

Hillsborough County Animal Ordinance 00-26 As Amended by Ordinance 03-8

Legal Disclaimer:

This document has Ordinance 03-8 merged into the applicable sections of Ordinance 00-26 as provided for in Ordinance 03-8.

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The official recorded copy of these documents are located in the Clerk of the Circuit Court, BOCC Records Section. Reference copies are available at public libraries and the County Attorney's Office.

Animal Ordinance 00 - 26
As Amended by Ordinance 03 - 8

An Ordinance Relating To Animals In Hillsborough County; Providing For Title; Providing For Definitions; Requiring Rabies Vaccination Of Dogs, Cats, And Ferrets And Providing For Medical Exemption; Requiring Registration And Licensure Of Dogs, Cats, And Ferrets And Establishing Fees And Exemptions And Requiring Notification Of Changes In Ownership; Requiring The Reporting Of Animal Bites And Exposure To Rabies; Requiring The Display Of Dog Tags And Dog And Cat Identification; Requiring The Humane Treatment Of Animals And Prohibiting Animal Fighting And The Dumping Of Dead Animals; Prohibiting Cruelty To Animals; Providing For Regulations And Restrictions On Vicious Animals And Dangerous Dogs; Prohibiting Dogs Or Cats To Be At Large And Providing Exceptions; Prohibiting Striking Or Interfering With A Service Animal; Prohibiting Interference With An Animal Control Officer; Requiring Proper Enclosure Of Dogs Or Cats In Heat; Requiring The Removal Of Animal Waste; Prohibiting Nuisance By Animals; Requiring Disclosure Of Animals With Contagious Diseases; Requiring Permits For Pet Dealers, Kennels, Catteries, Animal Rescue Adoption Organizations And Guard Dog Businesses; Providing For Permit Application And Renewal Procedures; Providing For Minimum Permit Standards; Providing For Restrictions On Commercial Guard Dogs And Requirements Of Guard Dog Users; Establishing Denial, Suspension And Revocation Of Permit Procedures; Providing For Additionally Required Emergency Vaccinations And Quarantine; Requiring Veterinarians To Provide Certain Information And Make Available For Sale Tags And Registration And Allowing The Hillsborough County Department Of Animal Services Or Other Organizations To Provide Tags And Registration; Providing For A Spay And Neuter Rebate Program; Providing For Certain Consumer Rights And Remedies For The Sale Of Dogs Or Cats Unfit For Purchase; Providing For The Establishment Of Hearing Procedures; Providing For Impoundment Of Animals By The Hillsborough County Department Of Animal Services; Providing For Redemption Of Animals; Providing For Surrender Of Animals; Providing For Adoption Of Animals; Providing For Restriction On Animals In Vehicles; Establishing Restrictions On The Sale Of Pet Pigs; Establishing Persons Authorized To Issue Citations; Providing For Civil Citations And Penalties; Prohibiting The Refusal To Sign And Accept A Citation; Providing For Fees; Providing For Additional Administrative Fees; Providing For Enforcement; Providing For Applicability; Providing For Compliance With State Law; Providing For Severability; Providing For Resolution Of Conflict Of Laws; Providing For The Repeal Of Hillsborough County Ordinance No. 81-20, As Amended By Hillsborough County Ordinance No. 83-5, As Amended By Hillsborough County Ordinance No. 92-6, As Amended By Hillsborough County Ordinance No. 99-14; And Providing An Effective Date.

WHEREAS, Section 125.01, Florida Statutes (1999), authorizes the Board of County Commissioners of Hillsborough County to provide and maintain for the citizens of the County, standards which ensure their health, welfare and well being; and

WHEREAS, Section 828.27, Florida Statutes (1999), specifically provides for creation of a county ordinance related to animal control and cruelty; and

WHEREAS, Section 767.14, Florida Statutes (1999), specifically authorizes the county to place further restrictions or additional requirements on the owners of dangerous dogs; and

WHEREAS, the Board of County Commissioners of Hillsborough County recognizes that the public health, interest and safety of the residents of the County will best be served by progressively improving the existing Hillsborough County Animal Ordinance; and

WHEREAS, the public health, safety and welfare of County residents are affected by the pet population through contact with and the spread of contagious diseases as well as the dangers inherent with animals running at large; and

WHEREAS, the Board of County Commissioners of Hillsborough County also recognizes the need to encourage humane and responsible animal ownership; and

WHEREAS, in many instances Hillsborough County is currently unable to locate owners of sick and injured animals; and

WHEREAS, the nature of some animal illnesses and injuries necessitate expedient, humane euthanasia of the animal; and

WHEREAS, it is the owners' sole responsibility to ensure that owner identity is readily ascertainable so that the County may locate and notify owners of their animal's status; and

WHEREAS, there is a need to reduce the over-population of unwanted animals in Hillsborough County; and

WHEREAS, there is a need to prevent neglect of, and cruelty to, animals; and

WHEREAS, dogs and cats transported, transferred, or offered for sale, or breeding purposes should be in good health, kept in sanitary conditions and treated humanely; and

WHEREAS, there is a need to ensure that each person owning, harboring, keeping or providing services directly or indirectly to animals maintain minimum humane care standards;

WHEREAS, there is a need to protect citizens from dangerous and bothersome animals and to prevent animal bites, attacks and accidents caused by free roaming animals; and

WHEREAS, there is a need to ensure that service animals are able to perform services without interference for disabled persons; and

WHEREAS, a civil citation system enforced through the Hillsborough County Animal Services Department, appropriate law enforcement, and the Hillsborough County Court system is the most appropriate means of encouraging citizens to comply with the requirements of this Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 28th DAY OF June, 2000, AS FOLLOWS:

SECTION 1. TITLE

This Ordinance shall be known and may be cited as the “Hillsborough County Animal Ordinance.”

SECTION 2. DEFINITIONS

The following terms shall have the meanings as indicated. No attempt is made to define any words which are used in accordance with their established dictionary meaning, except when necessary to avoid misunderstanding. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include words in the plural number, and the use of any gender shall be applicable to all genders whenever the sense requires. The words “shall”, “will” and “must” are mandatory and the word “may” is permissive.

1. **ABANDON** - shall mean to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal.
2. **ANIMAL** - shall mean any living dumb creature that is a member of the mammalian, avian, reptilian or amphibian species, except that sections of this Ordinance controlled by statute shall be governed by the statutory definition of animal.
3. **ANIMAL CONTROL OFFICER** - shall mean any individual employed, contracted with, or appointed by the county who is appropriately trained and authorized to investigate, on public or private property, civil infractions relating to animal control or cruelty and to issue citations. Animal Control Officers are not authorized to bear arms or make arrests but are otherwise empowered as provided for in Section 828.27, Florida Statutes (2002), as may be amended.
4. **ANIMAL RESCUE ADOPTION ORGANIZATION** - shall mean a not-for-profit organization or individual that engages in placing homeless animals into homes to live the remainder of their lives in a humane and safe manner as companion animals and that obtains a permit from the department to obtain animals from the department's adoption program. Such organizations may also foster animals or enlist others to foster animals.
5. **APPROVED GOVERNMENTAL AGENCY** - shall mean an agency of the federal, local or state government which owns dogs trained for service in the government, and which registers with and is approved for exemption from certain fee requirements by the department.
6. **AT LARGE** - shall mean not on the owner's property, and not under restraint or the direct control, custody, charge or possession of the owner, or other responsible person.
7. **AUTHORIZED SHELTER** - shall mean a society or association for the prevention of cruelty to animals organized under the laws of the state and authorized by the department to own or operate a shelter for the humane confinement and maintenance of dogs, cats and other animals.
8. **BAITING** - shall mean to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals.
9. **BITE** - shall mean any cut, puncture or breakage of skin or tissue made with the teeth or fangs of any animal.
10. **BOCC** - shall mean the Board of County Commissioners of Hillsborough County, Florida.
11. **CAT** - means but is expressly not limited to domestic cats, *Felis catus*, and any genetic hybridization thereof, including but expressly not limited to ocelot hybrids and bobcat hybrids, that is not under the jurisdiction of the

Florida Fish and Wildlife Conservation Commission.

