

YEAR 2001
ANIMAL
ENFORCEMENT ORDINANCE

Brevard County Code
Chapter 14



Adopted
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PROVIDED AS A PUBLIC SERVICE BY
ANIMAL SERVICES AND ENFORCEMENT
1515 Sarno Road
Melbourne, FL 32935

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**AN ORDINANCE AMENDING CHAPTER 14,
ANIMAL ENFORCEMENT ORDINANCE, CODE
OF ORDINANCES FOR BREVARD COUNTY,
FLORIDA; SPECIFICALLY ADDING SECTION 14-
66 MANDATORY NEUTERING OF CATS AND
DOGS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Florida Legislature enacted [Chapter 828](#), Florida Statutes prohibiting cruel and inhumane treatment of animals, setting forth specific law and punishment for abusive treatment of animals; adding definitions of certain terms used; and

WHEREAS, the Florida Legislature enacted [Chapter 767](#), Florida Statutes, "Damage by Dogs", setting forth specific law and procedures for declaring dogs to be dangerous and authorizing counties to develop criteria, procedures, and penalties to implement the chapter by local ordinances, clarifying certain verbiage and terms used; and

WHEREAS, the Florida Legislature has declared that dangerous dogs are an increasingly serious and widespread threat to the safety and welfare of the people of this state because of unprovoked attacks which cause injury to persons and domestic animals, and that such attacks are, in part, attributable to the failure of owners to confine and properly train and control their dogs, and that existing laws inadequately address this growing problem; and

WHEREAS, the Division of Unintentional Injury Prevention, National Center for Injury Prevention and Control, U.S. Department of Health and Human Services, U.S. Public Health Service, Centers for Disease Control and Prevention, Atlanta; and the Humane Society of the United States, Washington D.C. conducted a nation-wide study of fatal dog attacks and published its report entitled "[Fatal Dog Attacks, 1989-1994](#)" through the American Academy of Pediatrics, in PEDIATRICS Vol. 97 No. 6 June 1996.

WHEREAS, said Report concludes that the dog bite problem is a largely preventable epidemic and that the best effective resolution to the problem is through public education about responsible dog ownership and dog bite prevention, stronger animal control laws, and better reporting of bites; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, concurs with the Florida Legislature and the Fatal Dog Attacks Report and finds that amendment of its ordinance to ensure the maintenance and protection of the health, safety, welfare, and property of the people of Brevard County, Florida, and the animals therein; and

WHEREAS, licensing dogs and cats has been shown to be an effective means of identifying ownership of stray animals and preventing unnecessary expense and hardship on people and animals alike to maintain a rabies-free environment,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA,
as follows:**

BREVARD COUNTY CODE CHAPTER 14

ANIMAL ENFORCEMENT ORDINANCE

SECTION 1.

Sec. 14-36. Definitions. Code of Ordinances of Brevard County, Florida, is hereby amended to read as follows:

For the purpose of this article, the following words, terms, and phrases shall have the meaning set forth in this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, words in the singular number include the plural, and words in the male gender include the female gender. The word "shall" is always mandatory and not merely supervisory.

Abandoned means for an owner or caregiver to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal.

Aggressive animal means an animal that has shown a habit or practice of attacking or exhibiting hostile, injurious or destructive actions or behaviors.

Aggressive attack means an attack without noticeable provocation of the attacker by the attacked.

Animal means any living non-human creature.

Animal enforcement officer means any person employed or appointed by the County who is authorized to investigate, on public or private property, infractions relating to chapter 14 of the Code of Ordinances of Brevard County, Florida, pertaining to animal control or cruelty to animals, and to issue citations as provided in this chapter, and in accordance with [F.S. § 828.27](#).

Animal Services and Enforcement Director means the Director of Brevard County Animal Services and Enforcement Department.

At large means off the premises of the owner, and not under the physical control and restraint of the owner by means of a leash, cord, or chain of sufficient strength to control the animal, not to exceed six (6) feet in length. A police dog or police horse, as defined in [F.S. § 843.19](#), while in use by a law enforcement agency, shall not be deemed at large.

Board means the Board of County Commissioners of Brevard County, Florida.

Caregiver means any person who provides food, water, or shelter to, or otherwise cares for any animal, feral or tame, over a designated period of time that the person, whether of their own volition or by request of the owner of that animal, provides care for the animal(s).

Citation means a written notice issued to a person by an officer who has probable cause to believe that the person to whom the citation has been issued has committed a civil infraction in violation of a duly enacted ordinance or code and that the county court shall hear the charge. The citation shall contain:

- (1) The date and time of issuance.
- (2) The name and address of the person whom the citation was issued.
- (3) The date and time the civil infraction was committed
- (4) The facts constituting probable cause.
- (5) The ordinance section violated.
- (6) The name and authority of the officer.
- (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
- (8) The applicable civil penalty if the person elects to contest the citation.
- (9) The applicable civil penalty if the person elects not to contest the citation.
- (10) A conspicuous statement that if the person 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 for an amount up to the maximum civil penalty.

Council means the animal services and enforcement authority's designated representatives who will hear appeals of notices of sufficient cause findings set forth in section 14-49 below.

County means Brevard County, Florida.

