within a time span of no less than twenty-four (24) hours and no more than fifteen (15) full calendar days. A citation may be issued to the owner or any person having custody of an animal for violation of this subsection when, and only when, the city has received, in total, at least one (1) sworn affidavit from each of at least two (2) unrelated adult witnesses of different residences such that taken together, said affidavits attest to the animal having committed a nuisance pursuant to this subsection or when the nuisance is witnessed by an officer of the public safety department.

(c) *Destruction of another's property.* It shall be a violation for the owner of an animal to permit the animal, either willfully or through failure to exercise due care or control, to destroy or damage the property of another. A citation may be issued to the owner or any person having custody of an animal for violation of this subsection when, and only when, (1) the department of public safety has received, from an adult witness, a sworn affidavit attesting to the animal having committed a violation pursuant to this subsection or (2) the citing officer or other person duly authorized under this chapter to issue citations for violations pursuant to this chapter, has witnessed the commission of such a nuisance.

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 3, 5-2-05; Ord. No. 2005-15, § 1, 9-12-05)

Sec. 6-5. Penalties.

(a) A person who has been convicted of a municipal offense described in this chapter has committed a civil infraction punishable by a civil penalty not to exceed five hundred dollars (\$500.00).

(b) The department of public safety and all officers under its supervision may issue a citation for a civil penalty pursuant to the powers and authority contained in F.S. § 828.27, for the violation of any provision of this chapter. A five-dollar surcharge shall be assessed and collected upon each civil penalty imposed for violation of an ordinance relating to animal control or cruelty as authorized by F.S. § 828.27. The proceeds from such surcharge shall be used only to assist in paying for the costs of training for animal control officers in accordance with the requirements of F.S. § 828.27 and as said statute may be later revised. Said civil penalty shall be paid to the city. For violations of this chapter, the civil penalty shall be assessed and paid in the following amounts:

Formatted: Right:
0.25"

First offense . . . \$ 50.00

Second offense . . . \$75.00

Third and any subsequent offense . . . \$100.00

Any subsequent offense after the third offense shall be \$100 plus \$50 for each subsequent offense, not to exceed \$500.00.

Formatted:
Strikethrough

Deleted: below

(c) A defendant may pay a civil penalty as specified above in lieu of appearing in county court; ~~however, should defendant's animal fail to be properly licensed, the license fee shall be double the fee in effect on the date of violation. A defendant may exercise this option by paying the specified fine at the public safety building within ten (10) days of their violation.~~

Formatted:
Strikethrough

Formatted:
Strikethrough

Deleted: -

(d) The civil penalty shall be paid within ten (10) days of the date of issuance of the citation and, if not paid by such time, the city shall proceed to enforce such violation as otherwise provided by law.

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 3, 5-2-05)

Sec. 6-6. Quarantine of biting animal; laboratory analysis; city's liability; costs.

Any animal reported to have bitten a person shall be kept in quarantine for ten (10) days at a place as may be designated by the director of public safety for the purpose of determining if rabies exists. If the animal that has bitten a person is killed or dies within the quarantine period allowed, the animal shall be released by its owner or custodian to the city for laboratory analysis by a licensed veterinarian (paid by the owner). No liability for compensation to the owner of such animal shall attach to the city by virtue of any procedure hereunder by the city. All costs in connection with this chapter shall be borne by the owner of the animal.

Deleted: such period of time and

Deleted: testing such animal for disease

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 3, 5-2-05)

Deleted: Any animal suspected of being infected with rabies shall be released by its owner or custodian to the city for laboratory analysis by a licensed veterinarian.

Sec. 6-7. Impounding of animals.

(a) *Generally.* It shall be the duty of the department of public safety to catch and impound, in a place maintained or designated for that purpose, an animal found at large or unlicensed in violation of this chapter and those animals referenced in section 6-28 and section 6-6.

(b) *Notice to owner of impoundment.* When any animal is impounded, the department of public safety shall forthwith give notice by telephone or in person to the owner of the impounded animal when the owner can be identified from the tag being worn by such animal, by microchip or by reasonable inquiry in the immediate vicinity in which the animal is picked up, which notice shall advise the owner of the provisions relating to redemption and destruction of animals.

(c) *Redemption, adoption and inoculation of impounded animals; fees.*

(1) The department of public safety shall place impounded animals for a period not less than five (5) business days, excluding the day of intake and the day of disposition, in an appropriate holding facility, unless the animal is redeemed during that period as set forth below. An impounded animal may be redeemed by the owner or lawful custodian or may be released for adoption following the holding period upon the payment of a fee pursuant to the fee schedule

Deleted: , untagged and tagged

Deleted: to exceed five (5) business days

Formatted: Right: 0.25"

listed in subsection (g). No animal that has been in recent contact with a rabid animal prior to the request for redemption shall be released until the animal has been held for the prescribed period of observation.