12. **CATTERY** - shall mean any premises wherein 6 or more cats are kept for the purposes of boarding, training, or any other similar business purposes. county-operated or city-operated animal control agencies and registered nonprofit humane organizations are not included.
13. **CITATION** - shall mean a written notice, issued to a person by an officer that the officer has probable cause to believe the person has committed a civil infraction in violation of this Ordinance, and that the Hillsborough County Court System will hear the charge.
14. **CIVIL PENALTY** - shall mean a sum of money assessed as a pecuniary penalty for a violation of any provision of this Ordinance.
15. **COMPANION ANIMAL** - shall mean any dog, cat or other animal that is legally owned, harbored or kept for companionship or pleasure on or about the habitat or environment of a person and such dog, cat, or other animal is dependent upon a person for sustenance or survival, including all animals except indigenous and non-indigenous wildlife under the exclusive jurisdiction of the state and animals used in connection with pari-mutual wagering, horses, or animals raised in connection with food or fiber industries.
16. **CONFINE OR CONFINEMENT** - shall mean to humanely, safely and securely hold or restrict an animal in a designated area or to keep an animal within certain parameters.
17. **COUNTY** - shall mean Hillsborough County, a political subdivision of the State of Florida.
18. **CRUELTY** - shall mean every act, omission or neglect whereby unnecessary or unjustifiable pain or suffering is caused, permitted, or allowed to continue when there is reasonable remedy or relief, unless excepted by law.
19. **DANGEROUS DOG** - shall be defined in accordance with Section 767.11, Florida Statutes (2002), as may be amended.
20. **DEPARTMENT** - shall mean the county's Department of Animal Services.
21. **DIRECT CONTROL** - shall mean immediate, continuous physical control of an animal at all times such as by means of a fence, leash, cord or chain of such strength to restrain the animal.
22. **DIRECTOR** - shall mean the person in charge of the day to day administration of the department or his or her authorized designee.
23. **DOG** - means but is expressly not limited to domestic dog, *Canis familiaris*, and any genetic hybridization thereof, including but expressly not limited to wolf hybrids and coyote hybrids, that is not under the jurisdiction of the Florida Fish and Wildlife Conservation Commission.
24. **EXPOSURE TO RABIES** - shall mean an action whereby a potentially rabid animal has bitten, scratched or put its saliva in contact with the mucous membrane or an open lesion of another animal or human being.
25. **FEE** - shall mean money chargeable pursuant to this Ordinance that is not assessed as a pecuniary penalty for violation of this Ordinance.
26. **FERAL CAT** - shall mean a cat that: (i) has an uncared for condition, such as rough haircoat, underweight, or poor general health; (ii) cannot be handled without injury to the cat or a person; (iii) displays violent or aggressive behavior; and (iv) has no observable indication of ownership or identification, such as a tag, ear tag, microchip, or tattoo.
27. **FERRET** - shall mean any member of the domestic ferret species *Mustela putorius furo* regardless of age.
28. **GUARD DOG** - shall mean any type of dog used primarily for the purpose of defending, patrolling or protecting individuals or property at any commercial establishment. it does not include any stock dogs used primarily for handling and controlling livestock or farm animals.
29. **HANDLING EQUIPMENT** - shall mean equipment used for training or handling fighting animals, including but not limited to sparring muffs, gaffs, harnesses, treadmills, cat mill cages, decoys, feeding apparatuses, training pens and related devices and equipment.
30. **HARBOR** - shall mean to perform any of the acts of providing care, shelter, protection, refuge, food or nourishment in such a manner as to control the animal's actions.
31. **HUMANE MANNER or HUMANELY** - shall mean the responsible practice of good animal husbandry, management and care in regard to feeding, watering, ventilation, space and confinement, exercise, lighting, shelter with protection from the elements, handling and treatment in a manner consistent with the physical and behavioral needs of the species as more particularly described in the county's animal care standards promulgated by the department. The definition also includes the provision of euthanasia consistent with lawful practices.
32. **IMPOUND or IMPOUNDMENT** - shall mean the taking of an animal into custody through lawful means by the department.

33. **INTACT** - shall mean any dog or cat that has not been spayed or neutered.
34. **KENNEL** - shall mean any premises wherein 6 or more dogs are kept for the purpose(s) of boarding, training, or any other similar business purposes. county-operated or city-operated animal control agencies and registered nonprofit humane organizations are not included.
35. **NUISANCE ANIMAL** - shall mean any companion animal that unreasonably annoys humans, endangers the life or health of other animals or individuals, or substantially interferes with the rights of citizens, other than its owner, thereby interfering with the reasonable use and enjoyment of property, and as further defined in Section 15 of this Ordinance.
36. **OFFICER** - shall mean any law enforcement officer in the county as defined in Section 943.10, Florida Statutes (2002), as may be amended, or any Animal Control Officer.
37. **OFFICIAL CERTIFICATE OF VETERINARY INSPECTION** - shall be defined in accordance with Section 828.29(3)(b), Florida Statutes (2002), as may be amended.
38. **OWNER** - shall mean any person, owning, harboring, possessing or otherwise keeping or exercising control or custody of any animal, or if the animal is owned by an individual under the age of 18, that individual's parent or guardian. Knowledge and acts of agents and employees of the owner in regards to animal transportation, employment or custody shall be held to be the knowledge and acts of the owner.
39. **OWNER RELEASE AND SURRENDER STATEMENT** - shall mean an animal release form or statement signed by the owner or his or her authorized agent which relinquishes and vests all ownership and possessory rights to the county.
40. **PERMIT** - shall mean a formal authorization from the county which allows an owner to engage in a regulated business involving animals as provided for by this Ordinance.
41. **PERMITTEE** - shall mean any person to which a permit is issued.
42. **PERSON** - shall mean any individual, child, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, entity or any group or combination thereof.
43. **PET DEALER** - shall mean any person who engages in the sale of more than 20 dogs or cats per year. This definition includes breeders of dogs or cats who sell such animals directly to a consumer. County or city operated animal control agencies and registered nonprofit humane organizations are not included.
44. **PET PIG** - shall mean any member of the domestic pig species *Sus scrofa* regardless of age, that is raised or intended to be raised as a companion animal, for personal use or enjoyment, or if it is raised or intended to be raised for non-commercial or non-agricultural purposes.
45. **PROPER ENCLOSURE** - shall mean for a dangerous dog or a female dog or cat in heat, that while on the owner's property, the dog or cat is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of other dogs, cats, or young children and designed to prevent the dog or cat from escaping over, under, or through the structure and shall also provide protection from the elements in a humane manner.
46. **QUARANTINE** - shall mean the strict, humane, confinement, isolation and observation of an animal suspected of carrying or being infected with rabies or some other contagious disease or dangerous condition.
47. **RABIES VACCINATION** - shall mean inoculation with a United States Government approved vaccine for the prevention of rabies.
48. **REBATE** - shall mean an incentive payment made to a person residing in the county who has had their dog or cat surgically sterilized under the conditions specified in this ordinance, which shall be funded from the tag fee differential assessed for intact dogs and cats versus sterilized dogs and cats and such other funds as deemed appropriate by the county.
49. **REGISTRATION** - shall mean filing a county registration certificate for an animal with the department informing them of ownership and for tag purposes.
50. **REGISTRATION CERTIFICATE** - shall mean a document evidencing registration and vaccination for rabies of a dog, cat, or ferret residing in the county which contains at a minimum the information required by Section 828.30, Florida Statutes (2002), as may be amended.
51. **RESOLUTION** - shall mean an expression of the BOCC, concerning some matter of administration within its official competence.
52. **SERVICE ANIMAL** - shall mean any guide or signal dog or other animal that is individually trained to provide assistance to an individual with a disability.
53. **SERVICE ANIMAL USER** - shall mean a person who is visually impaired, blind, hearing impaired, deaf,

- physically challenged or similarly health impaired person whom by reason thereof is aided by a service animal.
54. **SEVERE INJURY** - shall mean any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery or as further defined in Section 767.11(3), Florida Statutes (2002), as may be amended.
 55. **SHELTER** - shall mean, provision of and access to a three-dimensional structure having a roof, walls and a floor, which is dry, sanitary, clean, weatherproof and made of durable material. At a minimum, the structure must: (i) be sufficient in size to allow each sheltered animal to stand up, turn around, lie down, and stretch comfortably; (ii) be designed to protect the sheltered animal from the adverse effects of the elements and provide access to shade from direct sunlight and regress from exposure to inclement weather conditions; (iii) be free of standing water, accumulated waste and debris, protect the sheltered animal from injury, and have adequate ventilation and for dogs and cats, provide a solid surface, resting platform, pad, floormat or similar device that is large enough for the animal to lie on in a normal manner; and (iv) be properly lighted to provide a regular lighting cycle of either natural or artificial light corresponding to the natural period of daylight unless otherwise directed by a veterinarian. Structures with wire, grid or slat floors which permit the animal's feet to pass through the openings, sag under the animal's weight or which otherwise do not protect the animal's feet or toes from injury are prohibited except for birds where perches are provided.
 56. **STERILIZED** - shall mean rendered permanently incapable of reproduction such as by surgical or chemical means.
 57. **SUSTENANCE** - shall mean access to and the provision of palatable nourishment appropriate for the type of animal which is to eat it, free from contamination and provided in a clean and sanitary manner. Food shall be of sufficient nutritional value to maintain the animal in good health and shall be provided at suitable intervals for the species, age and condition of the animal but not less than once daily except as otherwise prescribed by a veterinarian or as dictated by naturally occurring states of hibernation or fasting normal to the species.
 58. **TAG** - shall mean a current county animal license tag.
 59. **TATTOO** - shall mean an indelible mark made on a designated part of an animal's body for the purpose of identification and registration.
 60. **TETHER** - shall mean a rope, leash, or other means of constraint, which must be attached to the animal by a properly applied collar, halter or harness and configured so as to protect the animal from injury and prevent entanglement with other objects and/or animals. The tether shall not extend over an object or edge in such manner that could result in the strangulation of or injury to the animal. The length of the tether must be at least three times the length of the animal measured from the nose to the base of its tail, unless the tether is being used to secure the animal to the bed of an open vehicle.
 61. **TIME COMPUTATIONS** - Except as otherwise provided in Section 28, unless the time period specifies "business days", all days shall be calendar days that exclude: (i) the day the act, event, or default occurred, and (ii) the last day of the time period whenever it falls on a Saturday, Sunday, or legal holiday (in which case the last day shall be the next calendar day that is not a Saturday, Sunday or holiday).
 62. **TORMENT** - shall mean every act, omission or neglect whereby unnecessary or unjustifiable pain or suffering is caused, permitted, or allowed to continue when there is reasonable remedy or relief; except when done in the interest of medical science pursuant to and in compliance with the applicable law.
 63. **TRANSFER** - shall mean to convey or shift ownership from one person to another, with or without the exchange of money or other consideration.
 64. **UNJUSTIFIABLE PAIN OR SUFFERING** - shall mean the character of an act which can not reasonably be excused, defended or vindicated (such as in connection with the practice of veterinary medicine, law enforcement activities, to end needless suffering, or in defense of persons or other animals).
 65. **UNPROVOKED** - means that the victim, who has been conducting himself or herself peacefully and lawfully, has been bitten, chased in a menacing fashion, or attacked by a companion animal.
 66. **VACCINATION** - shall mean an inoculation with a vaccine as a protection against disease.
 67. **VEHICLE OR MOTOR VEHICLE** - shall mean any vehicle propelled by a means other than muscle power, including but not limited to mopeds, go-carts, motorcycles, dune buggies, boats, recreational vehicles, trucks, trailers, semi-trailers, truck-tractors, semi-trailer combinations, or any other attachment to such a vehicle, operated on the roads of the county.
 68. **VETERINARIAN** - shall mean an individual who is licensed to engage in the practice of veterinary medicine in Florida or is exempt from the state licensure requirements under the authority of Chapter 474, Florida Statutes

