

ORDINANCE NO. 2011-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PUTNAM COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2006-33, WHICH IS CODIFIED AS ARTICLE II OF CHAPTER 6 OF THE PUTNAM COUNTY CODE; PROVIDING FOR ANIMAL CONTROL IN THE UNINCORPORATED AREAS OF PUTNAM COUNTY; PROVIDING FOR DEFINITIONS; PROVIDING FOR ESTABLISHMENT OF COUNTY POUND; PROVIDING FOR ANIMAL CONTROL OFFICERS; PROVIDING THE BOARD OF COUNTY COMMISSIONERS AUTHORITY TO ESTABLISH RULES AND REGULATIONS ON ANIMAL CONTROL; PROVIDING FOR VACCINATIONS AND LICENSING; PROVIDING PROCEDURES FOR NOTICE OF IMPOUNDMENT AND REDEMPTION; PROVIDING PROCEDURES FOR HANDLING BITE CASES; PROVIDING HEARING AND APPEAL PROCEDURES FOR THE CLASSIFICATION OF DOGS AS DANGEROUS; PROVIDING FOR VIOLATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners recognizes that the public health and safety of the citizens of Putnam County will be served by enacting animal control legislation; and

WHEREAS, the Board of County Commissioners recognizes the right of the public to own and properly care for and maintain domestic animals; and

WHEREAS, the laws of the State of Florida require the enactment of certain hearing and appeal procedures with regard to the classification of dogs as dangerous; and

WHEREAS, effective animal control includes the administration of rabies vaccination programs, licensing of certain animals, impoundment of strays, operation of an animal pound, disposition of impounded animals, and confinement of certain animals.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Putnam County, Florida:

Article II of Chapter 6 of the Putnam County Code is hereby amended to read in its entirety as follows:

**Sec. 6-19. Definitions.**

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

(a) *Animal* means a dog or cat, any bird, reptile, rodent or other animal having an identifiable owner or keeper, or any skunk, raccoon, opossum or fox which intrudes upon either residential property where the humane trapping and removal of animals has been requested by the owner, his agent or tenant, or the relevant government body.

(b) *Animal at large* means any animal, other than a cat, which is not under control, custody, charge or possession of the owner or their responsible person, by leash, chain, effective voice command, secure fence or other means of confinement or restraint.

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(c) *Animal control officer* means any assistant to the department head who has been so designated.

(d) *Board* means the Board of County Commissioners of Putnam County.

(e) *Collar or tag* means identification collar and rabies tag.

(f) *Dangerous animal* means any animal that according to the records of the department of animal control:

- (1) Has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property;
- (2) Has more than once severely injured or killed a domestic animal while off the owner's property;
- (3) Has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or
- (4) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the department of animal control.

(g) *Department Head* means the animal control department head authorized by this article.

(h) *Effective voice command* means a voice control by a competent person which at all times prevents the animal subject to the voice control from running at large or otherwise violating the provisions of this article.

(i) *Fierce animal* means any animal not dangerous but which frequently shows aggressive tendencies.

(j) *Keeper* means any person or corporation possessing or having custody of an animal.

(k) *Neutered or spayed* means rendered permanently incapable of reproduction by surgical alteration, implantation of a device or other physical means, or permanently incapable of reproduction because of physiological sterility, but only where such neutered or spayed condition has been certified by a veterinarian licensed in any state.

(l) *Notice of Hearing* means a notice to appear before the Special Magistrate on an alleged violation of this Ordinance.

(m) *Notice of Violation* means a notice to a property owner identifying an alleged violation of the requirements of this Ordinance.

(n) *Notice of Violation and Hearing* means a letter combining (l) and (m) immediately above.

(o) *Nuisance* means any animal conduct or behavior including, but not limited to, habitual or repeated destruction, desecration or soiling of any public or private property, habitual chasing of

persons, cars, other vehicles or running at large that causes a disturbance to the peace or causes injury or threat of injury to persons or property.

(p) *Owner* means any person or corporation owning an animal or any person who feeds or shelters an animal or permits it to remain on the person's property.

#### **Sec. 6-20. Violation; Penalty.**

(a) It shall be unlawful for any person to hinder or prevent the performance of any act or duly authorized or required by this Ordinance. Except as otherwise specified in Section 6-20(f), a violation of any provision of this Ordinance is a civil infraction with a maximum fine of \$500.00. Any law enforcement officer, or the animal control officer, finding probable cause that a person has committed an act in violation of this Ordinance, may proceed under Section 6-27.

(b) A fine imposed pursuant to this section shall not exceed \$250 per day for a first violation and shall not exceed \$500 per day for a repeat violation.

(c) The Department Head or his designee may record a certified copy of an order imposing a fine (including costs of prosecution) in the public records of Putnam County, Florida, which shall constitute a lien against the land on which the violation exists, and upon any other real or personal property owned by the violator. Such order may be enforced in the same manner as a court judgment, including levy against the personal property of the violator. Such lien shall be superior to any mortgage, lien or other encumbrance created or recorded subsequent to the recording of such lien. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit filed hereunder, whichever occurs first.

(d) The Special Magistrate may recommend a reduction on a fine imposed pursuant to this section. The reduction would need to be approved by the Board of County Commissioners.

(e) Any aggrieved party, including the Board of County Commissioners, may appeal a final administrative order pursuant to Florida Statute §162.11. An appeal must be filed within thirty (30) days of the execution of the order being appealed. The County may assess a reasonable charge for the preparation of the record to be paid by the petitioner in accordance with Section §119.07, Florida Statutes. A copy of all documents filed by the aggrieved party with the Court shall be filed with the Director of Planning & Development Services.

(f) Violations of Sections 6-32(e), 6-35, and 6-37 are punishable as misdemeanors pursuant to Florida Statute §125.69(1).