Cruelty means any act of neglect, torture, or torment that causes unjustifiable pain or suffering of an animal.

Dangerous dog means any dog that, according to the records of county animal services and enforcement:

- (1) Has, without provocation, aggressively bitten, attacked, or endangered a human being, or has inflicted severe injury on a human being on public or private property; or
- (2) Has, without provocation, severely injured or killed a domestic animal while off the owner's property; or
- (3) Has been used primarily, or in part, for the purpose of fighting, or is a dog trained for dog fighting; or
- (4) Has, without provocation, chased or approached a person upon the streets, sidewalks, or any public grounds in an aggressive, 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.

- (5) 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 teasing, tormenting, abusing, or assaulting the dog or its owner or a family member.
- (6) 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.

Domestic animal means any horse, cow, goat, sheep, swine, dog, cat, poultry, or other historically domesticated beast or bird.

Exotic animal is an animal of any non-domestic species that is not indigenous to Florida.

Farm animal is a domestic animal, not a dog or cat, which is normally raised for harness, riding, food, milk, eggs, or wool for local consumption or sold to others, or those animals bred for those purposes and may be an ungulate (such as horses, cattle, sheep, swine, and other animals in the Orders Perissodactyla and Artiodactyla), bird or other animal commonly referred to as livestock.

Feral animal means an animal that exists in a wild or untamed state, either due to birth or reversion to a wild state from domestication and has no known owner. Stray animals may be feral or tame, but are considered feral where they are not known or are unwanted.

Harborer means any person or entity that performs acts of care, shelter, protection, restraint, refuge, food or nourishment in such a manner as to control an animal's activities.

High-risk rabies animal is an animal of a species designated by the National Center For Disease Control as having a high susceptibility to contracting rabies and infecting other animals. It includes members of the families Canidae (dogs), Felidae (cats), Mustelidae (skunks, otters), Procyonidae (raccoons), and certain species of the Order Chiroptera (bats).

Hybrid animal is any animal resulting from a cross between parents that are genetically unlike, such as breeding a domestic cat (*Felis catus*) or dog (*Canis familiaris*) with a wild species of the same family such as bobcat (*Felis rufus*) or wolf (*Canis lupus*).

Insecurely fenced property means real property that an animal can readily enter upon, or leave, by going over, under or through an existing fence.

Kennel means any locked structure or enclosure in which an animal is humanely confined and secured.

Licensed veterinarian means any person who is licensed to engage in the practice of veterinary medicine in this state, under the authority [F.S. § ch. 474](#).

Minor injury is any injury that does not meet the definition of severe injury.

Notice means written notice by registered mail, certified hand delivery, or service in conformance with the provision of [F.S. § ch. 48](#) relating to service of process.

Nuisance means:

- (a) Disturbing the peace and quiet of any person by habitually or continually barking, howling, crying, screaming, or making other bothersome noises.
- (b) Disturbing the peace of any person by habitually or repeatedly destroying, desecrating or soiling public or private property, chasing persons, livestock, cars or other vehicles, running at large, or other behavior that interferes with the reasonable use and enjoyment of the property.

Officer means any law enforcement officer, as defined in [F.S. § 943.10](#), and any veterinarian, as defined in [F.S. § 474.02](#), and any animal enforcement officer, as defined in this section.

Owner means any person, firm, corporation, partnership, association, trust, estate, or any other legal entity, business unit, or organization possessing, harboring, keeping, or having control or custody of an animal, temporarily or permanently, or, if the animal is owned by a person under the age of 18 years, that person's parent or legal guardian. This definition is intended to include a harborer/caregiver.

Police dog means any dog which is owned, or the service of which is employed, by a law enforcement agency for the principle purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

Probable cause means reasonable grounds, based on personal knowledge of facts and circumstances or trustworthy information, sufficient to warrant a belief that there is a violation of this article.

Secure enclosure means:

- (1) A building in which an animal is confined, such as the owner's dwelling; or
- (2) A locked kennel with secure top and sides, consisting of at least 11 gauge chain link wire and secure floor, to prevent the animal from escaping, and which provides protection from the elements.

Service animal means any animal, including a non-human primate, that is especially trained to assist or provide personal care services for a disabled person, as defined under the Americans With Disabilities Act.

Severe injury means any physical injury to an animal or human that results in a fractured or broken bone or bones, or a damaged ligament, tendon, nerve or vessel, multiple bites, disfiguring lacerations or injuries requiring sutures, or reconstructive surgery.

Suitable shelter means shelter that provides the animal or animals suitable protection from rain, sun or elements. For example, a tree does not qualify for dogs or cats but could qualify for horses, cows or other livestock.

Sustenance means food or feed appropriate to the species consuming it and providing the essential materials for good health, growth, reproduction and general life functions. It also includes clean, portable water in sufficient quantity and quality to sustain vital functions of the animal and which the animal has constant access. Both food and water must be in containers designed and situated to allow the animal easy access to them.

Unprovoked means an animal attacks a human or another domestic animal despite the victim conducting himself peacefully and lawfully, without threatening, teasing, or attacking the offending animal.

Zoonoses or zoonotic disease means those diseases transmittable to humans from animals, including parasitic, bacterial, fungal and viral diseases.