(2002), as may be amended, or who is licensed in the area in which the veterinarian is practicing if outside of the State of Florida.

- 69. **VICIOUS ANIMAL** - shall mean a dog or cat that when unprovoked has bitten, attacked, endangered, or inflicted injury on a human, or domestic animal while on public or private property; or has chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack.
- 70. **WATER** - shall mean provision of and access to clean, fresh potable water of a drinkable temperature which is free from contamination and provided in a suitable manner, in sufficient volume, and at suitable intervals to at all times maintain normal hydration for the age, species, condition, size and types of each animal except as otherwise prescribed by a veterinarian or as dictated by naturally occurring states of hibernation. An animal confined outdoors shall have a continuous supply of clean, fresh, and potable water, unless the animal is under the direct supervision of a responsible person at events such as dog or cat shows or field trials. In such cases, the responsible person shall ensure sufficient water is provided to the animal in order to maintain normal hydration for the species of animal.

SECTION 3. DOG, CAT, AND FERRET RABIES VACCINATION REQUIREMENT; MEDICAL EXEMPTION

- (A) All dogs, cats, and ferrets that are 4 months of age or older must be vaccinated for rabies in accordance with Section 828.30, Florida Statutes (1999), as may be amended. dogs, cats, and ferrets shall be vaccinated annually for rabies. However, dogs and cats vaccinated by a veterinarian using a USDA-approved triennial vaccine are considered currently vaccinated for the entire 3-year period and will not be required to have an annual re-vaccination for the purpose of obtaining a rabies tag except that dogs and cats vaccinated at less than one year of age, must be re-vaccinated with a booster one year after the initial vaccination.
- (B) No person may directly or indirectly provide false information or otherwise mislead members of the public concerning the propriety or legality of administering vaccinations to dogs, cats, or ferrets for rabies by someone other than a veterinarian. The retail seller of dog, cat or ferret rabies vaccine shall advise the buyer of such vaccine that Florida law requires all dogs, cats, and ferrets that are 4 months of age or older be vaccinated in accordance with state law.
- (C) Proof of rabies vaccination in a form containing the information required by the registration certificate, shall be provided to the owner and the department by the vaccinating veterinarian. Upon request, such certificate shall be made available to any officer or representative of any enforcement agency.
- (D) In the event the vaccinating veterinarian does not practice in Florida, other verifiable evidence of a current rabies vaccination as deemed acceptable by the department may be substituted.
- (E) **MEDICAL EXEMPTION**
 - (1) A medical exemption from any vaccination requirement of this Ordinance may be granted by the department if the following requirements are satisfied:
 - (a) A veterinarian examines the animal and certifies in writing that at the time of such examination, in his or her professional opinion, administering the vaccination would endanger the health or life of the animal. The veterinarian's certification must include the basis for his or her opinion (i.e. -- age, infirmity, disability, illness, or other injurious condition), the anticipated duration of this condition, and the dates of administration for the last occurring series of vaccinations or a statement that this information was not available;
 - (b) The animal is registered with the department by submitting the veterinarian's certification and completing any other required forms and paying the applicable fee within 30 days of the exam; and
 - (c) The animal is securely and humanely confined.
 - (2) In no event shall any exemption granted pursuant to this section be in effect for more than 1 year without re-certification by a veterinarian. As soon as the animal's condition permits, it must be vaccinated and otherwise come into full compliance with the Ordinance.
 - (3) The department must be contacted upon expiration or termination of the exemption and/or the animal's condition and provided proof of compliance with all vaccination requirements within 14 days.

SECTION 4. DOG, CAT, AND FERRET REGISTRATION AND LICENSE TAGS; REQUIREMENTS; FEES; EXEMPTIONS; CHANGES IN OWNERSHIP

(A) REQUIREMENTS

- (1) Except as provided for in section 4(C) of this Ordinance, all dogs, cats, and ferrets that are 4 months of age

or older must be registered with the department. The length of time that such registration will remain valid may be based on the expiration of the animal's rabies vaccination, but in no instance shall it be greater than 1 year.

- (2) Except as provided for in section 4(C) of this Ordinance, all dogs and cats in the county that are at least 4 months of age or older must have been issued a tag. The length of time that such tag will remain valid may be based on the expiration of the animal's rabies vaccination, but in no instance shall it be greater than 1 year.
- (3) In order to register or renew registration for a dog, cat, or ferret, a current and complete registration certificate must be provided to the department along with any and all applicable fees for the registration certificate and tag.
- (4) The tag may be obtained either from the department, a veterinarian, or any other organization authorized by the department pursuant to Section 23 of this Ordinance. Only registration certificates signed by a veterinarian and tags approved for issuance by the department shall be valid.

(B) FEES

- (1) The fee for registration certificates and tags shall be established by BOCC Policy. There shall be a differential between the fee assessed for registration certificates and tags of intact dogs or cats versus sterilized animals, with intact animals to be charged at a higher rate.
- (2) There will be no tag fee assessed for service animals.
- (3) There will be no registration fee or tag fee assessed to approved government agencies or government owned or operated animal shelters.

(C) EXEMPTIONS TO REGISTRATION AND TAG REQUIREMENTS

- (1) Visiting dogs, cats, or ferrets. The registration and tag requirements of this Ordinance shall not apply to any animal that will only remain in the county for a period of 90 days or less and for which the department has been provided proof of domicile outside of the county, a current, valid certificate of rabies vaccination, and any applicable registration, required license, or permit required by the laws of the jurisdiction of domicile. This exemption is not intended to apply to those animals that are born or raised in the county for possible distribution outside the county.
- (2) Newly acquired. The owner of a newly acquired dog, cat, or ferret shall have 30 days to register the animal and obtain a tag for the dog or cat. This provision does not excuse the previous owner from any applicable registration or tag requirements.
- (3) AUTHORIZED SHELTERS. The county shelter, shall be exempt from the registration and tag requirements of this Ordinance. authorized shelters and Animal Rescue Adoption Organizations registration and tag requirements will be provided for by resolution.

(D) CHANGES IN OWNER INFORMATION

The person named as the owner and the address, as it appears on the registration certificate, shall be prima facie evidence of ownership and domicile of the animal. The department must be notified within 30 days of any change in ownership or any other change in the information contained in the registration certificate including the address or telephone number.

(E) COSTS

The owner is responsible for all costs associated with the registration and tag requirements of this Ordinance.

SECTION 5. REPORT OF ANIMAL BITES/EXPOSURE TO RABIES

- (A) Pursuant to the applicable provisions of the Florida Administrative Code 64D-3, as may be amended, when any individual has been exposed to rabies by any animal or has knowledge that an individual has been exposed to rabies, that individual must report the incident promptly to the county Health Department in accordance with the law. The individual making the report shall state, to the best of his knowledge, the name and address and phone number of the individual who has been exposed to rabies, the time and place of such exposure, and if known, the location, description and type of animal involved, information about the owner, and circumstances surrounding the incident.
- (B) The Director or Administrator of the county Health Department or the appropriate state health officer shall determine which animals are subject to quarantine and shall issue appropriate instructions pursuant to the applicable provisions of the Florida Administrative Code 64D-3, as may be amended.

SECTION 6. DISPLAY OF TAG; CAT IDENTIFICATION

(A) DOGS

Unless otherwise exempted by this Ordinance, all dogs required to have a tag must wear the tag when outside. Other types of identification, such as microchips or tattoos, are also encouraged.

(B) CATS

Unless otherwise exempted by this Ordinance, all cats are required to have a tag. A cat shall be required to wear its tag or be microchipped, tattooed, or have an ear tag that can be used to identify the cat and link it to the owner when outside. The numbers/letters from the microchip, tattoo, or ear tag that uniquely identify the cat must be provided to the department at the time of licensure.