#### **Sec. 6-21. Other agencies.**

Nothing in this article shall be held to limit the authorities, duties and responsibilities of the state division of health, the county health officer, the sheriff or other law enforcement officer, and other duly qualified agencies as defined by statute.

#### **Sec. 6-22. Areas of enforcement.**

The Board may enforce this article throughout the unincorporated areas of the County.

**Sec. 6-23. Authority to enact rules and regulations.**

The Board may enact reasonable rules and regulations to implement and carry out the provisions of this article and has the right to regulate or exempt certain animals from this article and the right to regulate the numbers and types of animals and the conditions under which they may be maintained in residentially zoned areas and in agriculturally zoned property on lots less than five acres.

**Sec. 6-24. Construction; maintenance of pound; purpose; fees for impounded animals.**

(a) The Board may purchase, lease or construct, and may operate and maintain County pounds or sub-pounds to retain animals at large, fierce, vicious or dangerous animals not properly secured or restrained by the owner or keeper, animals having or believed to have rabies or other infectious or contagious disease, dogs, and cats not licensed and inoculated as required by this article, or any animal otherwise owned, kept or maintained in violation of this article.

(b) The Board may charge reasonable fees for impounding animals under this article. The owners or keepers of impounded animals shall pay fees and execute a sworn statement of ownership or responsibility as a condition precedent to release of an impounded animal. Fees collected shall be deposited in the general revenue fund of the County, and all expenses of administrating this article shall be paid from that fund. The Board shall promulgate by resolution all charges to be paid under this article.

(c) Notwithstanding the above subsection, a dog or cat which is not licensed shall not be released from a County pound until provisions have been made to properly inoculate the animal for rabies.

**Sec. 6-25. Animal control department head; appointment; duties.**

(a) The Sheriff of Putnam County or his designee is hereby designated as the Department Head.

(b) The Department Head and his authorized animal control officers may catch, seize or pick up:

- (1) Any stray animal.
- (2) Any animal at large.
- (3) Any fierce or dangerous animal not properly restrained or secured by the owner or keeper.
- (4) Any animal carrying or believed to be carrying rabies or other infectious or contagious disease.
- (5) Any sick, injured, neglected or cruelly treated animal for which the owner or keeper cannot be found after reasonable effort to do so, or for which the owner or keeper is unable or unwilling to provide proper care.

(6) Any other animal authorized by this article to be impounded, caught, seized or picked up.

(c) The Department Head or his officers or assistants shall impound and otherwise dispose of all animals lawfully caught, seized or picked up as provided under this article.

(d) The Department Head or his authorized officers or assistants shall investigate complaints or actions allegedly in violation of this article and shall issue warnings and/or notices of violations and hearings demanding that the violations cease or be corrected. In addition to the enforcement procedures outlined in this article, the County may utilize any other lawful method for the enforcement of this article.

(e) Pursuant to law, the Department Head and his authorized assistants may enter public or private property within the County, except residential buildings, to carry out the duties imposed by this article.

(f) The Department Head, his authorized officers or assistants, and any law enforcement officer, when carrying out purposes of this article, shall be authorized to use the reasonable force up to and including the use of deadly force to protect any person or domestic animal from injury against imminent attack by an animal.

**Sec. 6-26. Animal control officer immune from prosecution.**

Any Animal Control Officer or any other person authorized by the enforcement agency, and the enforcement agency itself, shall be immune from prosecution, civil or criminal, for discharging in good faith the duties of this Ordinance or other authorized duties.

**Sec. 6-27. Enforcement.**

(a) Upon observing a violation of this article, or upon complaint from any third party alleging a violation, the Department Head or animal control officer, or any law enforcement officer, in his or her sole discretion, may take one or more of the following actions:

- (1) Issue a warning to the owner or keeper of the animal, provided the warning sets forth the date and time of issuance, the name and address of the person warned, the nature of the offense, and a description of the animal involved.
- (2) Proceed under Section 11.06 of the Putnam County Land Development Code regarding hearings before the Special Magistrate.
- (3) Impound the animal that is the subject of the violation.
- (4) Any other enforcement procedure authorized by law.

**Sec. 6-28. Disposal of animals.**

(a) Where this article authorizes the disposal by the Department Head of any animal lawfully seized and impounded, such disposal, unless otherwise stated elsewhere herein, shall be expressly limited to the following methods:

- (1) Adoption or rescue;

- (2) Redemption by owner;
- (3) Humane euthanization; or
- (4) Sale.

(b) Under no circumstances may any animal lawfully in the custody of the Putnam County Animal Control Department be sold, loaned, or donated for research, experimental or educational purposes.

**Sec. 6-29. Seizure, destruction of animals; disposal of impounded animals; compensation to owners.**

(a) Upon observing an animal acting fierce towards him or her, the Department Head or animal control officer or any law enforcement officer shall issue a notice of violation or violation and hearing to the owner or keeper of the fierce animal. The Department Head shall investigate whether an animal is fierce. The Department Head shall notify the owner or keeper in writing, stating all the facts known to him or her and ordering the owner or keeper to confine the animal to a substantial enclosure or to chain it securely to the owner's property or otherwise to control it in a reasonable manner specified by the Department Head. The owner or keeper shall immediately comply with the Department Head's written order, and his or her failure to so comply shall constitute a violation of this article subjecting the violator to the penalties herein and subjecting the animal to seizure under Section 6-25, or other disposition authorized by this article.

(b) The Department Head or his authorized officers or assistants may dispose of any animal otherwise lawfully seized and impounded pursuant to this article or Florida law where:

- (1) No owner exists; or
- (2) No owner is identified after reasonable attempts by the Department Head to do so for a reasonable period of time; or
- (3) An owner exists but cannot be contacted after reasonable attempts to do so by the Department Head for a reasonable period of time; or
- (4) An owner has been contacted but by his/her actions, failure to act, or statements, has indicated an intent to abandon the animal; or
- (5) The provisions of Section 767.12, Florida Statutes, or Section 767.13, Florida Statutes, are utilized, if applicable.