SECTION 2.

Sec. 14-37. Penalty.

- (a) A violation of this article shall constitute a civil infraction.
- (b) The maximum civil penalty for a civil infraction shall not exceed \$500.00 per violation.
- (c) By resolution, the Board shall establish the amount of any civil penalty for a civil infraction.
- (d) Any person who willfully refuses to sign and accept a citation issued by an officer pursuant to this article, shall be guilty of a misdemeanor of the second degree, punishable as provided by [F.S. § 775.082](#), [775.083](#), or [775.084](#).
- (e) The County shall request an order to show cause for any person failing to pay the civil penalty, appear in court to contest a citation, or appear in court as required by citation. The order shall require such person to appear before the court to explain why action on the citation has not been taken. If any person issued such order fails to appear in response to the court's directive, that person may be held in contempt of court.

Sec. 14-38. Alternative remedies.

In addition to the penalties otherwise provided in this article, the Board shall have the right to enforce by injunction, or any other appropriate legal means, compliance with the regulations and requirements of this article.

Sec. 14-39. Authority and purpose.

This article is hereby enacted, pursuant to the provisions of [F.S. § 125.01](#) and [F.S. § 828.27](#), and [F.S. § 767](#), with the purpose of regulating the possession, ownership, keeping, care and custody of animals, in the interest of the health, safety and welfare of the people of the County.

Sec. 14-40. Jurisdiction.

This article shall be effective throughout the unincorporated areas of the County and within the incorporated areas of the County to the extent this article does not conflict with any applicable municipal ordinance.

Sec. 14-41. Administration and enforcement.

- (a) The Board shall employ or appoint an Animal Services and Enforcement Director to administer and enforce the provisions of this article.
- (b) The Board may employ animal enforcement officers to assist in the administration and enforcement of this article. Such animal enforcement officers shall successfully complete a training program as provided by County policies and in accordance with [F.S. § 828.27](#).
- (c) Animal enforcement officers are not authorized to bear arms or make arrests.
- (d) The Animal Services and Enforcement Director and animal enforcement officers may enter upon public property and unfenced or insecurely fenced private property, except residential dwellings, to administer and enforce the provisions of this article.
- (e) The Animal Services and Enforcement Director and animal enforcement officers shall investigate complaints of alleged violations of this article.

- (f) The Animal Services and Enforcement Director and animal enforcement officers are hereby authorized to catch, seize or pick up:
 - (1) Any sick or injured animal, including any animal subject to cruelty, or in need of immediate medical attention.
 - (2) Any animal infected with, or suspected of carrying, rabies or any other infectious disease.
 - (3) Any dangerous dog not properly confined or restrained.
 - (4) Any animal not properly quarantined.
 - (5) Any animal at large or any animal not properly confined, restrained or secured.
 - (6) Any animal causing injury, or threat of injury, to any person by being at large, endangering or chasing persons, or by causing property damage to a person other than the owner of the animal.
 - (7) Any female dog or cat in estrus (heat) not properly confined.
- (g) The Animal Services and Enforcement Director and animal enforcement officers shall impound any animal caught, seized or picked up pursuant to this article.
- (h) The Animal Services and Enforcement Director may declare a dog to be a dangerous dog, pursuant to the provisions of this article, and shall order the owner of such dog to confine or restrain such dog as required by this article. Animal enforcement officers shall routinely inspect the premises of the owner of such dog to determine compliance with any order of the Animal Services and Enforcement Director under this section, and all other provisions of this article.
- (i) The County shall conduct an ongoing public information campaign on the problems resulting from abandoning and neglecting animals, and the penalties under law for abandoning or neglecting animals.

Sec. 14-42. Proceedings for violations.

- (a) An officer who has probable cause to believe a person has committed an act in violation of this article may issue a citation to such person.
- (b) Any citation issued pursuant to this article may be contested in the county court.
- (c) If the person issued a citation elects not to contest the citation, that person shall pay the applicable civil penalty to the Clerk of the county court within ten business days after issuance of the citation. If a person issued a citation elects to contest the citation, that person shall request a hearing before the county court, through the Clerk of the county court, within ten business days after issuance of the citation. The Clerk shall schedule a hearing in the county court and shall provide written notice of the date, time and location of the hearing to the person issued the citation and the applicable officer.
- (d) If the person issued a citation fails to pay the applicable civil penalty within the time period allowed, or fails to appear in court to contest the citation, that person shall be deemed to have waived his right to contest the citation and, in such case, judgment may be entered against the person for an amount up to the maximum civil penalty provided for such a violation of this article.

Sec. 14-43. Resisting or interfering with officer.

It is a violation of this article for any person to resist, obstruct, hinder, or interfere with the Animal Services and Enforcement Director or an animal enforcement officer in the administration and enforcement of this article.

Sec. 14-44. Impoundment of animals.