(2) The department of public safety may direct, in those instances when an animal has been requested to be redeemed or adopted and it cannot be determined whether the animal has had a valid inoculation for rabies, that the animal be inoculated against rabies, and proof of such inoculation shall be provided to the officer within seventy-two (72) hours. Failure of the owner of the animal to have such animal inoculated and to have adequate proof of the inoculation submitted to the department of public safety within said seventy-two (72) hours shall constitute an offense by the owner against the city. Anything to the contrary, notwithstanding in those instances when an animal has been requested to be redeemed or adopted, and it cannot be determined whether the animal has had a valid inoculation for rabies, the department of public safety is authorized to require, prior to release of an animal, administration of inoculation for rabies under the control and supervision of a veterinarian, payment of a fee for such inoculation and issuance of a license tag which shall evidence inoculation, registration and licensing.

(d) *Destruction of unredeemed animals.* An impounded animal that is not redeemed within the five (5) business day periods as referenced in Sec. 6-7(c)(1) may be disposed of or destroyed by humane means at the discretion of the department of public safety; provided, that no unredeemed animal shall be disposed of by selling or giving such animal to any person or entity for the ultimate purpose of using the animal for experimentation or for medical or other research.

Deleted: provided above

~~(e) *Unlicensed animals.* Any unlicensed dog or cat found in the city shall be picked up by the department of public safety or the designated authorized agent of the city and placed in a shelter for a period not not less than five (5) business days, excluding the day of intake and the day of disposition. The owner must comply with the tag requirement before the dog or cat is released. The license fee for dogs or cats that have been picked up shall be double the fee in effect on the date the dog or cat is picked up.~~

Formatted: Strikethrough

Deleted: to exceed

~~(e) *Licensed Animals running at large.* Dog or cat found at large, off the property of the owner, shall be impounded by the department of public safety or the designated authorized agent of the city and housed in an appropriate facility for a period of five (5) business days unless that animal is redeemed during that period described in Sec. 6-7(c)(1).~~

Deleted: f

Formatted: Strikethrough

Deleted: a

Deleted: Any licensed d

Deleted: picked

Deleted: up

Deleted: placed

Deleted: as set forth above

Deleted: g

(f) *Redemption costs.* The dogs or cats impounded under this division may be redeemed by the owner thereof by paying expenses accrued for services rendered and other charges as follows:

First offense . . . \$ 20.00

Second offense . . . 30.00

Third offense . . . 50.00

Feeding each animal per day . . . 5.00

Formatted: Right: 0.25"

~~(h) *Forgiveness policy.* With proper filing of an affidavit of indigency, the first offense may be forgiven the redemption costs defined in Sec. 6-7(g), excluding inoculation and licensing fees.~~

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 3, 5-2-05)

Formatted:
Strikethrough

Formatted: Font:
Italic, Strikethrough

Formatted:
Strikethrough

Sec. 6-8. City of Jacksonville authorized to enforce animal ordinances.

(a) Under the terms of the interlocal agreement, the Consolidated City of Jacksonville has agreed to perform animal control services as a county-wide function.

(b) The City of Jacksonville is authorized and requested, in its enforcement of animal control ordinances within the City of Neptune Beach, to enforce animal control ordinances passed by Neptune Beach in its Code of Ordinances, in addition to those ordinances passed by the Consolidated City of Jacksonville affecting Duval County.

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 3, 5-2-05)

Sec. 6-9. Enforcement.

The department of public safety and all officers under its supervision shall be responsible for the enforcement of this chapter. The powers and authority granted under this chapter shall be supplemental to the powers and authority already provided for in F.S. § 828.27, relating to local animal control and cruelty ordinances which are hereby declared to be incorporated herein.

(Ord. No. 2005-09, § 3, 5-2-05)

Sec. 6-10. Interference with authorized personnel in performance of duties; breaking into official property, etc.

(a) No person shall interfere with authorized personnel performing their duties required by the provisions of this article.

(b) No person shall break open or assist in the breaking open of any of the fences, gates, fastenings, or enclosures of the animal shelter or impounding vehicles and no unauthorized person shall remove or let loose any animal from the shelter or impounding vehicles.

(Ord. No. 2005-09, § 4, 5-2-05)

Sec. 6-11. Legislative findings.

The legislature finds that dangerous dogs are an increasingly serious and widespread threat to the safety and welfare of the people of this state because of unprovoked attacks which cause injury to persons and domestic animals; that such attacks are in part attributable to the failure of owners to confine and properly train and control their dogs; that existing laws inadequately address this growing problem; and that it is appropriate and necessary to impose uniform requirements for the owners of dangerous dogs.

(Ord. No. 2005-09, § 4, 5-2-05)

Sec. 6-12. Injuries caused by animals.

(a) An owner of an animal that injures a person or animal may be guilty of this section.