(c) The Department Head or his authorized officers or assistants shall make reasonable effort to identify and notify an owner or keeper of the impoundment of his animal. However, where the Department Head complies fully and makes reasonable effort based upon the circumstances to identify and notify such owner or keeper and where such efforts fail, resulting in the sale or destruction or other disposal of the animal, the Department Head shall be deemed to have complied fully with due process of law, and no owner or keeper shall be entitled to any compensation for loss of the animal.

**Sec. 6-30. Seizure of animals by property owners or tenants; delivery to Department Head; impoundment and disposal; standard of care to be exercised by seizing party.**

The Board finds and declares that problems of animal overpopulation in Putnam County require not only the resources of the Department, but also the aid and assistance of private deputies. Therefore:

(a) It is lawful for a property owner or tenant to seize in a humane manner any dog, cat or other animal running at large on his property in violation of Section 1.9 of this article. Where such seizure is made, the property owner or tenant shall immediately deliver the animal to the Department Head or his assistant. The property owner or tenant shall treat the animal humanely and shall exercise reasonable care to ensure the animal's safety and well-being.

(b) The Department Head may impound any animal delivered pursuant to the above paragraph and may release or dispose of the animal pursuant to this article.

**Sec. 6-31. Surrender of animal to Department Head; interference with Department Head in performance of duty.**

It is unlawful for any person to refuse to surrender an animal upon lawful demand by the Department Head or his authorized assistant. It is unlawful for any person to attempt to take any animal from the custody of the Department Head or his assistant, to attempt to take any animal from a County pound without permission of the Department Head, or otherwise to interfere with the Department Head or his assistants in the performance of their duties under this article.

**Sec. 6-32. Animals at large; owners' responsibilities.**

(a) **Prohibition; exceptions.** It is unlawful for any owner or keeper of an animal other than a cat to willfully or negligently allow the animal to run at large on any public property or private property. Any animal under the close supervision of its owner or keeper engaged in lawful hunting, in an organized animal exhibition, field trial, competition, lawful sport or training for these activities shall not be deemed to be an animal at large. It is unlawful for owners or keepers of a diseased cat to allow the animal to run at large.

(b) **Restraint of fierce or dangerous animals.** It is unlawful for the owner or keeper of an animal declared by the Department Head to be fierce or dangerous, either willfully or negligently to allow the animal to run at large or to fail to secure, restrain or confine the animal as ordered by the Department Head pursuant to this article.

(c) **Confinement of dogs, cats in heat.** It is unlawful for any owner or keeper to permit a female dog or cat in heat (estrus) to be upon the streets or in any public place except at an organized animal exhibition. The owner or keeper of a female dog or cat in heat shall confine the animal so as to make it inaccessible to any male dog or cat except for controlled and intentional breeding purposes within such confinement. Confinement solely by leash, chain or other similar restraint, or within a fence, open kennel, open cage or run may be, but shall not be presumed to be, in compliance with this section.

(d) **Curbing dogs.** It is unlawful for a dog owner or keeper to permit the dog, either willfully or negligently, to defecate upon:

- (1) Any public park or beach or school ground other than in areas designated for that purpose; or
- (2) Any private property without the permission of the property owner. When this subsection is violated, the owner or keeper shall immediately remove any feces deposited by the dog. Failure to do so immediately shall constitute an additional violation of this section.

(e) **Animal cruelty.** It is unlawful for any person to subject any animal to animal cruelty. For purposes of this subsection, the term "animal cruelty" shall mean any act or acts of neglect, torture, or torment that causes unjustifiable pain or suffering of an animal. With respect to any animal, such acts include, but are not limited to:

- a. overdriving;
- b. overloading;
- c. overworking;
- d. torturing;
- e. deprivation of necessary sustenance;
- f. beating or whipping;
- g. riding;
- h. driving or working when sick and unfit to work;
- i. failure to provide reasonable veterinary care;
- j. failure to provide proper food, drink;
- k. shelter or protection from weather;
- l. failure to provide, for any animal that is kept shut out-of-doors for any length of time, sufficiently weatherproof shelter, to include, but not be limited to, a structure of at least two (2) windproof sides, a waterproof roof, and flooring or ground-covering to protect any animal intended to be sheltered thereby from extremes of temperature;
- m. carrying any animal in or upon any vehicle in a cruel or inhumane manner;
- n. abandonment upon any street, road, or other place; and
- o. other similar practices.

### **Sec. 6-33. Procedure for classifying dangerous dog.**

#### (a) DEFINITIONS.

- (1) "Dangerous dog" means any dog that according to the records of the appropriate authority:
  - (a) Has aggressively bitten, attacked, or endangered, or has inflicted severe injury on, a human being on public or private property;
  - (b) Has more than once severely injured or killed a domestic animal while off the owner's property;
  - (c) Has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or
  - (d) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of

attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

- (2) "Unprovoked" means that the victim who has been conducting himself or herself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog.
- (3) "Severe injury" means any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.
- (4) "Proper enclosure of a dangerous dog" means, while on the owner's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements.

(b) DANGEROUS DOG CLASSIFICATIONS.

- (1) An animal control authority shall investigate reported incidents involving any dog that may be dangerous and shall, if possible, interview the owner and require a sworn affidavit from any person, including any animal control officer or enforcement officer, desiring to have a dog classified as dangerous. Any animal that is the subject of a dangerous dog investigation that is not impounded with the animal control authority shall be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation and resolution of any hearings related to the dangerous dog classification. The address of where the animal resides shall be provided to the animal control authority. No dog that is the subject of a dangerous dog investigation may be relocated or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a dangerous dog classification. In the event that a dog is to be destroyed, the dog shall not be relocated or ownership transferred.
- (2) A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property or, while lawfully on the property, was tormenting, abusing, or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.
- (3) After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous and shall afford the owner an opportunity for a hearing prior to making a final determination. The animal control authority shall provide written notification of the sufficient cause finding to the owner by registered mail, certified hand delivery, or service in conformance with the provisions of Chapter 48, Fla. Stat., relating to service of process and inform the owner of its right to a hearing. The owner may file a written request for a hearing within seven (7) calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible, but not more than twenty-one (21) calendar days, and no sooner than five (5) days, after receipt of the request from the owner. Failure to

timely and properly request such hearing shall constitute a waiver of the right to a hearing.