(C) EXCEPTIONS

- (1) An animal actively participating in a field trial, obedience trial, training exercise, conformation show and/or match or any other organized legal public competition, will not be required to wear its tag while participating in the activity. However, the handler must keep the tag on his or her person during the event. dogS or cats kept in an enclosure such as a kennel or cage are not required to wear tags. Tags for such animals shall be in the possession of the owner or the person responsible for the animal.
- (2) Authorized shelters and approved government agencies shall be exempt from the provisions of this section.

(D) TRANSFER OF TAGS

A tag shall not be transferred from one animal to another animal.

(E) LOST TAGS

A replacement tag must be purchased and in place within 10 calendar days if the original tag is lost, misplaced or stolen.

SECTION 7. HUMANE TREATMENT OF ANIMALS

(A) Any person owning, caring for, harboring, or keeping an animal must treat the animal humanely at all times.

(B) No person shall:

- (1) Breed, own, possess, harbor, keep or train any animal with the intent that such animal be engaged in animal fighting;
- (2) Build, make, maintain, or keep a pit or other area on premises owned or occupied by him or allow an area to be built, made, maintained, or kept on such premises, for the purposes of animal fighting;
- (3) Own, manage, possess, maintain, sell or operate any facility, staging equipment, concession equipment, handling equipment, or exhibition equipment related to animal fighting;
- (4) Advertise, for the purpose of animal fighting;
- (5) Encourage or instigate animal fighting in any manner; or
- (6) Perform any service, with or without pay, in the furtherance of, or to facilitate, any animal baiting or fighting, including refereeing, advertising, acting as a stakes or security holder of wages or handling animals intended to be used in fighting.

(C) Any animal that is confined must be provided appropriate care, sufficient quantities of good and wholesome food and water on a daily basis, kept in sanitary conditions, provided with sufficient room to stand up, turn around, and sit comfortably, proper air ventilation and quality of air, and protection from the elements and from excessive exposure to fleas, ticks, other harmful insects or external parasites.

(D) A deceased animal may not be disposed of by abandoning, dumping or burying it on the property of another, either private or public, without the written consent of the property owner.

SECTION 8. CRUELTY TO ANIMALS

(A) Pursuant to Section 828.12, Florida Statutes (1999), as may be amended, cruelty to animals is a criminal offense. The department shall investigate reported incidents involving cruelty to animals or support investigations by other law enforcement agencies when so requested and refer cases where probable cause exists to the state attorney's office for criminal prosecution.

(B) The following acts or omissions shall constitute cruelty to animals under this Ordinance:

- (1) Unnecessarily overloading, overdriving, tormenting, depriving of necessary sustenance, shelter, or medical care, or unnecessarily mutilating, or killing any animal or causing the same to be done, or carrying in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner.
- (2) Intentionally committing an act to any animal which results in the cruel death, or excessive or repeated

infliction of unnecessary pain or suffering, or causes the same to be done.

- (3) Poisoning a dog, cat, ferret, pet pig, or other pet animal.
- (C) Pursuant to Section 828.13, Florida Statutes (1999), as may be amended, confining an animal without sufficient food, water or exercise, or abandonment of an animal is a criminal offense. The department shall investigate reported incidents involving such action or support investigations by other law enforcement agencies when so requested and refer cases where probable cause exists to the state attorney's office for criminal prosecution.
- (D) The following acts or omissions shall constitute improper confinement or abandonment:
 - (1) Impounding or confining an animal without a sufficient quantity of good and wholesome food and water.
 - (2) Keeping an animal in any enclosure without wholesome exercise and change of air.
 - (3) Abandoning to die any animal that is maimed, sick, infirm, or diseased.
 - (4) Abandoning an animal to suffer injury, malnutrition or illness without veterinary care.
- (E) A veterinarian rendering services is exempt from the provisions of this section.
- (F) Pursuant to Section 828.122, Florida Statutes (1999), as may be amended, fighting or baiting animals is a criminal offense. The department shall report incidents involving such action to the appropriate law enforcement agency and support investigations when so requested and refer cases where probable cause exists to the state attorney's office for criminal prosecution.
- (G) The following acts or omissions shall constitute improper fighting or baiting under this Ordinance:
 - (1) Baiting or using any animal for the purpose of fighting or baiting any other animal.
 - (2) Knowingly owning, managing, or operating any facility kept or used for the purpose of fighting or baiting any animal.
 - (3) Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals.
- (H) These provisions shall not apply to any person: (i) simulating a fight for the purpose of using the simulated fight as part of a motion picture which will be used on television or in a motion picture, (ii) using animals to pursue or take wildlife or to participate in any hunting regulated or subject to being regulated by the rules and regulations of the game and fresh water fish commission, (iii) using animals to work livestock for agricultural purposes, (iv) simulating bloodless bullfighting, or (v) using animals to hunt wild hogs or to retrieve domestic hogs.
- (I) Nothing in this section shall be construed to prohibit, impede, or otherwise interfere with recognized animal husbandry and training techniques or practices not otherwise specifically prohibited by law.

SECTION 9. VICIOUS ANIMALS AND DANGEROUS DOGS

(A) VICIOUS ANIMALS

No person shall allow a companion animal, when unprovoked, to bite, attack, endanger, or inflict injury on a human, domestic animal, or livestock while on public or private property; or chase or approach an individual upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack.

Violations of this Section may constitute proof of "prior knowledge of a dog's dangerous propensities" under Section 767.13(2), Florida Statutes (2002), as may be amended.

(B) DANGEROUS DOGS

The provisions of Chapter 767, Florida Statutes (2002), as may be amended, pertaining to dangerous dogs are adopted in their entirety as a part of this Ordinance. All procedures, regulations, requirements, and restrictions pertaining to dangerous dogs are applicable under this Ordinance, and a violation of the statute shall constitute a violation of this Ordinance. Each day the owner of a dangerous dog fails to comply with the requirements of this Section or requirements of Section 767.12, Florida Statutes (2002), as may be amended, shall constitute a separate and distinct offense.

(1) DANGEROUS DOGS

- (a) If the owner wishes to appeal the initial decision of the department to a hearing master, he or she must file a written request with the department director for a hearing within 7 days from the date of receipt of the notice of intent to declare the dog dangerous. If requested, a hearing shall be held as soon as possible but not more than 21 calendar days and no sooner than 5 days after the department's receipt of the request.
- (b) After a dog has been classified as dangerous or a dangerous dog classification is upheld on appeal, the owner of the dog must obtain a certificate of registration from the department within 14 days, and the

certificate must be renewed annually. The department will only issue certificates of registration and their renewals to individuals who are at least 18 years of age, pay the appropriate fee, and present sufficient evidence of the requirements provided for in Section 767.12, Florida Statutes (2002), as may be amended. In addition to those requirements, the **DOG'S** owner must:

- (1) Sterilize the dog within 30 days of being declared dangerous; and
 - (2) Register for, and attend to completion, dog obedience training from an instructor approved by the department; and
 - (3) Provide the department proof of a current health certificate for the dog issued by a veterinarian; and
 - (4) Have the dog micro-chipped and registered to the owner at his or her current address; and
 - (5) Post approved signage obtained from the department at intervals determined by the department and at all entrances to the property; and
 - (6) When outside its proper enclosure, dangerous dogs must be muzzled, restrained by a substantial chain or leash, and under control of a competent person. In addition, the use of a physical control device such as a passive head restraint collar or harness recommended by the department is required; and
 - (7) Provide access to property and the dog for no less than two inspections annually by the department to verify compliance with the provisions of this Ordinance and Chapter 767, Florida Statutes (2002) as may be amended; and
 - (8) Receive training provided by the department on responsible pet ownership of dangerous dogs.
- (c) The department may provide notification to appropriate neighbors and the public advising them of the presence of a declared dangerous dog. Photographs of the dog may be used in providing the public with internet access to dangerous dog information.
 - (d) The department may confiscate any dog classified as dangerous for euthanasia as a result of the owner's failure to comply with any or all requirements of Chapter 767, Florida Statutes (2002), as may be amended, or any requirement of this Section. Should the department confiscate any dog under this section, notice of sufficient cause to confiscate the animal shall be provided in writing to the owner in accordance with Section 767.12, Florida Statutes (2002), as may be amended. The animal shall be held for 10 business days after the owner is provided this written notice and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under Section 26 of this Ordinance.
 - (e) Any dog that is exempted from the provisions of Chapter 767, Florida Statutes (2002), as may be amended, shall be exempt from the provision of this Section of the Ordinance.
 - (f) Any person who owns, harbors, or otherwise provides custody for a dangerous dog shall be responsible for any damage or injury caused by that dog, including, but not limited to, veterinary or medical bills or property damage.
- (2) **DANGEROUS DOG/SEVERE INJURY; SECOND ATTACK**
- (a) If a dog previously declared dangerous attacks or bites a human being or a domestic animal without provocation, in accordance with section 767.13, Florida Statutes (2002), as may be amended, the owner is guilty of a criminal offense.
 - (b) The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the dog during the pendency of any hearing or appeal procedure, as well as any and all investigative fees accrued by the department.
 - (c) If the owner files a timely written appeal, the department may not destroy the dog while the appeal is pending, except to prevent unnecessary suffering as determined by 2 veterinarians.

SECTION 10. CONFINEMENT TO PROPERTY; DOGS AND CATS AT LARGE; EXCEPTIONS

- (A) Excluding public right-of-way on an owner's private property, no dog or cat shall be allowed to stray, run or go, at large upon any public property or street, sidewalk, park, or on the private property of another without the consent of the property owner.
- (B) Any cat that is outdoors while not under direct control must be sterilized.
- (C) Any dog or cat that is on private property without the consent of the property owner or resident may be captured in a humane trap or otherwise humanely confined. Persons capturing at large dogs or cats will be responsible for the humane care of the animal until the captured animal is turned over to the department, other

humane organization, or licensed wildlife trapper. A person shall not entice a dog or cat to become at large for the purpose of trapping or apprehending when that dog or cat would otherwise not be at large.

- (D) No person shall under any circumstance tether or otherwise confine any animal in a manner that is injurious to its health.

In order for a dog or cat to be allowed on a public street, road, park or other public property, excluding public right-of-way on an owner's private property or unless otherwise specifically permitted, the dog or cat shall be under the direct control of the owner or keeper, except while hunting pursuant to permit or during a legitimate obedience demonstration, show, trial, training exercise, competition, show and/or match or educational program, so long as proper precautions are taken by the owner of the dog and/or sponsor of the event to insure the safety and protection of both the public and other animals.

SECTION 11. STRIKING OR INTERFERING WITH A SERVICE ANIMAL

- (A) No individual shall intentionally strike or interfere with a service animal in performance of its duties. Interference includes any activity intended to distract the service animal from performing its duties including, but not limited to, throwing or waving objects, chasing, calling, blocking, or any similar activity.
- (B) It is a defense that the accused party was engaged in a training activity or discipline with the animal, and acted as an employee or agent of a service animal user.
- (C) In addition to any fine imposed for the violation of this section, the court may order the violator to make restitution to the service animal user for reimbursement of:
- (1) Veterinary bills;
 - (2) Cost of retraining;
 - (3) Temporary loss of use; and/or
 - (4) Replacement cost if the animal is disabled, unable to perform its duty, or is killed.

SECTION 12. INTERFERENCE WITH AN ANIMAL CONTROL OFFICER

No individual shall interfere with an Animal Control Officer in the legal performance of his or her duties. This includes but is not limited to, striking or attempting to strike the Animal Control Officer; providing the Animal Control Officer with false information; taking or attempting to take any animal from any Animal Services officer in the legal performance of his or her duties, from any official vehicle used by the department to transport animals, or from the department without proper authority; or to taking or damaging any county property used in conjunction with the legal performance of the Animal Control Officer's duties. In addition to constituting a violation of this Ordinance, such action may be punishable pursuant to Section 838.021, Florida Statutes (1999), as may be amended.

SECTION 13. FEMALE IN HEAT

The owner of a female dog or cat in heat (estrus) shall humanely confine such dog or cat in a building or proper enclosure so as to make her inaccessible to any male dog or cat, except for controlled, intentional permitted breeding purposes. When not in a proper enclosure, such dogs or cats shall be under the direct supervision of a responsible individual so that the dog or cat is not allowed to unintentionally come into contact with a male dog or cat and breed.

SECTION 14. ANIMAL WASTE REMOVAL

Any feces deposited by a dog, cat, or pet pig on public property, public walks, recreation areas or the private property of others must be immediately removed by the person who has custody or control of the animal unless otherwise authorized by the property owner.

SECTION 15. COMPANION ANIMALS CREATING NUISANCE

- (A) No companion animal shall be allowed to unreasonably annoy humans, to endanger the life or health of other animals or persons acting lawfully, or to substantially interfere with the rights of others thereby interfering with the reasonable use and enjoyment of property. It shall be prima facie evidence of nuisance if a companion animal:

- (1) consistently and/or constantly makes excessive noise;
 - (2) causes damage to or destruction of another's property;
 - (3) causes unsanitary, dangerous or offensive conditions, including the fouling of the air by offensive odor emanating from excessive excrement; or
 - (4) creates a pest, parasite or scavenger control problem which is not effectively treated.
- (B) Upon receipt of an "Affidavit of Complaint," signed by 2 or more unrelated county residents, each residing in separate dwellings in the vicinity in which the alleged violation occurred, made under oath or affirmation before an individual authorized by law to take acknowledgments, setting forth the nature and the date of the act or acts, the owner of the companion animal, the address of the owner and description of the companion animal doing such act or acts, an Animal Control Officer shall conduct an investigation of the incident. In the discretion of the department, other reliable evidence may replace one of the required affidavits.

SECTION 16. CONTAGIOUS DISEASES

An animal that is known to be suffering from or afflicted with a contagious or infectious disease shall not be transferred, sold, bartered, or disposed of without first disclosing to the person to whom the same is transferred, sold, bartered or disposed of that such animal is so diseased, nor shall such animal be or knowingly allowed to come into contact with any animal of another person without his or her knowledge or permission. Such action may be subject to additional penalties pursuant to Section 828.16, Florida Statutes (1999), as may be amended.

SECTION 17. PET DEALER, KENNEL, CATTERY, ANIMAL RESCUE ADOPTION ORGANIZATION, AND GUARD DOG PERMITS

- (A) In addition to complying with all other applicable provisions of this Ordinance, all pet dealers, kennels, catteries, Animal Rescue Adoption Organizations or guard dog services must obtain a permit prior to operating a business in the county, and must maintain such permit at all times in order to conduct business in the county.
- (B) Permits shall be issued by the department, and a separate permit or combination permit shall be required for each permitted business. Each individual location maintained or operated in the county that is subject to regulation pursuant to this Ordinance shall be considered a separate business subject to the permitting requirements of this section. permits shall not be transferrable between locations or persons.
- (C) COMBINATION PERMITS A combined permit may be obtained by a person engaged in more than one type of permitted activity. The applicant for a combined permit shall be required to meet the standards for each type of business permitted and the permit shall state on its face the specific types of businesses covered by the permit.
- (D) Each permit shall be valid for 1 year, and is renewable on an annual basis. Application and annual issuance fees shall be established by BOCC Policy.
- (E) EXEMPTIONS
 - (1) A veterinarian operating a facility that has a current, state premise permit issued pursuant to the provisions of Chapter 474, Florida Statutes, shall be exempt from the pet dealer, kennel, cattery permit, and animal rescue adoption organization requirements.
 - (2) An animal rescue adoption organization that does not obtain animals from the department is not required to obtain a permit to operate in the county.
- (F) VIOLATIONS In addition to being punishable in accordance with section 34 of this Ordinance, a permit may be denied, suspended or revoked by the department pursuant to section 21 of this Ordinance, and the county may seek a temporary or permanent injunction from the appropriate court enjoining the violator from engaging in the regulated activity.

SECTION 18. PERMIT APPLICATION AND RENEWAL PROCEDURES

- (A) Application for a permit, or for a renewal of a permit, shall be made in a manner and on the forms prescribed by the department. Application for all permit renewals must be submitted to the department at least 30 days prior to expiration. The applicable fee must accompany the application for a permit or its renewal.
- (B) Each applicant shall be required as part of the application process to submit a sworn or affirmed statement that they are in compliance with all permit requirements and standards, and shall disclose any previous denial,

suspension or revocation of a prior permit. In addition, each applicant shall submit to an annual inspection of the business premises on the behalf of the department during the application or renewal process. The inspection of a pet dealer, kennel, cattery or permitted animal rescue adoption organization must be conducted by a veterinarian or a qualified employee of the department. If the inspection is conducted by a veterinarian who is not employed by the county, the applicant must provide to the department his or her name, address, and telephone number at least 2 weeks before the planned inspection. The veterinarian shall use inspection criteria and forms provided by the department and must sign an agreement with the department pertaining to this prior to being authorized to perform the inspection.

- (C) Each permit application must be completed and signed by the owner of the business, if an individual. If the applicant is a partnership, the application shall contain the name and address of each partner thereof. If the applicant is a corporation, firm, or association, the application shall contain the entity name and address, state of incorporation (if applicable), the names and addresses of each director and officer, and the name and address of the registered agent. The application shall be signed by a duly authorized officer.
- (D) The application and supporting documentation must be complete, truthful and correct. Falsification of applicant information is grounds for denial or revocation of a permit in accordance with section 21 of this Ordinance and is also punishable in accordance with the provisions of Chapter 837, Florida Statutes. The department shall examine the application, notify the applicant of errors or omissions, and request any additional information needed to complete the application.
- (E) In the event an inspection reveals the permitted activity is not in compliance with the provisions of this Ordinance, a written statement shall be furnished to the applicant or permittee by the department indicating the provisions being violated and either allowing the applicant or permittee to correct the items within a specified length of time as determined by the department from receipt of the statement, or informing the applicant or permittee that the permit will be denied, suspended or revoked. A temporary permit may be issued pending full compliance. Failure of an applicant or permittee to correct all violations within the time allowed may result in the denial, suspension or revocation of the permit.
- (F) A permit may be denied if a person fails to certify that he or she has no prior criminal conviction relating to the maltreatment of animals. Such denial may extend to the employees of the business for which the permit is being sought.
- (G) First time applicants shall be required to complete an education program provided by the department that illustrates proper care of animals and an overview of the permitting process. If a permittee is cited for a violation of the conditions of the permit, that individual may be required to attend a seminar, provided by the department, that illustrates proper care of animals.
- (H) Each permit shall be issued in the name of the owner and is non-transferable.
- (I) The permit must be prominently displayed in a conspicuous place inside the permittee's facility. The permit shall bear the distinctive seal of the County of Hillsborough.
- (J) The department shall issue or renew a permit upon being satisfied that all standards required by this Ordinance and any other applicable laws, rules or regulations have been satisfied. The department shall grant or deny the reapplication for a permit within 30 days from the date upon which the applicant submits a completed application or receipt of timely requested additional information or correction of errors or omissions. Upon the effective date of this Ordinance, permitted businesses may continue to operate without a permit for 45 days, provided they are operating in accordance with the provisions of the other sections of this Ordinance.
- (K) If a permitted business is sold or changes ownership, the new or prospective owner must make application to the department for a new permit within 15 days.