Formatted: Right:
0.25"

(b) The department of public safety and all officers under its supervision may issue a citation for a civil penalty. A surcharge equal to all administrative costs, including but not limited to any filing fees required by the clerk of court for the filing of civil citations by the City of Neptune Beach shall be assessed and collected from the defendant upon each civil penalty imposed for violation of this section. For violations of this chapter, the civil penalty shall be assessed and paid in the following amounts:

(1) First offense . . . \$ 300.00

(2) Second offense and any subsequent offense . . . 500.00

(c) Definition of injury by an animal. An injury by an animal is defined as a wound or other harm inflicted or caused by an animal, requiring documented medical treatment to a person or another animal.

(Ord. No. 2006-22, § 1, 11-6-06)

(d) If an animal is off of the property of its owner or off the property of the person who has custody of the animal and the animal attacks and injures any person or other animal, the owner or person in custody of the animal shall be guilty of a violation of this article.

(Ord. No. 2005-09, § 4, 5-2-05)

Deleted: , inflicted or caused by an animal

Inserted: inflicted or caused by an animal.¶
(Ord. No. 2006-22, § 1, 11-6-06)¶
¶
(d)

Deleted: Definition s; running at-large prohibited

Deleted:

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

Formatted:
Numbered + Level:
1 + Numbering
Style: 1, 2, 3, ... +
Start at: 1 +
Alignment: Left +
Aligned at: 0.5" +
Tab after: 0.78" +
Indent at: 0.78"

Formatted: Font: (Default) Arial, 11 pt, Italic

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt

Formatted:
Numbered + Level:
1 + Numbering
Style: 1, 2, 3, ... +
Start at: 1 +
Alignment: Left +
Aligned at: 0.5" +
Tab after: 0.78" +
Indent at: 0.78"

Formatted: Right: 0.25"

Sec. 6-13. Dangerous Dogs; Definitions.

(a) *Definitions.*

Dangerous dog means any dog that according to the records of the appropriate authority:

(1) Has aggressively bitten, attacked, endangered or has inflicted severe injury on a human being on public or private property;

(2) Has severely injured or killed a domestic animal while off the owner's property;

(3) Has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or

(4) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one (1) or more persons and dutifully investigated by the appropriate authority.

Potentially dangerous shall mean any dog that, according to animal services division records, other animal control or law enforcement authorities, or as attested to by sworn affidavit, has posed a threat to public safety by:

(1) Causing an injury to a person or domestic animal that is less than a severe injury; or

(2) Without provocation, repeatedly acting in a highly aggressive manner within a fenced yard/enclosure and appears to a reasonable person able to jump over or escape.

Proper enclosure of a dangerous dog or a potential dangerous dog means, while on the owner's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements.

~~*Proper enclosure for a potentially dangerous dog* shall mean a securely constructed fenced area, in good repair and condition, that the dog is unable to climb over, dig under, or in any way pass or reach through if the dog is to be allowed off-leash outside the owner's residence. This area must have secure gates that are to be locked at all times when the animal is present.~~

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

Unprovoked means that the victim who has been conducting himself or herself peacefully and lawfully and has been bitten or chased in a menacing fashion or attacked by a dog.

(Ord. No. 2005-09, § 4, 5-2-05)

Sec. 6-14. Classification of dogs as dangerous; certification of registration; notice and hearing requirements; confinement of animal; exemption; appeals; unlawful acts.

(a) *Classification.*

(1) An animal control authority shall investigate reported incidents involving any dog that may be potentially dangerous or dangerous and shall, if possible, interview the owner and require a sworn affidavit from any person, including any animal control officer or enforcement officer, desiring to have a dog classified as potentially dangerous or dangerous. Any animal that is the subject of a potentially dangerous or dangerous dog investigation, that is not impounded with the animal control authority shall be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation and resolution of any hearings related to the potentially dangerous or dangerous dog classification. The address of where the animal resides shall be provided to the animal control authority. No dog that is the subject of a potentially dangerous or dangerous dog investigation may be relocated or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a potentially dangerous or dangerous dog classification. In the event that a dog is to be destroyed, the dog shall not be relocated or ownership transferred.

~~(2) By resolution, the City Council will appoint an animal control hearing board and delineate its duties and responsibilities. The animal control hearing board shall be appointed from a slate of nominations by the City Council and shall be comprised of seven (7) individuals representing each of the following backgrounds:~~

- ~~(1) Certified law enforcement officer or police K-9 handler, not currently employed by the City of Neptune Beach~~
- ~~(2) Licensed Florida state veterinarian~~
- ~~(3) Humane Society representative.~~

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Deleted: (b) *Running at-large prohibited.* It shall be unlawful for any owner or keeper of any vicious dog to permit such dog to run at large or without the enclosure of the owner or keeper thereof within the corporate limits of the city without being properly muzzled. Any dog known to have bitten any person is hereby defined as a "vicious dog" but the term "vicious dog" shall not be limited to only those dogs who are known to have bitten a ... [49]

Formatted: Strikethrough

Formatted: Indent: First line: 0.5"