The hearing shall be held before the Department Head.

- (4) Once a dog is classified as a dangerous dog, the animal control authority shall provide written notification to the owner by registered mail, certified hand delivery or service, and the owner may file with the County court a written request for a hearing in the County court to appeal the classification within ten (10) business days after receipt of a written determination of dangerous dog classification and must confine the dog in a securely fenced or enclosed area pending a resolution of the appeal.
- (5) The owner must pay all filing fees for County court hearings under subsection (b) or (c) hereof and the failure to timely and properly request a hearing shall be jurisdictional.
- (6) Within fourteen (14) days after a dog has been classified as dangerous by the animal control authority or a dangerous dog classification is upheld by the County court on appeal, the owner of the dog must obtain a certificate of registration for the dog from the animal control authority, and the certificate shall be renewed annually. Animal control authorities are authorized to issue such certificates of registration, and renewals thereof, only to persons who are at least 18 years of age and who present to the animal control authority sufficient evidence of:
  - (a) A current certificate of rabies vaccination for the dog.
  - (b) A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points that informs both children and adults of the presence of a dangerous dog on the property.
  - (c) Permanent identification of the dog, such as a tattoo on the inside thigh or electronic implantation.

An annual fee may be imposed for the issuance of certificates of registration.

Failure to timely obtain the certificate of registration or to otherwise comply with this subsection (6) shall constitute a forfeiture of the dog and entitle the Department Head to make an appropriate disposition thereof.

- (7) The owner shall immediately notify the appropriate animal control authority when a dog that has been classified as dangerous:
  - (a) Is loose or unconfined.
  - (b) Has bitten a human being or attacked another animal.
  - (c) Is sold, given away, or dies.
  - (d) Is moved to another address.

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

- (8) It is unlawful for the owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his or sight and only members of the immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.
- (9) Hunting dogs are exempt from the provisions of this act when engaged in any legal hunt or training procedure. Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are exempt from the provisions of this act when engaged in any legal procedures. However, such dogs at all other times and in all other respects shall be subject to these requirements. Dogs that have been classified as dangerous shall not be used for hunting purposes.
- (10) This section does not apply to dogs used by law enforcement officials for law enforcement work.
- (11) Any person who violates any provision of this section is guilty of a noncriminal infraction, punishable by a fine not exceeding \$500.

(c) DANGEROUS DOG ATTACKS.

- (1) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner is guilty of a misdemeanor of the first degree, punishable as provided in §775.082 or §775.083, Fla. Stats. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and left for ten (10) business days after the owner is given written notification under §767.12, and thereafter destroyed in an expeditious and humane manner. This 10-day time period shall allow the owner to request a hearing under §767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
- (2) If a dog that has not been declared dangerous attacks and causes severe injury to or death of any human, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for ten (10) business days after the owner is given written notification under §767.12, and thereafter destroyed in an expeditious and humane manner. This 10-day time period shall allow the owner to request a hearing under §767.12. The owner shall be

responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure. In addition, if the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog is guilty of a misdemeanor of the second degree, punishable as provided in §775.082 or §775, 083, Fla. Stats.

- (3) If a dog that has previously been declared dangerous attacks and causes severe injury to or death of any human, the owner is guilty of a felony of the third degree, punishable as provided in §775.082, §775.083, or §775.084, Fla. Stats. In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for ten (10) business days after the owner is given written notification under §767.12, and thereafter destroyed in an expeditious and humane manner. This 10-day time period shall allow the owner to request a hearing under §767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
- (4) If the owner files a written appeal under §767.12 or §767.13, the dog must be held and may not be destroyed while the appeal is pending.
- (5) If a dog attacks or bites a person who is engaged in or attempting to engage in criminal activity at the time of the attack, the owner is not guilty of any offense specified under this section.

(d) **EXEMPTION.**

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

**Sec. 6-34. Confinement of fierce or dangerous animals.**

(a) Upon complaint, the Department Head shall investigate whether an animal should be classified as dangerous pursuant to Section 6-33 of this article.

(b) In addition to the requirements of Florida law for dangerous dogs, if an animal is classified as dangerous, the owner or keeper of the dangerous animal shall complete an animal obedience class with the dangerous animal. Upon completion of the animal obedience course, the owner shall provide written proof of enrollment and completion of the course and a demonstration to the satisfaction of the department head that the animal can obey basic commands for: sit, stay, come, lie down, and heel.

**Sec. 6-35. Luring, enticing, molesting or teasing animals.**

It is unlawful for any person to entice or lure any animal out of an enclosure or off the property of its owner or keeper, or to seize, molest, or tease any animal while the animal is held or controlled by its owner or keeper or while the animal is on the property of its owner or keeper.

**Sec. 6-36. Noise.**

It shall be unlawful for the owner, or any person having temporary custody, of an animal or animals to allow the animal(s), to bark, meow, whine, howl, or to make other sounds common to the species, persistently or continuously for a period of thirty (30) minutes or longer when every animal is not contained within an enclosure sufficient to baffle loud noises and render them reasonably unobjectionable. This subsection shall not apply to animals maintained on a parcel of land containing five acres or more that is zoned "A" or "AE."