SECTION 19. MINIMUM PERMIT STANDARDS

The following minimum standards shall apply to each business requiring a permit under this Ordinance:

- (A) All dogs and cats in the care, custody or control of the business must be treated in a humane manner at all times.
- (B) Records must be maintained and kept for each dog or cat in the care, custody or control of the business which include, at a minimum, the following information:
 - (1) The name, address and telephone number of the legal owner of the animal;
 - (2) The name, address and telephone number of the attending veterinarian;
 - (3) Current vaccinations;

- (4) A record of any medications administered to the animal that includes the date, time and dosage amounts while the animal is being treated; and
- (5) Tag number.

In the event any of the above information cannot be obtained from an owner or other source, a notation to that effect should be included in the record.

- (C) All sick, diseased and/or injured dogs and cats must be provided appropriate veterinary care. If necessary, any animal which is injured or which shows signs of illness or symptoms of contagious disease must be isolated in such manner so as to prevent the spread of such illness or disease to other animals or the exacerbation of the injury.
- (D) All applicable state and federal statutes, codes, rules, ordinances, the applicable provisions of this Ordinance and any applicable community care standards established by the department must be complied with.
- (E) The department must be provided a copy of the official certificate of veterinary inspection within 30 days of the date of the sale of a dog or cat.
- (F) The buyer or new owner of any dog or cat must be provided with the applicable permit and tag numbers for that particular business and animal.
- (G) Include in any advertisement related to the regulated activity, service or business, a valid permit number. This requirement includes, but is not limited to, advertisements in the yellow pages of the telephone directories, community bulletin boards, flyers, pamphlets, classified advertisements, signs, radio and television announcements, and other advertising circulations. This requirement does not apply to classified advertisements for employment purposes.

SECTION 20. RESTRICTIONS ON COMMERCIALY SUPPLIED GUARD DOGS; ADDITIONAL MINIMAL PERMIT REQUIREMENTS; INABILITY TO USE DANGEROUS DOG; REQUIREMENTS OF USERS

- (A) Every guard dog business operating in the county must comply with the following additional requirements:
 - (1) The guard dog business must have each guard dog examined by a veterinarian on at least an annual basis and certified to be healthy, normal and free from intestinal parasites and in his or her best judgment physically fit for service as a guard dog. Said proof shall be provided to the department upon request.
 - (2) Newly acquired guard dogs must be properly vaccinated, tagged, and registered with the department within 30 calendar days of acquisition.
 - (3) All guard dogs must be microchipped or tattooed.
 - (a) Each guard dog must be tattooed or microchipped and will be assigned a registration number from the department. All tattoos must be unique and clearly visible and placed on the inside right thigh, with each letter and number at least one-half (2) inch in height.
 - (b) Any guard dog registered with the American Kennel Club or similar organization, may have the tattoo placed in its ear.
 - (c) A guard dog already displaying a tattoo need not obtain an additional tattoo if the existing tattoo is unique and identifiable, identifies the guard dog, and the number is registered with the department.
 - (4) The department must be provided the following additional information for each guard dog:
 - (a) The name, address, day time telephone number, and after hours telephone number of the individual responsible for managing the guard dog business and the individual responsible for training and/or caring for the guard dogs must be provided to the department;
 - (b) The breed, sex, weight, age, color, tattoo and/or microchip registration number;
 - (c) A color photograph; and
 - (d) A description of any distinguishing physical features.
 - (5) The following information must be maintained and made immediately available to the department upon request:
 - (a) The name, address and telephone number of each client procuring the use of a guard dog and the physical location of the guard dog, if different than the client's address;
 - (b) The name, address and telephone number of the individual responsible for providing food, water, shelter and exercise for the guard dog; and
 - (c) For each guard dog, any veterinary program of preventative medical care and any prescribed treatment certified by a licensed veterinarian.

- (6) In the event that a guard dog is transferred to another owner, allegedly bites or attacks a human being or another animal, dies, or disappears, the guard dog business must immediately notify the department in a writing containing, at a minimum, the applicable tattoo or microchip identification, the tag information, the date and time of the occurrence, the new owner's name, mailing address and residence address, if ownership has been transferred, and the last known whereabouts of the guard dog, in the event of disappearance.
- (7) Any vehicle used to transport guard dogs pursuant to a person's business must be clearly marked to show that it is transporting guard dogs, and must be maintained and arranged to ensure maximum ventilation and protection for the animals.
- (B) Any dog previously classified by the department as a dangerous dog in accordance with the provisions of this Ordinance and applicable Florida law, shall be ineligible to serve as a guard dog.
- (C) **REQUIREMENTS OF PERSONS USING GUARD DOGS**
 - (1) Any person who hires or uses a guard dog must provide proper fencing or a secure enclosure sufficient to keep the guard dog from digging or jumping out and which must contain proper shelter and protection from the elements. If the guard dog is confined to an area that does not allow for sufficient exercise, the guard dog must be provided with minimum daily exercise consisting of either 30 minutes of leash activity or 15 minutes of free activity, unless a veterinarian issues a written medical exception.
 - (2) At each appropriate location and entry point, and at each 50 foot interval along the fence perimeter, a sign must be posted that includes the words "DANGER - GUARD DOG" or words of similar meaning and warning.
 - (3) Each entry point must have a sign posted with the telephone number of the guard dog's trainer or handler and/or owner in case of an emergency.

SECTION 21. DENIAL, SUSPENSION OR REVOCATION OF PERMIT; PROCEDURES

- (A) The department may deny, suspend or revoke a permit if the permittee:
 - (1) Has violated any law relating to the keeping, care, or use of any animal including federal, state and local laws and ordinances;
 - (2) Has falsified any information given to the department in connection with obtaining a permit;
 - (3) Has refused to allow the inspection of any animal or premise covered by the permit;
 - (4) Holds a permit with the wrong classification;
 - (5) Transfers, sells or otherwise disposes of the business for which the permit was issued or changes location; or
 - (6) Violates any provision of this Ordinance.
- (B) The procedures for notifying an applicant of the department's decision to deny, suspend, or revoke a permit shall be established by resolution.
- (C) The applicant or permittee shall have a right to challenge such a decision by the department. The procedures for such a challenge shall be established by resolution.

SECTION 22. EMERGENCY VACCINATIONS AND QUARANTINE

The BOCC may, upon the recommendation of the county Health Department's director/administrator pursuant to the applicable provisions of the Florida Administrative Code 64D-3, as may be amended, take appropriate action to require the vaccination and/or quarantine of animals other than dogs, cats, or ferrets against rabies, or any other disease communicable to humans, or the vaccination of companion animals for any disease not otherwise specified in this Ordinance, at such time and in such areas within the county as deemed necessary in order to prevent and assist in controlling any potential outbreak of disease.

SECTION 23. PROVIDING INFORMATION AND REGISTRATION AND SALE OF TAGS BY VETERINARIANS, PROVIDING REGISTRATION AND SALE OF TAGS BY THE DEPARTMENT OR OTHER AUTHORIZED ORGANIZATIONS

- (A) All veterinarians practicing in the county must make available to their clients tags and registration certificates.
- (B) All veterinarians practicing in the county and any other person who owns or operates a veterinarian's office or

a companion animal clinic within the county must post in a conspicuous place within the waiting area and/or in each examination room and/or area, a department issued or approved information poster describing the legal obligations of companion animal ownership.

- (C) All veterinarians practicing in the county must make available to their clientele educational and informational pamphlets or other materials provided by the department.
- (D) All veterinarians practicing in the county must, upon administering a rabies vaccination, inform the owner that the dog, cat, or ferret is required to be registered with the department and offer the owner the option of purchasing a tag from the veterinarian or the department.
 - (1) Prior to offering tags for sale, a veterinarian must submit a completed IRS form W-9 and proof of a valid veterinary license and current premise permit to the department. In the event the veterinarian fails to maintain his or her veterinary license or premise permit he or she will no longer be authorized to sell tags.
 - (2) A veterinarian cannot charge more for the tag than is provided for by BOCC Policy and is responsible to the department for all fees collected less any administrative or performance fee established by BOCC Policy. The veterinarian must submit payment to the department for each tag sold during the previous 30 days. Payment shall be made by check or money order made payable to the BOCC and is to include any other accounting information or documentation required by the department.
 - (3) Veterinarians may elect to donate any applicable administrative fee for which they would otherwise be entitled to the Hillsborough County Animal Health Foundation, Inc.
- (E) All veterinarians must keep records of the information required for the registration certificate for each dog, cat, or ferret vaccinated for rabies and must submit to the department, on a monthly basis, copies of the completed registration certificates for each animal they vaccinate for rabies during the prior month. The owner is also to be provided a copy of the registration certificate.
- (F) The department is authorized to provide registration and sale of tags.
- (G) OTHER ORGANIZATIONS Other organizations may be authorized by the department at its discretion, to sell tags to their customers or clients. To be authorized to sell tags, other organizations shall enter into a contract with the county.
- (H) VIOLATIONS In addition to the penalties provided for in section 34 of this Ordinance, the department may assess interest on any payment overdue by more than 30 days in an amount authorized by Section 687.01, Florida Statutes (1999), as may be amended, and pursue any other remedies that may be applicable at law or in equity for failure to remit money collected for the tags.

SECTION 24. DOG AND CAT SPAY AND NEUTER "REBATE" PROGRAM

- (A) To encourage sterilization, the BOCC shall, by resolution, establish rebates from fees generated pursuant to this Ordinance for those persons who have their dogs or cats sterilized.
- (B) To be eligible for a rebate:
 - (1) the owner must reside in the county at the time application for the rebate is submitted to the department;
 - (2) have purchased one or more tags for the animal at the intact rate;
 - (3) have a current registration certificate and tag for the sterilized animal; and
 - (4) submit the county spay and neuter certificate signed by a veterinarian, to the department within 90 days of the sterilization. Failure to submit the required documentation within the specified time will result in a waiver of any claim to the rebate. No rebate shall be paid for animals sterilized by the department.
- (C) Funds for this program shall be appropriated from the tag fee differential amounts collected for intact animals as compared to sterilized animals, along with any other funds appropriated by the BOCC. A percentage of the fee differential amount as indicated by resolution shall be appropriated to the spay and neuter fund and public education efforts related to animal sterilization.
- (D) This program will, for the specified time period, cease upon the complete depletion of the appropriated funds. The director shall provide prompt written notice to all participating veterinarians in the event the funds for a particular time frame have been or are about to be exhausted. Any sterilization performed prior to the veterinarian receiving such notice will receive first consideration when additional funds are appropriated. Any other dog or cat sterilized during the affected time period is ineligible as a basis for a rebate.

SECTION 25. DOGS AND CATS TRANSPORTED, TRANSFERRED, OR OFFERED FOR SALE; CONSUMER GUARANTEE

- (A) The provisions of Section 828.29, Florida Statutes (1999), as may be amended, pertaining to consumer rights and remedies for dogs or cats that were unfit for purchase are incorporated herein and shall apply in the county and are enforceable pursuant to this Ordinance.
- (B) This section does not in any way limit the rights or remedies that are otherwise available to a consumer under any other law.
- (C) Every pet dealer who sells a dog or cat to a consumer must provide the consumer at the time of sale with a written notice, printed or typed, which reads as follows:

You have the right pursuant to Hillsborough County Ordinance 00-26, to receive a certificate of veterinary inspection with each dog or cat purchased. Such certificate shall list all vaccines and deworming medications administered to the animal and shall state that the animal has been examined by a veterinarian who certifies that, to the best of the veterinarian's knowledge, the animal was found to have been healthy at the time of the veterinary examination. In the event that you find the animal to have been unfit for purchase as provided in Section 828.29, Florida Statutes, you must notify the pet dealer within 2 business days of the veterinarian's determination that the animal was unfit. You have the right to retain, return, or exchange the animal and receive reimbursement for certain related veterinary services rendered to the animal, subject to the right of the pet dealer to have the animal examined by another veterinarian.
- (D) County-operated animal control agencies and registered nonprofit humane organizations are exempt from this section.
- (E) A pet dealer may not knowingly misrepresent the breed, sex, or health of any dog or cat offered for sale within the county.

SECTION 26. HEARING PROCEDURES

Hearing procedures for any administrative hearing required pursuant to this Ordinance or Florida State Statute, including permit appeals, dangerous dog determinations, and confiscations for euthanasia shall be established by resolution.

SECTION 27. IMPOUNDMENT BY THE DEPARTMENT

- (A) The department has the authority to pick up, catch or procure and impound any companion animal in the county in a manner reasonably necessary to effectuate its capture when it appears abandoned or one or more of the following sections of this Ordinance appear to have been violated: 3, 5, 7, 8, 9, 10, 13, 16, 22, 30, or 31.
- (B) Every animal, including feral cats, which has been impounded shall be held for redemption for a period time and/or dispositioned as established by resolution, ordinance, and/or the provisions of Chapters 767 and 828, Florida Statutes (1999), as may be amended.
- (C) The department has the authority to pick up, catch or procure and impound any animal in the county, in a manner reasonably necessary to effectuate its capture, which has bitten a human and/or is infected or believed to be infected with rabies or other disease which may be contagious or infectious to humans or animals.

SECTION 28. REDEMPTION OF ANIMALS

- (A) The owner of an animal registered and vaccinated pursuant to the requirements of this Ordinance shall have the right to redeem their animal unless it has been impounded pursuant to: (i) further investigation, (ii) quarantine, or (iii) the department seeking custody, an order to provide care, or a dangerous dog determination, in which case the animal may be redeemed only when the department, the public health unit, or a court of competent jurisdiction has determined that all applicable state law, statutes, ordinances, and or administrative and/or policies have been fulfilled.
- (B) The department will attempt to contact the owner of an impounded animal that is wearing any form of identification.
- (C) An owner shall redeem his or her animal after being notified by the department that the animal is ready for release within the time lines established by resolution. If not redeemed within this time, the owner will have

been deemed to have waived his or her rights to the animal, and the department may, in its discretion, make appropriate disposition of the animal as allowable by law.

- (D) The department shall have the sole discretion to determine whether unregistered animals may be redeemed by the person claiming ownership in accordance with department policy and completion of the following requirements:
- (1) Proof of ownership: Proof of ownership must be provided and may be established by any or all of the following:
 - (a) the registration certificate;
 - (b) a bill of sale;
 - (c) photographs of the animal in question;
 - (d) microchip or tattoo information;
 - (e) affidavits from neighbors;
 - (f) veterinary records;
 - (g) other reliable documentary or anecdotal evidence considered reliable by the department; along with a sworn or affirmed statement of ownership.
 - (2) TAGS: No dog or cat shall be released from the department's custody unless and until the owner either produces or purchases a current registration certificate or, in the event a medical exemption is applicable, purchases an advance registration certificate from the department.
 - (3) FEES AND COSTS: The owner of the impounded animal must pay all assessed impound/service fees and applicable costs which may include but not be limited to, daily boarding costs, medical expenses, investigative costs, sterilization deposit, boarding fees and any other related costs as applicable in order to redeem an animal. The impound/service fees, boarding costs, and sterilization deposit amounts, shall be established by BOCC Policy. fees and costs shall be paid in full prior to release of the animal.
 - (4) VACCINATIONS AND MICROCHIPPING
 - (a) Unless exempted by this ordinance, proof of rabies vaccinations must be provided to the department prior to redemption or the owner must arrange for administration of the vaccinations prior to or contemporaneously with the release of the animal.
 - (b) Any animal may be microchipped by the department at the time of redemption at the discretion of the department unless a veterinarian recommends against microchipping.
 - (c) The owner may have his or her veterinarian implant the microchip and/or administer the rabies vaccination. In such cases, a refundable deposit as established by resolution may be required prior to the animal being redeemed .
- (E) The department may allow redemption of an animal to a designated authorized agent of the owner, upon proof of ownership and authorization to release the animal to the agent.
- (F) Animals, which have not been redeemed or for which an owner has not been identified or located within the time period provided in this Ordinance, shall become the property of the county. Thereafter, the department may, in its discretion, place such animals for adoption, or transfer them pursuant to Hillsborough County Ordinance Number 87-7, or make any other disposition pursuant to law.
- (G) If an impounded animal is suffering from or suspected to have an infectious or contagious disease, or is injured or debilitated to such an extent that it is experiencing unjustifiable pain or suffering as determined by a county veterinarian or his or her designee, the animal may be humanely euthanized prior to the expiration of the time period for redemption set forth in this Ordinance.

SECTION 29. SURRENDER OF ANIMAL BY OWNER

- (A) An animal may be signed over to the department by its owner or his or her designee by executing an unconditional release and surrender statement.
- (B) An animal that has been surrendered to the department except as noted in (C) below, immediately becomes the property of the county, and the department may place the animal for adoption or otherwise make disposition in accordance with the law.
- (C) An animal that has bitten a human may be surrendered to the department for quarantine pursuant to the applicable provisions of the Florida Administrative Code 64D-3, as may be amended.

SECTION 30. ADOPTION

- (A) Any animal that has not been timely redeemed, has been released to the department, or is otherwise the legal property of the county, may be placed for adoption.
- (B) The adoption fee shall be established by BOCC Policy.
- (C) The department has the final authority to approve the adoption of any animal. The department may refuse an adoption if it determines that the adoption is not in the best interest of the animal, or detrimental to the health, safety or welfare of the general public.
- (D) In order to adopt an animal, the prospective owner shall be required to participate in an educational program provided by the department and to satisfactorily demonstrate knowledge of the subject matter. In addition, the new owner must complete the department's application process, execute an adoption agreement with the department, and comply with its provisions. Failure to do so will constitute a breach of the agreement subject to penalty provided for by this Ordinance as well as forfeiture of the animal to the department.
- (E) All dogs and cats adopted out by the department shall be sterilized prior to release or their new owner must make a deposit pursuant to Section 823.15, Florida Statutes (1999), as may be amended, guaranteeing timely sterilization, and the adoption agreement must provide for these requirements. To be eligible for the return of the deposit, the following requirements must be satisfied:
 - (1) Sterilization procedure must be performed by a veterinarian within 30 days of the date of adoption or transfer, or at the time of sexual maturity, unless a medical exemption applies; and
 - (2) Written evidence by the veterinarian performing the sterilization must be presented to the department within 90 days of the procedure. Failure to comply with these requirements within the time specified shall result in a forfeiture of the deposit and shall constitute a breach of the adoption agreement.
- (F) The adopted animal shall be microchipped by the department prior to release unless a county veterinarian determines it is not in the best interest of the animal.
- (G) The new owner is responsible for payment of all fees and costs pertaining to the animal and undertakes all liability and risk associated with the ownership of the animal. The county bears no responsibility or liability for the actions of the animal and in no way represents or warrants the health of the animal.

SECTION 31. ANIMALS IN VEHICLES

- (A) An animal may not be placed or confined, or allowed to be placed or confined or allowed to remain in an unattended vehicle without sufficient ventilation or under conditions or for such a period of time as may be expected to endanger the health or well-being of such animal due to heat, lack of water or such other circumstances as may be expected to cause suffering, debility or death.
- (B) An officer or Animal Control Officer who finds an animal in a vehicle in violation of this section may enter the vehicle by using the amount of force reasonably necessary to remove the animal.
- (C) Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, sheep, poultry or other agricultural livestock in trailers or other vehicles designed and constructed for such purposes.
- (D) No person shall transport or carry on any public highway, roadway or thoroughfare any dog or cat or other animal in a vehicle unless the animal is safely enclosed within the vehicle, or, if traveling in the bed of an open vehicle (including but not limited to convertibles, pickup and flatbed trucks without a topper), is confined by a secured, well-ventilated container of proper size or properly tethered to prevent the animal from falling or jumping from the vehicle.

SECTION 32. SALE OF PET PIGS

For each pet pig offered for sale within the county, the seller must post a conspicuous notice at the point of sale, provided by the department at cost, and attach a reduced size copy of said notice to the bill of sale. The intent of the notice is to provide prospective buyers of pigs with information about purchasing and owning a pet pig. The text on the notice shall be approved by the department and the County Department of Health.

SECTION 33. PERSONS AUTHORIZED TO ISSUE CITATIONS

Animal Control Officers or other officers, are hereby authorized to issue citations to any person whom that officer

has probable cause to believe has committed a civil infraction in violation of this Ordinance.

SECTION 34. CIVIL CITATIONS AND PENALTIES

- (A) It shall be a violation of this Ordinance to fail to comply with any of the requirements or restrictions contained in sections 3 through 20, 23, 25, 30, 31, 32, or 35 of this Ordinance.
- (B) Any violation of this Ordinance is a civil infraction punishable by a maximum civil penalty not to exceed \$500.00. The amount of said penalty will be established by resolution.
- (C) A citation from an Animal Control Officer or officer may be issued to any person believed to have committed a civil infraction in violation of this Ordinance, based upon probable cause.
- (D) The citation must contain the provisions required by Section 828.27, Florida Statutes (1999), as may be amended.
- (E) If a person who has been cited for the civil infraction does not contest the citation, a civil penalty of less than the maximum civil penalty will be imposed; except that mandatory appearances are required for certain aggravated violations of this Ordinance resulting in the unprovoked biting, attacking, or wounding of a domestic animal; violations resulting in the destruction or loss of personal property; second or subsequent violations of the animal cruelty provisions of this Ordinance; or violations resulting in the issuance of a third or subsequent citation to a person in any 24 month period. The citation must clearly inform the person of the mandatory court appearance. The department shall maintain records regarding proof of the number of citations issued to the person. Persons required to appear in court do not have the option of paying the civil penalty instead of appearing in court.
- (F) If a person fails to pay the civil penalty, fails to appear in court to contest the citation, or fails to appear in court as required for a mandatory court appearance, the court may enter an order to show cause. This order shall require such person to appear before the court to explain why action on the citation has not been taken. If any person who is issued such order fails to appear in response to the court's directive, that person may be held in contempt of court.
- (G) Pursuant to Section 828.27, Florida Statutes (1999), as may be amended, the county court shall have jurisdiction over all violations of this Ordinance.
- (H) Payment of any civil penalties shall be made, either by mail or in person, to the Hillsborough County Clerk of the Court within the time specified on the citation. A late fee in an amount established by BOCC Policy shall be assessed for any civil penalty paid after the date specified on the citation but prior to a scheduled court date.
- (I) If a person fails to pay the civil penalty within the specified period, or fails to appear in court to contest the citation, that person shall be deemed to have waived their right to contest the citation. A judgment may be entered against the person for an amount up to the maximum civil penalty.
- (J) Notwithstanding any other provision of this Ordinance, any person cited for a violation pursuant to this Ordinance may have the citation dismissed if positive proof of compliance is presented to the department as authorized by resolution.

SECTION 35. REFUSAL TO SIGN AND ACCEPT CITATION

Pursuant to Section 828.27, Florida Statutes (1999), as may be amended, any person who willfully refuses to sign and accept a citation issued by an Animal Control Officer is guilty of a criminal misdemeanor. Such action shall constitute a violation of this Ordinance.

SECTION 36. FEES

All fees authorized by this Ordinance shall be established by BOCC Policy. However, where not in conflict with state law, fees and costs may be adjusted, deferred, or waived at the discretion of the County Administrator or his or her designee, on a case by case basis, to the extent provided for by BOCC Policy.

SECTION 37. ADDITIONAL ADMINISTRATIVE FEES

- (A) The maximum surcharge allowed by law upon each civil penalty imposed for violation of this ordinance may be imposed and collected. The maximum surcharge allowed by law upon each civil penalty imposed for

violation of this Ordinance may be imposed and collected.

- (B) The proceeds of the \$5.00 surcharge established pursuant to Section 828.27(4)(b), Florida Statutes (1999), as may be amended, shall be used to pay the cost of the 40-hour minimum standards training course for Animal Control Officers.
- (C) Pursuant to administrative order of the chief judge of the thirteenth judicial circuit, an administrative fee that is separate from the statutory surcharge and court costs shall be assessed for each animal control infraction resulting in:
 - (1) The cited person paying the uncontested civil penalty, or
 - (2) The person being found to have violated this Ordinance and being assessed a civil penalty. The administrative fee shall be used for payment of hearing masters utilized in connection with animal issues.

SECTION 38. ENFORCEMENT

In addition to the Hillsborough County Sheriff's Office and the applicable municipal police departments and their respective deputies and agents, the department and its employees and agents, shall be responsible for enforcing and implementing this Ordinance consistent with its provisions and all applicable state and federal legislation, codes and rules. Pursuant to law, officers and Animal Control Officers may enter upon public property and private property except residential buildings, to administer and enforce the provisions of this Ordinance.

SECTION 39. APPLICABILITY

This Ordinance shall constitute a uniform Ordinance applicable in all unincorporated areas of Hillsborough County and to all incorporated areas of Hillsborough County where there is no existing conflict of law or municipal ordinances. This Ordinance shall not apply to those tattooed/registered greyhound racing dogs, that are actively being raced, and greyhound kennels which are regulated by Chapter 7e-2 of the Florida Administrative Code, as may be amended.

SECTION 40. COMPLIANCE WITH STATE LAW

Nothing in this Ordinance shall be construed to exempt compliance with state laws relating to animals. Violations of state law may be prosecuted as applicable.

SECTION 41. SEVERABILITY

If any portion of this Ordinance is for any reason held invalid or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the validity of the remainder of this Ordinance.

SECTION 42. RESOLUTION OF CONFLICT OF LAWS

In all instances where Florida Law (as evidenced by the Florida Administrative Code, Florida Statutes, applicable case law or otherwise) mandates standards or requirements that conflict with the provisions of this Ordinance, said law shall govern and the same shall be incorporated by this reference as a part of this Ordinance. For purposes of this Ordinance, a conflict shall exist where, upon a particular matter, Florida Law addresses the matter in a manner that is more strict than the provisions of this Ordinance, where the provision of Florida Law are specifically referenced in this Ordinance as providing for criminal penalties or where a matter is addressed by Florida Law that is not addressed by this Ordinance. In these two situations, Florida Law shall control. In situations where this Ordinance addresses a matter in a manner that is more strict than that of Florida Law, the provisions of this Ordinance shall control.

SECTION 43. ORDINANCE REPEALED

Hillsborough County Ordinance Numbers 81-20, 83-5, 92-6, and 99-14 are hereby repealed in their entirety.

SECTION 44. EFFECTIVE DATE

This Amended Ordinance shall become effective January 1, 2004.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the BOARD OF COUNTY COMMISSIONERS of Hillsborough County, Florida, do hereby certify that the above foregoing is a true and correct copy of an Ordinance adopted by the Board at its regular meeting of _____ as the same appears in record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this _____ day of _____, 2000.

RICHARD AKE
CLERK OF THE CIRCUIT COURT

BY: _____
Deputy Clerk
Approved as to form
and legal sufficiency:

BY: _____
County Attorney