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Formatted: Strikethrough

Formatted: Indent: Left: 0.5", First line: 0.5"

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Formatted: Strikethrough

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Formatted: Strikethrough

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Formatted: Strikethrough

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Formatted: Right: 0.25"

~~(4) Attorney licensed by the Florida Bar.~~

~~(5) Certified dog trainer.~~

~~(6) Two (2) members of the public.~~

(2) A dog shall not be declared potentially dangerous or dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property or, while lawfully on the property, was tormenting, abusing, or assaulting the dog or its owner or a family member. No dog may be declared potentially dangerous or dangerous if the dog was

(1) responding to pain or injury or was protecting its offspring; or

(2) protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault,

(3) After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as potentially dangerous or dangerous and shall afford the owner an opportunity for a hearing before the animal control hearing code enforcement board prior to making a final determination. The animal control authority shall provide written notification of the sufficient cause finding, to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of chapter 48 relating to service of process. The owner may file a written request for a hearing within seven (7) calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible, but not more than twenty-one (21) calendar days and no sooner than five (5) days after receipt of the request from the owner. Each applicable local governing authority shall establish hearing procedures that conform to this subsection.

(4) Once a dog is classified as a potentially dangerous or dangerous dog, the animal control authority shall provide written notification to the owner by registered mail, certified hand delivery or service, and the owner may file a written request for a hearing in the county court to appeal the classification within ten (10) business days after receipt of a written determination of potentially dangerous or dangerous dog classification and must confine the dog in a securely fenced or enclosed area pending a resolution of the appeal. Each applicable local governing authority must establish appeal procedures that conform to this subsection.

~~(b) Severity determination — A determination shall be made as to the location relevance, the situation relevance/severity, and the aggression severity/danger of the case in question as it applies to public safety before determination of potentially dangerousness or dangerousness. Dogs shall be determined less dangerous as the evidence indicates lower numbers in the rankings. Dogs shall be determined to be more dangerous as the evidence indicates higher numbers in the rankings, considering the following criteria:~~

~~(i) Location relevance shall be ranked as follows from low (1) to high (5):~~

~~—— (1) Uninvited on property~~

~~—— (2) Invited on property~~

~~—— (3) Off property, on-leash~~

~~—— (4) Off property, off-leash — owner present~~

~~—— (5) Off property, off-leash — owner absent~~

~~(ii) Situation relevance/severity shall be ranked as follows from low (1) to high (9):~~

Formatted:
Strikethrough

Formatted: Font:
(Default) Arial, 11
pt, Strikethrough

Formatted:
Strikethrough

Formatted: Font:
(Default) Arial, 11
pt, Strikethrough

Formatted:
Strikethrough

Formatted: Font:
(Default) Arial, 11
pt, Strikethrough

Formatted:
Strikethrough

Formatted: Indent:
Left: 0.5"

Deleted: (2)

Deleted: 3

Inserted: 3)

Deleted: .

Deleted: (3)

Deleted: 4

Inserted: 4)

Deleted: Code
Enforcement-Board

Formatted:
Strikethrough

Deleted: (4)

Deleted: 5

Inserted: 5)

Formatted:
Strikethrough

Formatted: Right:
0.25"

- ~~_____ (1) Chasing, harassing or worrying waterfowl/small animals~~
- ~~_____ (2) Chasing, harassing or worrying livestock~~
- ~~_____ (3) Attacking waterfowl/small animals~~
- ~~_____ (4) Attacking livestock~~
- ~~_____ (5) Attacking dogs/cats~~
- ~~_____ (6) Threatening human adults~~
- ~~_____ (7) Threatening human children~~
- ~~_____ (8) Attacking human adults~~
- ~~_____ (9) Attacking human children~~

Deleted: animlas

Formatted:
Strikethrough

~~(iii) Aggression severity/danger shall be ranked as follows from low (1) to high (12):~~

- ~~_____ (1) Bark~~
- ~~_____ (2) Growl~~
- ~~_____ (3) Snap/lunge—no contact~~
- ~~_____ (4) Bite and release leaving no marks~~
- ~~_____ (5) Bite and release leaving marks with no broken skin~~
- ~~_____ (6) Bite and release leaving a scratch~~
- ~~_____ (7) Bite and release leaving 1—4 punctures~~
- ~~_____ (8) Bite and release leaving 1—4 punctures plus lacerations~~
- ~~_____ (9) Multiple bite attack~~
- ~~_____ (10) Bite without releasing with punctures/lacerations~~
- ~~_____ (11) Severe mauling~~
- ~~_____ (12) Fatality~~

~~The above factors are a guideline and should not be the sole determining factors in declaring a dog potentially dangerous or dangerous. The animal control hearing board shall base their determination of whether a dog is potentially dangerous or dangerous on the totality of the circumstances.~~

~~(c) Certificate of registration. Within fourteen (14) days after the dog has been classified as potentially dangerous or dangerous by the animal control authority or a potentially dangerous or dangerous dog classification is upheld by the county court on appeal, the owner of the dog must obtain a certificate of registration for the dog from the animal control authority serving the area in which he or she resides, and the certificate shall be renewed annually. The annual cost for such certificate of registration shall be one hundred dollars (\$100.00). Animal control authorities are authorized to issue such certificates of registration, and renewals thereof, only to persons who are at least eighteen (18) years of age and who present to the animal control authority sufficient evidence of:~~

Deleted: (b)

(1) A current certificate of rabies vaccination for the dog.