**Sec. 6-37. Habitual nuisance.**

(a) It shall be unlawful for the owner, or any person having temporary custody, of an animal or animals to permit the animal(s), either willfully or through failure to exercise due care or control, to commit a nuisance by running at-large habitually; by chasing or running after vehicles or persons habitually; by trespassing upon public or private school grounds habitually; by trespassing upon private property habitually and interfering with the reasonable use and enjoyment of the property; by barking habitually, or by making other objectionable animal noises habitually; or by doing any other thing habitually which is so offensive as to create a nuisance.

(b) For the purpose of this section, "habitually" means at least two separate occurrences within a time period of no more than one month; except that barking habitually, or making other objectionable animal noises habitually, means making the sound persistently or continuously for at least thirty (30) minutes occurring at least three separate times within a period of no more than eight hours.

(c) The animal control officer or law enforcement officer may cite the owner or any person having custody of such animal(s) for violation of this section when either the citing animal control officer or law enforcement officer has witnessed the commission of such habitual nuisance or the animal control officer or law enforcement officer has received at least one sworn affidavit from each of at least two unrelated adult witnesses from different residences so that taken together, the affidavits attest to the committing of a nuisance pursuant to this section.

**Secs. 6-38–6-62. Reserved.**

**DIVISION 2. RABIES CONTROL**

**Sec. 6-63. Vaccination of dogs and cats.**

Every owner of a dog/cat/ferret over four (4) months of age shall, at the owner's expense, cause it to be vaccinated against rabies by a licensed veterinarian. Such animal shall be revaccinated twelve months after the initial vaccination. Thereafter, the interval between vaccinations shall conform to the vaccine manufacturer's directions. A dog, cat, or ferret is exempt from vaccination against rabies if a licensed veterinarian has examined the animal and has certified in writing that vaccination would endanger the animal's health because of its age, infirmity, disability, illness, or other medical considerations. An exempt animal must be vaccinated against rabies as soon as its health permits.

Upon vaccination against rabies, the licensed veterinarian shall provide the owner with a rabies vaccination certificate. Each veterinarian shall use Form 51, "Rabies Vaccination Certificate," of the National Association of State Public Health Veterinarians or an equivalent certificate approved by the County. The veterinarian who administers the rabies vaccine may affix his or

her signature stamp in lieu of an actual signature. Two copies of the vaccination certificate shall be filed with the County Animal Control Office, and one copy retained by the veterinarian.

All establishments selling rabies vaccine must display in a prominent location approved by the Putnam County Health Department the following 8 1/2" x 11" sign:

"PUBLIC NOTICE - Florida Statute §828.30 and Putnam County Ordinance provide that Rabies Vaccine MUST be administered by a licensed Veterinarian for animals to be legally vaccinated. All Cats, Dogs and Ferrets over 4 months old must be vaccinated."

The signs will be available at no cost from the Putnam County Health Department.

A Putnam County animal license tag shall be purchased annually by the owner and shall be attached to the collar or harness of each dog/cat/ferret and worn at all times. Such tags shall be furnished by the County Animal Control Office to those within Putnam County designated as qualified to administer rabies vaccine. No other tag shall be valid. No persons other than Animal Control Office personnel and licensed veterinarians shall sell such tags. Proceeds from the sale of such tags shall be remitted at least monthly to the Sheriff's Office. No tag shall be issued unless the owner presents a current vaccination certificate. No vaccinations shall be given unless (a) the animal already has a current license tag (and the veterinarian records the tag number on the vaccination certificate) or (b) the owner purchases at that time a license tag.

**Sec. 6-64. Quarantine; impoundment and treatment of sick and injured animals; disposal of dead animals.**

(a) When an animal has bitten a person or another animal or is believed to have bitten a person or another animal or is suspected by the Department Head to have rabies, it shall be quarantined by the owner under the supervision of the Department Head, or at the discretion of the Department Head, or the animal may be held in quarantine at a County facility. The quarantine shall be for a reasonable period of time and determined by the Department Head, but in no case less than ten (10) days.

(b) The Department Head may impound any animal believed to be carrying an infectious or contagious disease, or any injured animal and may retain the services of a licensed veterinarian to treat it. The Department Head may accept a sick or injured animal upon delivery by a licensed veterinarian or other person. When a sick or injured animal is owned and the owner is identified, such owner shall be liable for payment of veterinary expenses or reimbursement of the County's expense in treating the animal. At the discretion of the Department Head, a sick or injured animal may be destroyed or otherwise disposed of and its remains disposed of without compensation to the owner or keeper, provided that the Department Head shall make a reasonable effort to notify the owner or keeper that the animal is impounded.

A dog or cat which is not inoculated against rabies shall not be released until provisions have been made to inoculate the animal properly.

When an impounded animal is not claimed within a reasonable period of time, as determined by the Department Head, the Department Head may transfer custody or ownership of the animal to a humane agency or a new owner, or may destroy the animal and dispose of its remains. In either event, the owner or keeper will not be entitled to compensation.

(c) When an animal dies, the owner or keeper of the animal shall dispose of the remains immediately. When the Department Head or his agent discovers a dead animal, he shall notify the owner or keeper, if known, and shall order the owner or keeper to dispose of the remains immediately. If the owner or keeper is unknown, the Department Head shall notify the owner of the property upon which the remains are located and shall order him to dispose of the remains immediately. If the party notified fails to comply within twenty-four (24) hours, the Department Head shall cause the remains to be disposed of and shall bill the animal owner or keeper or property owner as appropriate for the cost of disposal. Such animal owner or keeper or property owner may be further held in violation of this article and punished as provided herein. The Department Head shall dispose of the remains of an animal which has died on public property, but only where an owner or keeper cannot be notified. Nothing in this section shall be deemed to limit or contravene the provisions of Florida Statute §823.041.