- (a) The Board may purchase, construct, lease, operate and maintain county shelters, or contract for other shelter facilities, to maintain any animal authorized to be caught, seized or picked up by the Animal Services and Enforcement Director or animal enforcement officer.
- (b) It is a violation of this article for any person to remove, or attempt to remove, any impounded animal from a county shelter or other shelter facility contrary to the provisions of this section.
- (c) The Animal Services and Enforcement Director may engage the services of a licensed veterinarian to treat any sick or injured animal, including any animal subject to cruelty, or any animal infected with or suspected of carrying rabies, which animal has been impounded pursuant to this article. The owner of such animal shall be liable for payment of all veterinary and shelter expenses, and reimbursement of the county's expenses for treating such animal.

- (d) By resolution, the Board shall establish fees to be charged for transporting, impounding, boarding, care and feeding animals pursuant to this article.
- (e) No animal impounded pursuant to this article shall be released until:
 - (1) The owner of an impounded ferret, dog or cat which is not vaccinated against rabies, or which does not have a valid animal license tag, arranges for rabies vaccination and obtains an animal license tag for the dog or cat;
 - (2) The owner of an impounded animal pays the fees for impoundment, board and feed, and any additional fees for rabies vaccination, veterinary expenses, citation fees and an animal license tag;
 - (3) The owner of an impounded animal provides proof of ownership or custody, such as a rabies vaccination certificate, sales receipt, affidavits of neighbors, photographs or other documentary evidence.
 - (4) If a dangerous dog is impounded, the owner of such animal must comply with all provisions of this article applicable to such dangerous dog; and
 - (5) If an animal which has been subjected to cruelty is impounded, the court of competent jurisdiction issues a release order, as provided by [F.S. § 828.073](#).
 - (6) Lawful exercise of discretion by the Animal Services and Enforcement Director to destroy an animal or the failure of an owner to redeem an animal shall no relieve the owner of liability for violations, fines and accrued charges and fees, regardless of the ultimate disposition of the animal.

Sec. 14-45. Disposition of impounded animals.

- (a) An animal enforcement officer or designee shall attempt to identify and locate the owner of an animal impounded pursuant to this article. If the owner is identified and located, the animal enforcement officer or designee shall provide notice to the owner that the animal has been impounded and may be redeemed within five (5) days of such notice. The five (5) day period for redemption shall not include the first day of impoundment. In the event that the last day of impoundment falls on a day that the animal shelter is not open for business, the animal shall be held until the end of the following day that the animal shelter is open for business. Fees shall be assessed beginning the first day of impoundment or a fraction thereof.
- (b) An animal impoundment pursuant to this article shall become the property of the County when:
 - (1) The owner of such animal is not identified or located within five (5) days after impoundment.
 - (2) The owner of such animal is notified, but does not redeem the animal within five (5) days after notification.
 - (3) Confinement of a wild or feral animal creates unusual risk to such animal or an animal enforcement officer.
 - (4) The animal is examined by a licensed veterinarian who determines that the medical condition of the animal warrants humane destruction.
- (c) When an animal becomes the property of the County, the Animal Services and Enforcement Director or designee may, without further notice to the former owner:
 - (1) Transfer ownership of such animal to a humane society, humane agency, law enforcement agency, zoo or other person, institution or agency, provided that such person, institution or agency agrees to record the name and address of the new owner upon subsequent transfer of ownership of the animal; or
 - (2) Destroy such animal in a humane manner.
- (d) Any animal subjected to cruelty impounded under this article shall be disposed of as provided by [F.S. § 828](#).
- (e) Any livestock, as defined in [F.S. § 588.13](#), impounded pursuant to this article shall be disposed of as provided by [F.S. § 588](#).

Sec. 14-46. Unauthorized removal from custody.

It is a violation of this article for any person to remove, or attempt to remove, an animal from the custody of the Animal Services and Enforcement Director or animal enforcement officer.

Sec. 14-47. Disposal of dead animals.

- (a) By resolution, the Board shall establish fees to be charged by the county to dispose of domestic dead animals from private property.
- (b) The owner of any real property may bury or dispose of any dead animal on such property, unless otherwise prohibited by law.

Sec. 14-48. Quarantine of animals.

- (a) The provisions of F.A.C. ch. 64D-3.001 through 64D-3.014 are hereby adopted by reference in this article. A copy of [F.A.C. ch. 64D](#) has been attached to the ordinance enacting this article, and is available for inspection in the office of the Clerk to the Board of County Commissioners, as amended from time to time.
- (b) It is a violation of this article for any person to commit an act, or cause an act to be committed, which is in violation of any provision of F.A.C. ch. 64D-3.001 through 64D-3.014.
- (c) If quarantine of a ferret, dog or cat cannot be maintained at the owner's home, or at another location permitted under F.A.C. ch. 64D-3.013(2), the animal shall be quarantined at the county shelter or other shelter facility or veterinary clinic. It is a violation of this article for the owner of a ferret, dog or cat to refuse or fail to maintain the animal under rabies quarantine, as required by F.A.C. ch. 64D-3.013(2) and Section 14-41 of this article.
- (d) By resolution, the Board shall establish fees to be charged for quarantine of animals pursuant to this article.
- (e) A police dog with current rabies vaccination that bites in the line of duty shall be exempt from confinement under this section, and allowed to continue in a working capacity.

Sec. 14-49. Classification of dogs as dangerous.