(2) A proper enclosure to confine a potentially dangerous or dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points that informs both children and adults of the presence of a potentially dangerous or dangerous dog on the property.

(3) Permanent identification of the dog, such as a tattoo on the inside thigh or electronic implantation.

Formatted: Right:
0.25"

(4) Liability insurance for dangerous dogs only, excluding potentially dangerous dogs, in the amount of at least one hundred thousand dollars (\$100,000.00), together with a surety bond on said dog of at least one hundred thousand dollars (\$100,000.00).

(5) Completion of dog obedience/behavior training by the owner and dog from a list of no fewer than three obedience/behavioral instructors recommended by the animal control hearing board and approved by the animal control authority.

(6) Dogs classified as potentially dangerous or dangerous shall be spayed or neutered by a licensed veterinarian within thirty (30) business days of such classification, or within thirty (30) business days of the classification as a potentially dangerous or dangerous dog being upheld by a county court unless:

(1) A licensed veterinarian certifies in writing that the dog is incapable of reproduction; or

(2) A licensed veterinarian certifies in writing that spaying or neutering the dog would be injurious to the dog's health; provided, however, that if the health condition of the dog is of a temporary nature, then the dog shall be spayed or neutered immediately after the health condition has been corrected.

(d) Notice. The owner shall immediately notify the appropriate animal control authority when a dog that has been classified as dangerous or potentially dangerous :

- (1) Is loose or unconfined.
- (2) Has bitten a human being or attacked another animal.
- (3) Is sold, given away, or dies.
- (4) Is moved to another address.

Prior to a potentially dangerous or dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control authority. The new owner must comply with all of the requirements of this act and implementing local ordinances, even if the animal is moved from one local jurisdiction to another within the state. The animal control officer must be notified by the owner of a dog classified as potentially dangerous or dangerous that the dog is in his or her jurisdiction.

(e) Confinement.

(1) Dangerous dog confinement. It is unlawful for the owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his or her sight and only members of the immediate household or persons eighteen (18) years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.

Deleted: ¶

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Indent: Left: 0.5"

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Deleted: ¶

Formatted: Indent: First line: 0.5"

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Indent: Left: 0.5", First line: 0.5"

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Indent: Left: 0.5", First line: 0.5"

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

Formatted: Indent: First line: 0"

Deleted: The appropriate governmental unit may impose ... [50]

Deleted: (c)

Deleted: (d)

Formatted ... [51]

Formatted ... [52]

(2) Potentially dangerous dog confinement. It is unlawful for the owner of a potentially dangerous dog to allow the potentially dangerous dog to be off leash when not kept inside the owner's residence or within a securely fenced area. It is a violation for the owner of a potentially dangerous dog to allow the dog to be left alone and unsupervised outside the owner's residence. When being transported, such dogs shall be safely and securely restrained within a vehicle, using an approved tether system.

Formatted: Font: Italic

(f) Exemptions.

Deleted: (e)

(1) Hunting dogs are exempt from the provisions of this act when engaged in any legal hunt or training procedure. Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are exempt from the provisions of this act when engaged in any legal procedures. However, such dogs at all other times in all other respects shall be subject to this and local laws. Dogs that have been classified as dangerous shall not be used for hunting purposes.

(2) This section does not apply to dogs used by law enforcement officials for law enforcement work.

(g) Penalty. Any person who violates any provision of this section is guilty of a non-criminal infraction, punishable by a fine not exceeding five hundred dollars (\$500.00). ~~Failure to complete the above certification requirements within 120 60 days of the animal control hearing board declaring being declared a dog dangerous, shall result in confiscation of the dog by the animal control authority.~~

Deleted: (f)

Formatted: Strikethrough

Formatted: Strikethrough

Deleted: potentially dangerous or

Formatted: Strikethrough

(Ord. No. 2005-09, § 4, 5-2-05)

Sec. 6-15. Attack or bite by dangerous dog; penalties; confiscation; destruction.

(a) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner is guilty of a misdemeanor of the first degree, punishable as provided in F.S. § 775.082 or 775.083. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held for ten (10) business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This ten-day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

(b) If a dog that has not been declared dangerous attacks and causes severe injury to or death of any human, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for ten (10) business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This ten-day period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure. In addition, if the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog is guilty of a misdemeanor of the second degree, punishable as provided in F.S. §§ 775.082 or 775.083.