**Sec. 6-65. Report of bite cases.**

Veterinarians, physicians, animal owners, or any other person having knowledge that any person has been bitten by an animal shall report same immediately to the County Health Office, Department Head, animal control officer, or law enforcement agency. Said animal shall be quarantined for a period of ten (10) days in suitable quarters. The County Health Department or law enforcement agency may require the owner of said animal to quarantine the animal at home until the animal control officer can be notified, at which time the animal control officer will make the final determination as to the location where the animal will be quarantined. Any expense incurred in said quarantine shall be borne by the animal owner.

**Sec. 6-66. Officer safety in suspected rabies cases.**

Should the animal control officer, or anyone acting under his authority, have reasonable grounds to believe that any unlicensed stray dog is infected with rabies or cannot safely be caught or impounded, such animal may be killed by the animal control officer or other law enforcement officer.

**Secs. 6-67–6-90. Reserved.**

**DIVISION 3. ANIMAL DEALERS**

**Subdivision 1. In General**

**Sec. 6-91. Definitions.**

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

(a) *Animal Dealer* means any person engaging in the selling of animals to pet shops, research facilities, kennels, breeders or other animal dealers, or retail selling from any roadside stand, booth, flea market or other temporary site, but excludes the occasional selling of animals and the selling of animals fit for and to be used for human consumption.

(b) *Occasional selling* means any selling, trading or giving away of an animal or a litter of puppies, kittens, or other animals, that is on a random unsystematic basis and that does not exceed the selling, trading or giving away of a total of 40 animals in a calendar year.

**Sec. 6-92. Exemptions.**

(a) Except as otherwise provided in this chapter, the following shall be exempt from regulations by this part:

- (1) veterinary hospitals;
- (2) clinics; and
- (3) schools.

**Sec. 6-93. Notification; records; report of sale or gift.**

(a) Every Animal Dealer shall furnish the Department Head with the name, address and home and business telephone numbers of at least one responsible person who has access to the premises and may be contacted after business hours in the event of an emergency.

(b) Every Animal Dealer shall maintain, on the premises for at least two years, a record of the name, address and telephone number of every person and/or business from which it obtains any animal, except fish.

(c) Every Animal Dealer shall maintain, on the premises for at least two years, a record of each dog, cat, bird, ferret and any animal subject to permit that is sold, traded or given away, including the date of transaction, the name and address of the purchaser or recipient, the name and address of the owner if different from the purchaser or recipient, and a description of the animal, including type, breed(s), color(s), age, sex, and other pertinent information for proper identification of the animal. Every Animal Dealer obtaining a permit from the Commission for the keeping, possessing or exhibiting of any venomous reptile shall notify the Department Head immediately.

(d) Every Animal Dealer shall provide to the Department Head, on a quarterly basis, a report of those animals sold, traded or given away, and containing the information as required to be maintained herein.

**Sec. 6-94. Regulations and standards.**

(a) No person who has been convicted under the laws of any state, county or municipality of cruelty to animals shall own, operate, or be employed by an Animal Dealer.

(b) No Animal Dealer shall sell, trade, give away, or offer for sale, trade or gift, any livestock, game, or other animal which is not a household pet except that Animal Dealers may sell, trade, give away or offer for sale, trade or gift a wild animal that is allowed to be sold and possessed and is sold in accordance with applicable laws and regulations of the State of Florida Fish and Wildlife Conservation Commission ("FWCC").

(c) Every Animal Dealer shall comply with all applicable requirements of Florida Statutes §828.2 and §8.30, as amended. An Animal Dealer is not required to obtain licenses for animals, but must inform the prospective owner or purchaser of the requirement to license the animal in accordance with Florida law.

(d) For every animal that is subject to permit by the FWCC that the permittee sells, trades, or gives away, or offers for sale, trade, or gift, the permittee shall:

- (1) House and display the animal in such a manner as to prevent handling by the general public;
- (2) Possess all necessary wildlife permits and comply with all rules and regulations;
- (3) Inform the prospective owner of the animal of the requirement for special FWCC permitting;
- (4) Make available to the new owner at the time of transfer of ownership of the animal an appropriate FWCC application form; and
- (5) Make and retain, on the Animal Dealer's premises for at least two years, a complete record of the purchase or other acquisition and of the sale, trade, or gift of the animal.

(e) Sick animals shall be isolated individually and in such a manner as to prevent exposure to other animals. Quarantine and/or restriction of infected animals shall comply with Florida Statute Chapter 381, as may be amended, and with applicable state rules and regulations.

(f) No Animal Dealer shall sell, trade, give away, or offer for sale, trade, or gift, any animal that is infected with, or is suspected of being infected with or of having been exposed to, any disease which is communicable to humans or to other animals, including, but not limited to, rabies, distemper, mange, parvo virus or other infectious or dangerous diseases as determined by a veterinarian.

(g) Every Animal Dealer shall provide appropriate veterinary care whenever an animal under its care is found to be sick and/or injured. It shall, in a timely fashion, record and report to the Putnam County Health Department (PCHD) every incident on its premises of a known or suspected disease of the type zoonosis. For every dog and cat kept for the purpose of sale, trade or gift, it shall maintain a record of any vaccination, injury, illness, consultative services, and/or treatment and make available upon request to any prospective owner the recorded information, and a copy of the official certificate of veterinary inspection required by Florida Statute §828.29, for any such animal.

(h) Every animal shall be cared for appropriately for its genus, species, age, sex, and individual nutritional and other health requirements including, but not limited to, the following:

- (1) No animal shall be given obviously contaminated or obviously adulterated food or water.
- (2) Every animal shall be provided appropriate food, and any appropriate nutritional supplements, at a frequency and in such quantities as appropriate for its genus, species, age, sex, and individual condition;
- (3) Every animal shall have fresh water available at all times, except for salt-water animals and except when veterinary treatment requires otherwise. Water containers shall be clean and spill resistant.
- (4) Every fish tank shall, for each fish and/or aquatic animal within, have appropriate and sufficient water, food, lighting, aeration, filtration, and heating and shall be free from excessive algae. No animal shall be tranquilized for grooming purposes or, in the

absence of explicit direction from a veterinarian, for the purpose of keeping the animal in a docile state.