- (a) An animal enforcement officer shall investigate reported incidents involving any dog that may be dangerous and shall, if possible, interview the owner and victim and require a sworn affidavit from any person, including any animal enforcement officer or other enforcement officer desiring to have a dog classified as dangerous. The Animal Services and Enforcement Director or any animal enforcement officer shall immediately impound any dog that is the subject of a dangerous dog investigation and that dog shall remain impounded until released by the Director of Animal Services and Enforcement.
- (b) Any dog that is subject of an investigation that is not impounded with the animal services and enforcement authority shall be humanely and safely confined by the owner in a locked, secure enclosure on the owner's premises pending the outcome of the investigation and resolution of any hearings related to the classification. The owner shall provide the address where the dog being investigated shall be confined and the manner of confinement during the investigation to the Animal Services and Enforcement Director. No dog that is the subject of an investigation may be relocated or ownership transferred pending the outcome of the investigation or any hearings related to the classification. In the event the county determines that a dog is to be destroyed, these same provisions shall apply and the dog shall not be relocated or ownership transferred.
- (c) After the investigation, the Animal Services and Enforcement Director shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous. The Animal Services and Enforcement Director shall provide notice of sufficient cause finding to the owner.
- (d) In the event the notice of sufficient cause finding classifies a dog as dangerous, the owner may make a written request for a hearing before the Animal Services and Enforcement Council within seven (7) calendar days from the date of receipt of the notice on sufficient cause finding. The owner shall make the written request to the Animal Services and Enforcement Director at the address indicated on the notice of sufficient cause finding. 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) calendar days after the Animal Services and Enforcement Director's receipt of the written request from the owner. The Board shall nominate an Animal Services and Enforcement Council to affirm or reverse staff's sufficient cause finding. The Council members shall be one veterinarian and one alternate veterinarian, one dog behavioral trainer and one alternate dog behavioral trainer, and one kennel worker and one alternate kennel worker. Council members shall serve one (1) year or until a replacement is duly appointed. The Animal Services and Enforcement Council shall adopt rules of procedure to govern such hearings, as necessary. A copy of the rules of procedures shall be made available to any person who requests a hearing. The Council is not an advisory board subject to the uniform advisory board ordinance, and public comment shall not be required at each council meeting. The Council shall hear all relevant evidence from the animal owner and animal services and enforcement staff, and within seven (7) calendar days of the Council hearing described above, shall determine if a dog is to be classified as a dangerous dog. The Council shall provide notice of its determination to the owner of such dog. If classified as dangerous, the notice shall include the basis for declaring the dog dangerous, a description of the dog, and describe the responsibility of the owner for maintenance of the dog. If the owner fails to request a hearing before the Council after receiving the notice of sufficient cause finding, no further hearing or appeal procedure as set forth in this article shall be available to the owner, and the sufficient cause finding shall become a declaration of the applicable classification. The Animal Services and Enforcement Director shall provide the owner with notice of such declaration, which shall include the basis for declaring the dog dangerous, a description of the dog, and describe the responsibility of the owner for maintenance of the dog.

- (e) If the owner appealed the sufficient cause finding to the Council as set forth in subsection (d) above, and the Council has determined the dog to be declared dangerous, the owner may appeal the Council's determination by filing a written request for a hearing before the county court in and for Brevard County, Florida within ten (10) business days after the owner's receipt of the Council's notice of determination. The owner or the County must continue to confine the dog in a locked, secure enclosure pending a resolution of the appeal.
- (f) Within fourteen (14) calendar days of the owner's receipt of a declaration by the Animal Services and Enforcement Director, the Council's determination after hearing, or of the date of the county court order upholding the Council's determination, the owner of the dangerous dog must obtain a certificate of registration for the dangerous dog from county animal services and enforcement, and such certificate shall be renewed annually. Dogs declared dangerous before October 28, 1997, which have not been subsequently cited for a violation of this article shall be subject to the registration and maintenance requirements of the dangerous dog ordinance applicable at the time the dog was declared; except that any dog declared dangerous as of October 28, 1992 shall be subject to the insurance requirements of paragraph (5) of this subsection. The County is authorized to issue such certificates of registration, and the renewals thereof, only to persons who are at least 18 years of age and who present to the county animal services and enforcement the following evidence:
- (1) A current certificate of rabies vaccination and animal license tag for the dog.
 - (2) A locked, secured enclosure to confine the dangerous dog, and the posting on 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.
 - (3) Proof of permanent identification of the dangerous dog, such as a tattoo or an electronic implantation, as specified by the Animal Services and Enforcement Director, within twenty-four (24) hours of release.
 - (4) Payment of the applicable annual fee for the issuance of certificate of registration required by this section. The annual fee shall be established by resolution of the Board.
 - (5) Proof that the owner had procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000) covering any damage or injury, which may be caused by the dangerous dog during the twelve-month period for which licensing is sought. The owner shall name the county as a certificate holder and notify Animal Services and Enforcement of any cancellation, modification, expiration or termination of the liability policy required by this section.
 - (6) The owner shall obtain a dangerous dog tag from the Animal Services and Enforcement Director or designee which shall be worn by the dog at all times. The purpose of the tag shall be to provide immediate identification to animal services and enforcement and the public that the dog has been declared dangerous.
 - (7) The owner shall have the dangerous dog sterilized and shall present appropriate evidence of said sterilization by the veterinarian who performed the operation within sixty (60) days of the effective date of the dangerous dog declaration.
 - (8) Within ninety (90) days, the owner, at his or her own expense, shall complete approved owner responsibility training and provide proof of completion to the Animal Services and Enforcement Director.
 - (9) Five years after the date that the dog was declared dangerous, the owner may request a reduction of the annual dangerous dog certificate fee, as provided by resolution. Any such request shall be granted in the event that there have been no violations of this article since the dog has been declared dangerous.
- (g) The owner shall immediately notify the Animal Services and Enforcement Director when a dog that has been declared dangerous is:
- (1) Loose, at large or unconfined
 - (2) Sold, given away, stolen or dies.
 - (3) Moved to an address other than that stated in the certificate of registration
- (h) Any dog declared dangerous shall be confined in a secure enclosure on the premises of the owner of such dog. No dangerous dog shall be permitted or allowed off the premises of the owner, unless such owner receives approval by the Animal Services and Enforcement Director, or the dog requires veterinary treatment and remains:
- (1) Inside a locked animal carrier; or
 - (2) Under the physical control of the owner, and is securely muzzled and restrained within the vehicle by a chain or lead, with a minimum tensile strength of 300 pounds and which does not exceed three feet in length; and
 - (3) Subject to such further conditions as established by the Animal Services and Enforcement Director.
- (i) It is a violation of this article for any person to release or remove a dangerous dog from a secure enclosure, contrary to the provisions of this section. However, 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 the owner's sight and only members of the owner's immediate household are allowed in the enclosure when the dog is present.
- (j) No dangerous dog impounded pursuant to this article shall be released until:

- (1) The owner of such dangerous dog demonstrates compliance with the requirements of paragraph (f) of this section; and
- (2) The owner of such dangerous dog executes a sworn affidavit acknowledging that the dog has been declared dangerous, and agreeing to confine and restrain the dog, and recognizing the county's right to ownership and custody of the dog if the dog bites or injures a human or domestic animal without provocation after being declared dangerous.
- (3) The owner of such dangerous dog has paid all fines and fees associated with this procedure.
- (k) This section does not apply to police dogs engaged in the detection of criminal activity, enforcement of laws or apprehension of offenders.
- (l) The owner of a dangerous dog shall permit unannounced inspections by animal services and enforcement to determine the owner's compliance with this section.
- (m) Hunting dogs are exempt from the provisions of this section 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 respects shall be the subject to this section. Dogs that have been classified as dangerous shall not be used for hunting purposes.
- (n) In the event a dog is lawfully declared dangerous pursuant to this section, the owner shall be responsible for a violation of this section and subject to a civil penalty not to exceed \$500 dollars.
- (o) The failure to comply with the requirements contained in this section for keeping and maintaining a dog that has been declared dangerous is a violation of this article. In the event of a violation that results in an immediate and direct risk of harm to the general public, the Animal Services and Enforcement Director shall impound the dangerous dog to dispose of in such a humane manner, after written notice to the owner. If the owner of a dog impounded under this paragraph believes that there has not been such a violation, the owner may file a petition for injunctive relief in the circuit court of the eighteenth judicial circuit in and for Brevard County, Florida, that the impounded dog not be destroyed. The petition must be filed within the ten (10) calendar days of the owner's recent notice of impoundment of the dog, and notice of the petition must be timely served upon the Animal Services and Enforcement Director. If the circuit court finds that there has been no violation of this section, such dog shall be released to the custody of the owner. In the event that the circuit court denies the petition for injunction, the owner shall be responsible for all impoundment fees and maintenance costs incurred for such dog.

Sec. 14-50. Attack or bite by a dangerous dog; severe bite by any dog; destruction

- (a) If a dog that previously has been declared dangerous attacks or bites a person or domestic animal without provocation, the owner of the dog, upon conviction, shall be guilty of a misdemeanor of the first degree, punishable as provided under [F.S. § 775.082](#) or [775.083](#). In addition, the dog shall be immediately confiscated by county animal services and enforcement, placed in quarantine, if necessary, for the proper length of time, and impounded while the Animal Services and Enforcement Director investigates and provides, if warranted, the owner with a notice of sufficient cause finding to destroy the dog. The notice of sufficient finding may be appealed as set forth in section 14-49. If the owner appeals the sufficient cause finding, the dog shall remain impounded for the duration of the appeal process and 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 any appeal procedure. If the owner fails to appeal within ten (10) calendar days after receipt of the sufficient cause finding, the dog shall thereafter be destroyed in an expeditious and humane manner.
- (b) If a dog that has not been previously declared dangerous under this article attacks and causes severe injury to, or death of, any human, the dog shall be immediately confiscated by county animal services and enforcement, placed in quarantine, if necessary, for the proper length of time, and impounded while Animal Services and Enforcement Director investigates and, if warranted, provides the owner with a notice of sufficient cause finding to destroy the dog. The notice of sufficient cause finding may be appealed as set forth in section 14-49. If the owner appeals the sufficient cause finding, the dog shall remain impounded for the duration of the appeal process and 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 any appeal procedure. If the owner fails to appeal within ten (10) calendar days after receipt of the sufficient cause finding, the dog shall thereafter be destroyed in an expeditious and humane manner. In addition, if the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog is guilty of a misdemeanor of the second degree, punishable as provided in [F.S. § 775.082](#) or [775.083](#).
- (c) If a dog that has been previously declared dangerous under this article attacks and causes severe injury to, or death of, any human, the owner of the dangerous dog shall be guilty of a felony of the third degree, punishable as