Formatted: Right: 0.25"

(c) If a dog that has previously been declared dangerous attacks and causes severe injury to or death of any human, the owner is guilty of a felony of the third degree, punishable as provided in F.S. §§ 775.082, 775.083, or 775.084. In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for ten (10) business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This ten-day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

(d) If the owner files a written appeal under F.S. § 767.12 or this section, the dog must be held and may not be destroyed while the appeal is pending.

(e) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner is not guilty of any crime specified under this section.

(Ord. No. 2005-09, § 4, 5-2-05)

Sec. 6-16. Bite by a police or service dog; exemption from quarantine.

Any dog that is owned, or the service of which is employed, by a law enforcement agency, or any dog that is used as a service dog for blind, hearing impaired, or disabled persons, and that bites another animal or human is exempt from any quarantine requirement following such bite if the dog has a current rabies vaccination that was administered by a licensed veterinarian.

(Ord. No. 2005-09, § 4, 5-2-05)

Secs. 6-17--6-26. Reserved.

ARTICLE II. DOGS AND CATS

Sec. 6-27. Leash required; exceptions.

All dogs not on the property of the owner shall be securely fastened to a suitable leash of dependable strength not to exceed sixteen (16) feet in length held by the owner. Such leash must be attached to a fixed object or specifically held by a person capable of controlling the animal.

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 5, 5-2-05)

Cross references: Streets, sidewalks and other public places, Ch. 18.

Sec. 6-28. Rabid animals.

If an animal is suspected of having rabies, or has been bitten by an animal suspected of having rabies, such animal shall be confined by a chain on the owner's premises and the department of public safety or licensed veterinarian notified at once. The animal shall be removed immediately to the proper place for observation for a period of ten (10) days at the expense of the owner.

Deleted: Sec. 6-17. Animal causing injury.

Deleted: (a) An owner of an animal that injures a person or animal may be guilty of this section.¶

¶ (b) The department of public safety and all officers under its supervision may issue a citation for a civil penalty. A surcharge equal to all administrative costs, including but not limited to any filing fees required by the clerk of court for the filing of civil citations by the City of Neptune Beach shall be assessed and collected from the defendant upon each civil penalty imposed for violation of this section. For violations of this chapter, the civil penalty shall be assessed and paid in the following amounts:¶

¶ (1) First offense . . . \$ 300.00¶

¶ (2) Second offense and any subsequent offense . . . 500.00¶

¶ (c) *Definition of injury by an animal.* An injury by an animal is defined as a wound or other harm to a person or another animal inflicted or caused by an animal. . . [53]

Deleted: 8

Formatted: Font: (Default) Arial, 11 pt

Formatted: Font: (Default) Arial, 11 pt, Strikethrough

Formatted: Font: (Default) Arial, 11 pt

Deleted: two (2) weeks

Formatted: Right: 0.25"

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 5, 5-2-05)

Sec. 6-29. Persons bitten must report to police department.

In the event any person is bitten by an animal within the corporate limits of the city, then it shall become the duty of such person or the owner of the animal with knowledge thereof, to report such incident to the department of public safety within twenty-four (24) hours thereafter. (Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 5, 5-2-05)

Sec. 6-30. Fecal Matter disposal.

It shall be a violation for any owner of a dog to allow such dog to defecate on any property within the city other than the owner's private property without immediately removing such fecal matter with some sort of material, utensil or suitable container and depositing the fecal matter in a trash container. The owner in violation of this chapter shall pay a civil penalty to the department of public safety as set forth in section 6-5. (Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 5, 5-2-05)

Sec. 6-31. Dogs on the beach.

(a) It shall be unlawful for any person who shall own, keep, harbor or be in control of or in charge of a dog to allow or permit such dog to wander, stray or be unleashed or unaccompanied on the Atlantic Ocean Beach adjacent to the city.

(b) It shall be unlawful for any person who shall own, keep, harbor or be in control of or in charge of a dog to allow the dog upon Atlantic Ocean Beach in the city during the hours 10:00 a.m. to 4:00 p.m. from May 1st to September 30th.

(c) It shall be lawful for any person who shall own, keep, harbor or be in control of or in charge of a dog to allow the dog upon Atlantic Ocean Beach in the city during the hours of 5:00 pm to 9:00 am from at any time between October 1st and April 30th.

(d) Any person having a dog on the beach during the above enumerated hours must fulfill the following requirements:

(1) Each such dog must be fastened to a suitable leash of dependable strength not to exceed sixteen (16) feet in length and the leash must be held or controlled by that person at all times.

(2) Must carry with and on such person suitable materials and utensils with which to remove from the beach any fecal matter deposited by such dog and must remove any fecal matter immediately upon its deposit by the dog under the person's supervision and control.