(i) Every animal shall be provided appropriate waterproof shelter (except for aquatic animals) that protects it from the weather, extreme temperatures, and direct sunlight. To the extent the animal is sheltered in a cage, run or other such enclosure (hereinafter "enclosure"), the following shall also apply:

- (1) Enclosures shall be constructed of a nonporous, nonabsorbent, impervious material. Floors shall be fiberglass, concrete, tile or other nonporous and impervious material. Dog and cat enclosures may be covered throughout with a minimum of three inches of gravel.
- (2) Bedding shall be clean, dry, of sufficient quantity and of appropriate composition.
- (3) Enclosures shall be kept clean and dry and, except for birdcages, shall be cleaned daily with a disinfectant, cleanser or chlorine bleach.
- (4) When an enclosure becomes empty through sale or other transfer of its occupant or occupants, the enclosure shall not be used to hold or house another animal until it has been thoroughly cleaned and disinfected.
- (5) Every cat enclosure shall contain a spill-resistant litter pan of sufficient size and with sufficient litter for the number of cats within the enclosure.
- (6) Every animal shall have sufficient space to stand fully erect, lie down fully outstretched, and turn completely around in a natural position without touching the sides or top of the enclosure with any part of its body, including ears and tail, and without touching any other animal in the enclosure. If the animal cannot access additional indoor or outdoor space for exercising, then this enclosure must provide adequate space for exercising.
- (7) Every birdcage and enclosure shall, for each bird within, have appropriate and sufficient food and water. Every enclosure for large birds shall be wide enough to allow any bird in the enclosure to extend both its wings fully at the same time without any part of its body, including its tail, touching the top of or any side of the enclosure and shall be at least twice the height of the tallest bird in the enclosure. Every enclosure for small birds shall be large enough for all the birds in it to perch at the same time. Every bird shall be provided with sufficient perching-space. In each birdcage, perches shall be parallel, aligned horizontally and not vertically, and perches shall be mounted so that the tail of any perched bird will not touch the bottom of the enclosure. Birds shall be housed at least twelve inches above the floor and in a well-ventilated area.

Psittacine birds including, but not limited to, parrots, Amazons, cockatoos, macaws and cockatiels shall be housed in an area with separate ventilation sufficient to minimize the likelihood of transmission of psittacosis to other birds and to humans. Appropriate precaution shall be taken by personnel when cleaning enclosures that house or display psittacine birds.

- (8) Every fish tank shall be cleaned as needed.

(9) Animals shall not be commingled inappropriately for their genuses and species, except that rodents may be placed in enclosures containing reptiles when being used as reptile food. Large and small birds shall not be commingled in the same enclosure. Dogs, cats, and birds shall not be commingled in the same enclosure. Every dog or cat over six months of age shall be kept in its own enclosure. No enclosure shall be overcrowded.

(j) Room temperature shall be maintained at a comfortable level for every animal in the room.

(k) Adequate ventilation shall be maintained by means of windows, doors, vents and fans.

(l) Interior lighting shall be appropriate for good visibility for cleaning purposes and for animal health and comfort. Whether natural, artificial, or a combination of both, such lighting shall be provided in reasonable cycles conducive to the animals' natural biological rhythms.

(m) Any floor in any area in which an animal is housed, displayed, bred, fed, or otherwise maintained that employs flush or floor-type cleaning, shall be of nonporous construction and graded to a floor drain.

(n) All floors, walls and ceilings shall be kept clean and in good repair.

(o) Every animal shall be kept pest-free and vermin-free.

(p) All equipment shall be kept clean, in good repair and in sound working order.

(q) Every Animal Dealer shall have on the premises, excluding temporary sites, such cleansing implements and materials as are required to maintain sanitary conditions in those areas used for housing, display, breeding or maintaining animals. Such implements and materials shall be stored in a sanitary manner separate from the animals and their food. Cleaning materials must be present at the time of any inspection in amounts sufficient to clean those facilities used for housing and maintaining the animals.

(r) Every animal shall be maintained in a safe and sanitary manner in order to promote a healthy environment and to limit the risk of disease-transmission to animals and humans.

**Secs. 6-95–6-116. Reserved.**

## **Subdivision 2. Permit**

**Sec. 6-117. Required.**

No Animal Dealer shall operate without a current permit for its operation that has been issued to the owner by the Department Head.

**Sec. 6-118. Application for issuance, renewal or reinstatement of permit.**

(a) No permit or renewal or reinstatement of a permit shall be issued to any person who has been convicted of cruelty to animals under any federal, state or local law, or fined for animal cruelty and upheld on appeal, or shall be issued to any Animal Dealer that is owned by, or employs or plans to employ, any person who has been convicted of cruelty to animals under any federal, state, or local law, or fined for animal cruelty.

(b) Every Animal Dealer shall, in a timely manner, apply to the Department Head for issuance of, or for renewal or reinstatement of, a permit. If the prospective permittee is not an individual person, application shall be made by a person authorized by the prospective permittee to apply and sign.

(c) The signature of the applicant shall constitute agreement that the prospective permittee shall assume responsibility for the operation of the Animal Dealer in accordance with the requirements hereof.

(d) The application for issuance, renewal or reinstatement of a permit shall include such information and documentation as the Department Head may reasonably require including, but not limited to, the following:

- (1) Name, address and telephone number of the Animal Dealer;
- (2) Name, date of birth, home and business addresses, and home and business telephone numbers of the permittee and the individuals having primary management responsibility. If permittee is a corporation, partnership or other organization, the name, date of birth, home and business addresses and home and business telephone numbers of each officer or partner; and
- (3) The animal cruelty conviction histories, and any civil fines for animal cruelty upheld on appeal, of each of the above listed persons.

(e) Each permittee and each prospective permittee shall promptly notify the Department Head of any and all changes in the information submitted in the application for issuance, renewal or reinstatement of a permit. Each permittee and each prospective permittee shall also promptly notify the Department Head of any enlargement to or remodeling of the facilities.

(f) Each permittee and each prospective permittee shall notify the Department Head of any change of the individual person having primary management responsibility for the animal dealer no later than the time of the change.

(g) A timely application for issuance, renewal or reinstatement of a permit shall be accompanied by payment of a permit fee. The Board shall establish a permit fee schedule, which may be amended from time to time. A late application for issuance, for renewal or reinstatement shall be accompanied by a late fee payment as provided in the fee schedule.

(h) No permit shall be transferable, and the location of a permitted Animal Dealer shall not change unless the permittee has applied for and received a new permit for the new location.

#### **Sec. 6-119. Issuance of permit, denial of application; reapplication.**

(a) The Department Head shall, in a timely manner following the filing of an application, issue a permit to the prospective permittee or renew or reinstate the permittee's permit unless:

- (1) The prospective permittee or permittee, or the person to have primary management responsibility for the animal dealer is under 18 years of age or has been convicted of cruelty to animals; or

- (2) The application is incomplete or has been found to contain false or misleading statements; or
- (3) The prospective permittee or permittee has had a permit issued under this part suspended or revoked more than once within five years before the date of the current application; or
- (4) The Animal Dealer, the prospective permittee, or the individual to have primary management responsibility for the animal dealer has been found, by inspection or otherwise, to be in violation of any provision of this part; or
- (5) The Animal Dealer has been found by inspection not to meet any of this part's regulations.

(b) An Animal Dealer may reapply for a permit within thirty days from the date of denial, accompanied by another application fee.

**Sec. 6-120. Grounds for suspension and revocation of permit; appeal process; surrender of permit; disposition of animals.**

(a) The Department Head is authorized to suspend or revoke a permit for violation of a provision or regulation of this part. Permit suspension shall be for a period of time not to exceed six months, to be determined at the discretion of the Department Head. Revocation shall be for a period of one year. Thirty days before the end of the revocation year, the former permittee may apply for another permit.

(b) The suspension of a permit shall take effect on the fifth business day, and revocation of a permit on the fifteenth business day, after service of written notice by one of the following methods: (1) by personal service upon the permittee, a member or officer thereof, or service upon the person having primary management responsibility for the Animal Dealer; or (2) by the prominent posting of a copy of such notice at the main entrance of the permitted premises.

(c) A permittee shall promptly surrender to the Department Head a permit upon the effective date of a suspension or revocation, subject to appeal as provided herein. At the end of the suspension period for a suspended permit, PSAC shall return the permit promptly to the permittee.

(d) The permittee may challenge the action of the Department Head by appealing to the Board. The permittee's appeal, alleging error in an order, decision or determination of the Department Head, shall be submitted to the Board and the final Board decision is subject to appeal to a court of competent jurisdiction.

(e) Upon surrender of a revoked or suspended permit, the permittee shall demonstrate, to the satisfaction of the Department Head, that permittee has lawfully and humanely disposed of each animal in its charge as of the effective date of suspension or revocation. If permittee fails to so demonstrate, the Department Head may, at its sole discretion and at the former permittee's sole expense, seize and impound, sell, adopt or otherwise humanely dispose of any animals still in the possession or control of the former permittee.

(f) Suspension of a permit shall not relieve the permittee of the responsibility to abide by the provisions of this part and applicable provisions of this chapter and shall not limit the

Department Head's authority to inspect the premises as otherwise provided in this part, to issue warnings and citations accordingly and to take other appropriate action as provided by this chapter.

**Sec. 6-121. Inspection.**

(a) The signature of the permit applicant shall constitute consent by the permittee or prospective permittee for the Department Head, or its designee, to inspect, during reasonable hours, announced or unannounced without warrant, the Animal Dealer's premises, as provided herein, to inspect any temporary site of retail selling, and to inspect every vehicle used regularly for transporting animals for commercial purposes, and to inspect any and all pertinent records.

(b) Prior to and as a condition for the issuance, renewal or reinstatement of a permit, an Animal Dealer and every vehicle used regularly for transporting animals for commercial purposes, shall undergo and pass inspection by the Department Head. The Department Head may conduct reinspection(s), for appropriate improvement, whenever such inspection is failed.

(c) During any inspection pursuant to this part, an Animal Dealer shall allow the Department Head, or its designee, access to those portions of the premises used for sheltering, maintaining, and/or breeding animals. The Department Head is not authorized to access those portions of the premises used solely for human habitation. The Department Head shall be allowed to observe practices, to obtain pertinent information regarding the facilities and any of the vehicles use regularly for transporting animals, and to examine any of the permittee's pertinent records.

(d) The permittee shall notify the Department Head sufficiently in advance of any remodeling or expansion of the animal facilities in order to allow the Department Head the opportunity to inspect such remodeling or expansion prior to its use.

(e) The Department Head, or its designee, is authorized to inspect each animal dealer at least once each year to determine compliance with this part.

**Sec. 6-122. Display of permit.**

An Animal Dealer shall display its current permit prominently, in that area of the permitted premises used for maintaining the animals, in a clear, transparent cover or frame and mounted in such a manner as to make it clearly visible and readily readable to the public. The permit shall, during reasonable hours, be available for inspection by the Department Head or its designee. An Animal Dealer shall also have the permit available for inspection when retail selling from any temporary site. Mutilation, obstruction or removal of the permit shall be a violation of this article.

DONE, ORDERED, AND ADOPTED in regular session on this 25<sup>th</sup> day of JANUARY, 2011.

BOARD OF COUNTY COMMISSIONERS  
PUTNAM COUNTY, FLORIDA

By: Brod Per 11  
Chairman

ATTEST:



Tim Smith  
for Clerk of Courts, TIM SMITH