provided in [F.S. § 775.082](#), [775.083](#) or [775.084](#). In addition, the dog shall be immediately confiscated by county animal services and enforcement, placed in quarantine, if necessary, for the proper length of time, and impounded while the Animal Services and Enforcement Director investigates and, if warranted, provides the owner with a notice of sufficient cause finding to destroy the dog. The notice of sufficient cause finding may be appealed as set forth in section 14-49. If the owner appeals the sufficient cause finding, the dog shall remain impounded for the duration of the appeal process and 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 any appeal procedure. If the owner fails to appeal within ten (10) calendar days after receipt of the sufficient cause finding, the dog shall thereafter be destroyed in an expeditious and humane manner.

- (d) If the owner requests a hearing under section 14-50(c) or files a written appeal under section 14-49(d), the dog must be impounded or securely confined as provided in this section and may not be destroyed while the appeal is pending.
- (e) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner is not guilty of any crime specified under this section.
- (f) In the event it is determined that humane destruction of a dog is justified pursuant to this section, the owner is responsible for a violation of this section and is subject to a civil fine not to exceed \$500 dollars, in addition to any criminal charges.

Sec. 14-51. Failure to surrender animal or carcass.

It is a violation of this article for any person to fail to surrender an animal for rabies quarantine, impoundment or destruction, or produce the carcass of a dead animal, upon lawful demand by the Animal Services and Enforcement Director or any animal enforcement officer. A citation issued pursuant to this section shall be set for hearing in county court no later than five (5) days from the issuance of the citation.

Sec. 14-52. Rabies vaccination of ferrets, dogs and cats.

- (a) The owner of a ferret, dog or cat in the county shall have their animal vaccinated against rabies and shall maintain that animal with current rabies vaccination.
- (b) It is a violation of this article for the owner of a ferret, dog or cat to refuse or fail to have the animal vaccinated against rabies as required by this section; provided, however, that rabies vaccination is not required if:
 - (1) The animal is less than four months of age.
 - (2) The animal has been vaccinated against rabies in another state and that vaccination is current, provided that the owner of such animal presents a certificate of rabies vaccination to the Animal Services and Enforcement Director or designee.
 - (3) A licensed veterinarian examines the ferret, dog or cat and certifies in writing that rabies vaccination would endanger the health of such animal because of age, infirmity, disability, illness or other medical condition; provided that the licensed veterinarian presents such certificate to the Animal Services and Enforcement Director within five (5) days after the examination, and that ferret, dog or cat is confined in a secure enclosure until a licensed veterinarian properly administers the vaccination.

Sec. 14-53. Cruel and inhumane treatment of animals prohibited.

- (a) The provisions of [F.S. § 828.12](#) and [828.13](#), as they may be amended from time to time, are hereby adopted by reference in this article, and shall be enforced as if fully set forth herein. A copy of [F.S. § 828](#), is attached to the ordinance enacting this article, and is available for inspection in the office of the Clerk to the Board of County Commissioners.
- (b) It is a violation of this article for any person to commit an act or omission, or cause an act to be committed, in violation of [F.S. § 828.12](#) or [828.13](#).
- (c) Inhumane treatment of animals is prohibited. It is a violation of this article, by any person, to inhumanely treat any animal as set forth herein. For the purpose of this section, the term "inhumane" means acts which:
 - (1) Are physically cruel; or
 - (2) Expose an animal to unusual, unnecessary and otherwise avoidable physical harm.
- (d) Inhumane treatment includes, but is not limited to, any of the following acts or omissions by an animal's owner or caregiver:

- (1) An animal is allowed to become overheated, or is not supplied with adequate food, water, shade or protection from elements;
- (2) An animal which is improperly or inhumanely contained or denied proper exercise or rest, for the purposes of this section, United States Department of Agriculture and Florida Game and Fresh Water Fish Commission regulations pertaining to containment, exercise and rest shall be the standard for proper containment, exercise and rest, as revised from time to time;
- (3) In the case of a stunt or entertainment act:
 - (a) No allowance is made for an animal's reasonable limits of endurance;
 - (b) The owner or operator has failed to determine whether equipment operated in conjunction with the working animal is in safe operating condition;
 - (c) An animal is killed or injured during the stunt or act;
 - (d) An equine animal, including a horse, mule or donkey, is allowed to fall or drop into water from a platform or structure more than ten (10) feet above the water; or
 - (e) An equine animal is not properly trained for such a fall or drop.

Sec. 14-54. Rabies vaccination certificates and animal license tags.

- (a) The owner of a ferret, dog or cat in the county that is vaccinated against rabies shall obtain a rabies vaccination certificate. The owner shall obtain an animal license tag for each dog or cat annually.
- (b) It is a violation of this article for the owner of a ferret, dog or cat to refuse or fail to obtain a rabies vaccination certificate and animal license tag for the animal as provided by this section.
- (c) All veterinarians in the county shall provide the Animal Services and Enforcement Department a copy of each and every rabies vaccination certificate issued. Veterinarians shall display, in a conspicuous place that can be seen and easily read by all customers, a sign indicating that Brevard County License Tags are required and indicate where they can be purchased.
- (d) A rabies vaccination certificate or animal license tag are not required if the owner of the ferret, dog or cat has not resided in the county for more than 28 days in the previous 12 month period.
- (e) The Animal Services and Enforcement Director shall approve the form, content and design of the rabies vaccination certificate and animal license tag. No other animal license tag shall be valid in the county.
- (f) By resolution, the Board shall establish and may change fees to be charged for issuance of license certificates and license tags.
- (g) Any resident of the county who owns or keeps a service animal especially trained for such purpose, and which is being used to assist disabled person, as defined under the Americans Disabilities Act, may obtain an animal license tag, when applicable, at no charge.
- (h) A rabies vaccination certificate and animal license tag shall be issued by:
 - (1) The Animal Services and Enforcement Director or designee; or
 - (2) Any licensed veterinarian who administers the rabies vaccination and who has been authorized by the County to collect the fee for such animal license tag.
- (i) The rabies vaccination certificate shall be signed by the licensed veterinarian administering the rabies vaccination, and shall list the date of the rabies vaccination, the type of vaccine, information identifying the owner's name, address, and telephone number, and describing the ferret, dog or cat. An identification number shall be printed on the rabies vaccination certificate and shall correspond to the same number on the animal license tag, if required.
- (j) If an animal license tag is lost or destroyed, the animal owner shall obtain a replacement animal license tag. The replacement animal license tag may be issued to the owner upon presentation of the corresponding license certificate and payment of the applicable fee.
- (k) The license tag shall be attached to the collar or harness of the dog or cat and shall be worn at all times, except when such animal is confined for treatment in a veterinary hospital or clinic operated by a licensed veterinarian, or while competing in organized animal show, trial or training therefore.
- (l) It is a violation of this article for the owner of a dog or cat to permit or allow the dog or ca to be without a physically attached animal license tag as required by this section.
- (m) An animal license tag shall be valid for a period of one year from the date of issuance.
- (n) It is a violation of this article for the owner of a dog or cat to permit or allow the dog or cat to wear an animal license tag that has expired.
- (o) A rabies vaccination certificate or animal license tag issued for one dog or cat is not valid for any other animal, and it is a violation of this article for the owner to intentionally allow the animal to wear an animal license tag which has not been issued for such dog or cat.

(p) A police dog shall be exempt from wearing an animal license tag while being used by a law enforcement agency.

Sec. 14-55. Responsibility for animals.

- (a) The owner of any animal shall exercise reasonable care to protect humans, or other animals, or property from injury or damage caused by the behavior of such animal.
- (b) The owner of an animal shall exercise reasonable care to prevent such animal, while unattended, from leaving the premises of such owner by:
 - (1) Confinement in a secure enclosure, fence or pen from which the animal cannot dig, climb, jump, or escape and which is locked when the animal remains unattended; or
 - (2) Restraint by chain, cable, and trolley, or other tether of sufficient strength to prevent escape; or
 - (3) Leash and physical control of a person capable of preventing such animal from escaping.
- (c) The owner of an animal shall exercise reasonable care to maintain such animal off the premises of such owner by:
 - (1) Confinement in a vehicle from which the animal cannot climb, jump or escape; or
 - (2) Leash and physical control of a person capable of preventing such animal from escaping.
- (d) It is a violation of this article for an owner or caregiver not to exercise reasonable care in restraining animals as specified in this section.

Sec. 14-56. Animals at large.

No animal shall be permitted or allowed to be at large. It is a violation of this article for the owner of an animal to permit or allow the animal to be at large.

Sec. 14-57. Creation of nuisance.

- (a) No animal shall be permitted or allowed to create a nuisance. It is a violation of this article for the owner of an animal to permit or allow the animal to create a nuisance.
- (b) For the purpose of this section, noise from farm animals, including exotic birds, shall not constitute a nuisance within an AU zoning classification; provided, however, that the following setback requirement shall apply only to exotic birds kept on AU property which abuts non-AU property of a residential character: A minimum set back of 100 feet between the noise source and the abutting non-AU residential property.
- (c) Any nuisance complaint may be investigated by Animal Services and Enforcement. However, before a citation may be issued, the animal enforcement officer must have personal knowledge of the nuisance or at least two (2) affidavits from different parties residing in close proximity to the alleged nuisance must be received. One affidavit may be sufficient to warrant investigation where there is only one party in close proximity to the alleged nuisance.
- (d) It shall be an unlawful nuisance for an animal owner to either be found guilty of or effectively admit guilt to more than four (4) violations of this article within a twelve-month period of time. The failure to contest or pay a citation shall be considered an effective admission of guilt for the purpose of this section. A violation of this section is a civil infraction punishable by a fine not to exceed \$500 dollars.

Sec. 14-58. