

CITY OF BRISTOL ORDINANCE

ORDINANCE CONCERNING ANIMAL CONTROL: PROVIDING DEFINITIONS: PROVISIONS CONCERNING RABIES OUTBREAK: NUISANCES: ABATEMENT: CRUELTY TO ANIMALS: LIVESTOCK AND FOWL PROHIBITED FROM RUNNING AT LARGE: SEVERABILITY:

CITY OF BRISTOL ORDINANCE # 87-1 - Dec 1-1987

New ordinance concerning animal control

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Section 1. DEFINITIONS

The following words and phrases as used in the body of this text shall have the following meanings, unless a different meaning is plainly required by the context.

A. **ANIMAL:** Any animal except mankind including, but not limited to cattle, hogs, goats, sheep, horses, mules and other domesticated barnyard animals; chickens, geese, ducks, turkeys and other domesticated barnyard fowl.

B. **AT LARGE:** Any animal shall be deemed to be at large when it is off of the property of its owner and not under the physical control of a competent person.

C. **EXPOSED TO RABIES:** A dog has been exposed to rabies within the meaning of the following sections if it has been bitten by, or been exposed to any animal known to have, or suspected to have been infected with rabies.

D. **KENNEL:** Any person, group of persons, or corporation engaged in the commercial business of breeding, buying, selling or boarding dogs, and having the necessary occupational license to engage in such business, except a licensed veterinary hospital with a licensed veterinarian.

E. **VICIOUS DOG:** A dog is defined as vicious when said dog has bitten or attempted to bite one or more persons, or which is known to have a propensity to bite or attack persons or other animals.

F. **HEALTH DEPARTMENT:** Shall mean the Liberty County Public Health Unit, under the direction of The Department of Health and Rehabilitative Services of The State of Florida.

Section 2. RABIES OUTBREAK

A. Whenever there is a rabies outbreak, the Department of Health may declare an immediate quarantine. The determination of what constitutes a rabies outbreak, and the duration of the quarantine, shall be at the sole discretion of the Department of Health.

B. Whenever a quarantine has been declared, no person shall permit his dog, or any dog under his control, or any other animal capable of contracting or transmitting rabies, to be or run at large. Any animal at large during a quarantine shall be impounded by either the Liberty County Sheriff's Department or the actual owner of said animal, provided, however, the capture or impounding of such animal cannot be effected safely, the Liberty County Sheriff's Department or Health officials may slay such animal. Whenever a quarantine is in effect, no animal capable of contracting or transmitting rabies may be transported into or out of the city limits without the written permission of the Department of Health.

C. Whenever any animal has been slain that is suffering from rabies, or is suspected of having rabies, or has been exposed to another animal known to have, the head of the slain animal shall be immediately delivered to the Department of Health for their inspection. In the event that the occurrence is not during the normal hours of operation of the Department of Health, the Sheriff's Department shall receive the animal or the head of the animal and preserve the same until time as it may be delivered to the Department of Health.

Section 3. NUISANCES CREATED BY ANIMALS

A. Any dog or other animal within the city limits, regardless of whether confined or

not confined, which shall by excessive barking, biting or excessive howling or in any other way or manner disturb the quiet of any person or persons whomsoever, or which may conduct itself on private premises as to cause harm thereto or annoyance to the owner thereof, or any dog or other animal with a communicable or contagious disease if untreated or not responding to treatment, or any dog or dogs or any other animal, confined or not confined, which cause an unreasonably offensive odor which can be detected off the premises of the owner or keeper, or any dog or dogs or other animal, confined or not confined, kept in such manner as to cause a breeding place for flies, lice, fleas, or other vermin, or a breeding place for any disease, is hereby declared to be a nuisance.

B. Abatement. Such nuisance may be abated in the following manner: Any five households may make written complaint to the City Council setting forth their reasons and basis for maintaining that such a nuisance exists, whereupon the City Council, City of Bristol, shall investigate such complaint, and if being satisfied that such nuisance does in fact exist, the City Council shall give notice to the owner or keeper of such animal, and owner or keeper of such animal shall within (10) days cause such nuisance to cease by causing such animal to be destroyed or removed or by causing such pen or enclosure in which the animal is confined to be put in a sanitary and healthful condition, or by causing any other necessary thing to be done so that such nuisance shall no longer exist.

C. Violations. Any person or persons who fail or neglect after notice to cause such nuisance to cease or be abated shall be subject to the following remedies and /or penalties:

a. The city, or the Liberty County Sheriff's Department or any animal control officer, shall cause such nuisance to cease and desist by doing any and all things which may alleviate the nuisance including, but not limited to, destroying said animals or causing said animals to be destroyed or removed, impounding said animals and selling the same, quarantining said animals, confining said animals, causing said pen or enclosure to be placed in a sanitary and healthful condition or doing any other thing as may be necessary to abate said nuisance. All expenses incurred from the abatement of said nuisances shall be borne by the person or persons who has ownership, responsibility, or control of said animals and shall be satisfied from the sale of the animals or the disposal of the animals. Should the sale or disposal of the animals be insufficient to pay of the expenses incurred for the abatement of the nuisance, the expenses shall be a lien upon the real and personal property of said persons.

b. Additionally, the person or persons violating the terms of this Ordinance shall be guilty of a misdemeanor if convicted, and shall be punished for up to six (6) months in jail and a fine not to exceed \$500.

Section 4. CRUELTY TO ANIMALS

A. We encourage any person who kills or injures a dog or any other domestic animal or fowl while driving any vehicle to stop at the scene of the accident and render such assistance as practicable; shall make a reasonable effort to locate and identify himself to the owner or to any person having custody of the dog or other animal or fowl and to report the accident immediately to the Liberty County Sheriff's Department.

Section 5. LIVESTOCK

A. Livestock, fowl running at large-prohibited in certain places.

a. It shall be unlawful for any cattle, horses, mules, donkeys, hogs, or swine, goats, sheep, chickens, guinea chickens, turkeys, ducks or geese to run at large or roam at will over and through the streets, alleys, parks, and other places and public tracts of land and upon any unenclosed land, lots or tracts of lands embraced within the city limits of the City of Bristol.

b. Any person, firm or corporation, willfully and knowingly permitting his her, its or their cattle, horses, mules, donkeys, hogs or swine, goats, sheep chickens, guinea chickens, turkeys, ducks or geese or those in his, her or its, or their custody, charge or control, to run at large or roam at will over or through the streets, alleys, parks, and unenclosed tracts or land included in the territory as above described shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided in Section 3, Violations.

Section 6. SEVERABILITY

A. Should any section of the above ordinance be deemed to be unconstitutional, illegal, or unenforceable, then said section shall have no force and effect upon the rest and remainder of said ordinance, and the remainder of said ordinance shall remain in full force and effect.

Motion by Jackson, second by Walden + carried Dec. 2-1987