

TOWN OF HASTINGS, FLORIDA

TOWN CODE

CHAPTER 3

Animals

Sec.03-01 Dogs and Cats Running at Large. Any person or legal entity who shall own, be in charge of, be responsible for, or be in control of, any dog shall not allow or permit such dog or cat to enter upon any public or private road, dedicated road, public property or the private property or other persons or entities when such road or property is located within the boundaries of the Town of Hastings, unless such dog or cat is wearing a Collar as defined herein and in the case of dogs unless such dog is in the actual physical control of such a person by leash, cord, chain or other physical restraint, and in the case of entry upon private property of other by dogs or cats, unless the entry is with the permission of the property owner or lessee. The Collar must contain or have attached thereto the dog or cat owner's name, and current telephone number.

Sec. 03-02. Definitions. [As used herein the following terms shall have the following meanings]:

A. *Animal Control Officer* shall mean a person designated by the Mayor to investigate, on public or private property, civil infractions relating to animal control or cruelty and to issue citations as provided in this ordinance. He shall also have the power to control, catch and impound dogs and cats.

B. *Collar* shall mean a device that encircles the neck of the dog or cat and contains or has attached thereto the animal owner's name, current residence address and current telephone number.

C. *Dog* shall mean and include all members of the canine families.

D. *Own a dog or cat* shall mean any person or entity having a right of property in a dog or cat, or who keeps or harbors a dog or cat, or has it in his care, or acts as its custodian, or who permits a dog or cat to remain on or about any premises occupied or controlled by such person or entity.

E. *Private property of others* shall not be deemed to include property leased or rented by the owner of the dog or cat.

Sec. 03-03. Penalty Violations of Section 1 of this ordinance are hereby declared to be civil infractions for which there may be imposed by the County Court a maximum penalty not to exceed \$500.00. An individual or entity cited for violation of Section 1 of this ordinance may contest the citation in County Court. In the event that the individual or entity cited for violation of such Section shall not contest the citation, the penalty shall be \$25.00 for each offense. Any person or entity that willfully refuses to sign and accept a citation issued by an Animal Control Officer shall be guilty of a misdemeanor of the second degree punishable as provided by Florida law.

Sec. 03-04. Citations An Animal Control Officer shall have authority to issue a citation indicating that the officer has probable cause to believe that a person or entity has committed a civil infraction as defined in Section 2 of this ordinance and that the County Court may hear the charge. The citation shall contain:

1. The date and time of issuance.
2. The name and address of the person or entity.
3. The date and time of the civil infraction was committed.
4. The facts constituting probable cause.
5. The Ordinance violated.
6. The name and authority of the officer.
7. The procedure for the person or entity to follow in order to pay the civil penalty or to contest the citation.
8. The applicable civil penalty if the person or entity elects to contest the citation.
9. The applicable civil penalty if the person or entity elects not to contest the citation.
10. A conspicuous statement that if the person or entity fails to pay the civil penalty within the time allowed, or fails to appear in court to contest the citation, he shall be deemed to have waived his right to

contest the citation and that, in such case, judgment may be entered against the person or entity for an amount up to the maximum civil penalty.

Sec. 03-05. Impoundment

A. In the event any dog or cat owner cannot be conveniently located to take custody of a loose dog or cat, the animal may be caught by the Animal Control Officer and impounded at the St. Augustine Humane Society Shelter or other shelter designated by the Town. All costs of confinement shall be paid by the animal's owner.

B. The Owner of any dog or cat seized and impounded or confined pursuant to this Ordinance, shall be entitled to receive the animal but only upon occurrence of each of the following:

1. Payment to the Town of a \$5.00 Impoundment Fee.
2. Payment to the Town of \$5.00 for each 24 hour period and fraction thereof that the animal is confined at the St. Augustine Humane Society Shelter or other shelter designated by the Town.

C. An Animal Control Officer, or other such person as he may designate, shall, within 24 hours, or during the next business day after seizure and impoundment, make a reasonable attempt to notify the owner of the animal's impoundment.

D. Any dog or cat impounded by an Animal Control Officer or at his direction that is not claimed by, and returned to, its owner within five (5) business days of its impoundment may be destroyed or otherwise disposed of without compensation to the owner.

E. The fees, payment and manner of payment required by this Section 5 may be modified by future resolution(s) of the Town Council of the Town of Hastings, Florida.