(3) Each such dog must have affixed to its collar a current rabies inoculation tag evidencing the dog has been properly inoculated against rabies. The civil penalties for violation of this chapter shall be those set forth in section 6-5. (Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-15, § 3, 9-12-05; Ord. No. 2005-23, § 1, 12-5-05)

Editor's note: Ord. No. 2005-15, § 2, adopted Sept. 12, 2005, deleted former § 6-31, which pertained to registration and licensing requirements and derived from Ord. No. 1998-01, § 1, adopted Apr. 6, 1998 and Ord. No. 2005-09, § 5, adopted May 2, 2005. Former §§ 6-32 and 6-33 have been renumbered as §§ 6-31 and 6-32.

Deleted: Defecation

Deleted: defecation

Deleted: defecation

Deleted: When walking a dog on any property within the city, other than the owner's property, the owner of that dog shall carry some sort of material, utensil or suitable container with which to dispose of the defecation

Deleted: and it shall be the duty of each such person to keep such stray or unaccompanied dog from that area

Deleted: except

Deleted: 5

Deleted: p.m.

Deleted: and

Deleted: 9:00 a.m.

Formatted: Superscript

Deleted: October 1st

Deleted: .

Inserted: ¶ (c) It shall be lawful for any person who shall own, keep, harbor or be ... [54]

Formatted: ... [55]

Formatted: ... [56]

Formatted: ... [57]

Formatted: ... [58]

Deleted: May 1st

Formatted: ... [59]

Formatted: ... [60]

Deleted:

Inserted:

Deleted: du ... [61]

Deleted: pr ... [62]

Deleted: Ar ... [63]

Deleted: w ... [64]

Formatted: ... [65]

Sec. 6-32. Exceptions.

The provisions of this chapter, except section 6-28, are inapplicable to police dogs, guide dogs for the blind or visually handicapped and service dogs. The guide dog or service dog must be capable of being properly identified as being from a recognized school for seeing-eye dogs, hearing-ear dogs, service dogs, including, but not limited to, seizure-alert and seizure-response dogs, or guide dogs.

Deleted: seeing-eye dogs, police dogs and dogs for the handicapped

(Ord. No. 1998-01, § 1, 4-6-98; Ord. No. 2005-09, § 5, 5-2-05; Ord. No. 2005-15, § 3, 9-12-05)

State law references: Dog guides, service dogs, etc., F.S. §§ 413.08, 767.16.

Sec. 6-33. Enforcement of municipal codes or ordinances; penalties.

Violations of section 6 of the Neptune Beach Municipal Ordinances are hereby declared to be civil infractions for which there may be imposed by the county court a maximum penalty not to exceed five hundred dollars (\$500.00).

If a person fails to pay the civil fine within the time prescribed on the citation or fails to obtain a court date, or having obtained a court date, fails to appear in court to contest the citation, the person shall be deemed to have waived the right to contest the citation. In such case, final judgment may be entered against the person in the maximum civil fine allowed, which shall be payable within sixty (60) days from the date of execution of the final judgment. Alternatively, the court may issue an order to show cause, requiring the person to appear before the Court to explain why action on the citation has not been taken. If any person who is issued such an order fails to appear in response to the court's directive, that person may be held in contempt of court in addition to having to pay the civil fine, court costs and restitution, as applicable.

(Ord. No. 2006-09, § 1, 7-10-06)

Formatted: Right:
0.25"

Page 3: [1] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 3: [2] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 3: [3] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 3: [4] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 3: [5] Inserted	Sandy Golding	10/25/2008 2:47 PM

~~(4) Application for a license must be made within 30 days after obtaining a dog or cat over four months of age, except that this requirement will not apply to a nonresident keeping a dog or cat within the Neptune Beach city limits for no longer than 60 days.~~

~~Written application for a dog or cat license shall be made to the City of Neptune Beach and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog or cat. Applicants shall pay the prescribed licensing fee and provide proof of vaccination as defined below.~~

~~(5) The licensing period shall be based upon the rabies vaccination expiration date. At time of application, the resident owner shall provide proof of rabies vaccination and pay the licensing fees for an altered dog and cat described herein:~~

~~1 year: \$10~~

~~3 years: \$15~~

~~The licensing fees for an unaltered dog and cat shall be as follows:~~

~~1 year: \$15~~

~~3 years: \$20~~

~~(6) License renewal may be applied for within 60 days prior to the expiration date. New residents must apply for a license within 30 days of establishing residence.~~

~~(7) License fees shall be waived for service animals, senior citizens 65 years of age or older and government owned dogs used for law enforcement. All other licensing provisions shall apply.~~

~~(8) Upon acceptance of the license application and fee, the City of Neptune Beach shall issue a durable license tag including an identifying number, date of expiration (mm/yyyy), city, county, and state. Both rabies and license tags must be attached to the collar of the dog or cat. Tags must be worn at all times while in public and are not transferable. The City of Neptune Beach shall maintain a record of all licenses issued and such records shall be available to Neptune Beach Animal Control.~~

Page 3: [6] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 3: [7] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 3: [8] Formatted Indent: First line: 0.5"	Sandy Golding	10/25/2008 2:48 PM
Page 3: [9] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 1: [10] Formatted Right: 0.25"	tklein	10/2/2009 10:03 AM
Page 4: [11] Formatted Indent: Left: 0"	Sandy Golding	10/25/2008 2:48 PM
Page 4: [12] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [13] Formatted Indent: First line: 0.5"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [14] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [15] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [16] Formatted Indent: Left: 0"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [17] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [18] Formatted Indent: Left: 0", First line: 0.5"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [19] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [20] Formatted Indent: Left: 0"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [21] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [22] Formatted Indent: Left: 0", First line: 0.5"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [23] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [24] Formatted Indent: Left: 0"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [25] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [26] Formatted Strikethrough	tklein	10/2/2009 9:40 AM

Page 4: [27] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [28] Formatted Indent: Left: 0", First line: 0.5"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [29] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [30] Formatted Indent: Left: 0"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [31] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [32] Formatted Indent: Left: 0", First line: 0.5"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [33] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [34] Formatted Indent: Left: 0"	Sandy Golding	10/25/2008 2:49 PM
Page 4: [35] Formatted Indent: First line: 0.5"	Sandy Golding	10/25/2008 2:50 PM
Page 4: [36] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [37] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [38] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [39] Formatted Indent: First line: 0.5"	Sandy Golding	10/25/2008 2:50 PM
Page 4: [40] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [41] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [42] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [43] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [44] Formatted Indent: First line: 0.5"	Sandy Golding	10/25/2008 2:51 PM
Page 4: [45] Formatted Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [46] Formatted Font: (Default) Arial, 11 pt, Strikethrough	tklein	10/2/2009 9:40 AM
Page 4: [47] Formatted Strikethrough	tklein	10/2/2009 9:40 AM

Page 1: [48] Formatted Right: 0.25"	tklein	10/2/2009 10:03 AM
Page 10: [49] Deleted (b) <i>Running at-large prohibited.</i> It shall be unlawful for any owner or keeper of any vicious dog to permit such dog to run at large or without the enclosure of the owner or keeper thereof within the corporate limits of the city without being properly muzzled. Any dog known to have bitten any person is hereby defined as a "vicious dog" but the term "vicious dog" shall not be limited to only those dogs who are known to have bitten any person.	Sandy Golding	10/25/2008 4:14 PM
Page 13: [50] Deleted The appropriate governmental unit may impose an annual fee for the issuance of certificates of registration required by this section	Sandy Golding	10/29/2008 10:01 AM
Page 13: [51] Formatted Font: Italic	Sandy Golding	10/25/2008 3:47 PM
Page 1: [52] Formatted Right: 0.25"	tklein	10/2/2009 10:03 AM
Page 15: [53] Deleted (a) An owner of an animal that injures a person or animal may be guilty of this section. (b) The department of public safety and all officers under its supervision may issue a citation for a civil penalty. A surcharge equal to all administrative costs, including but not limited to any filing fees required by the clerk of court for the filing of civil citations by the City of Neptune Beach shall be assessed and collected from the defendant upon each civil penalty imposed for violation of this section. For violations of this chapter, the civil penalty shall be assessed and paid in the following amounts: (1) First offense . . . \$ 300.00 (2) Second offense and any subsequent offense . . . 500.00 (c) <i>Definition of injury by an animal.</i> An injury by an animal is defined as a wound or other harm to a person or another animal inflicted or caused by an animal. (Ord. No. 2006-22, § 1, 11-6-06)	Sandy Golding	10/29/2008 10:10 AM
Page 16: [54] Inserted	Sandy Golding	10/29/2008 10:30 AM
(c) It shall be lawful for any person who shall own, keep, harbor or be in control of or in charge of a dog to allow the dog upon Atlantic Ocean Beach in the city		
Page 16: [55] Formatted Superscript	Sandy Golding	10/25/2008 3:59 PM
Page 16: [56] Formatted Superscript	Owner	5/11/2009 9:27 AM
Page 16: [57] Formatted Strikethrough	tklein	10/2/2009 9:56 AM
Page 16: [58] Formatted Superscript	Sandy Golding	10/25/2008 4:00 PM
Page 16: [59] Formatted	Sandy Golding	10/25/2008 4:00 PM

Superscript

Page 16: [60] Formatted Superscript	Owner	5/11/2009 9:28 AM
Page 16: [61] Deleted during daylight savings time and 4:00 p.m. and 10:00 a.m. . during eastern standard time	Sandy Golding	10/25/2008 4:00 PM
Page 16: [62] Deleted provided that such person fulfills	Sandy Golding	10/29/2008 10:33 AM
Page 16: [63] Deleted Any person having a dog on the beach during the above enumerated hours m	Sandy Golding	10/29/2008 10:34 AM
Page 16: [64] Deleted within the past year	Sandy Golding	11/3/2008 9:25 AM
Page 1: [65] Formatted Right: 0.25"	tklein	10/2/2009 10:03 AM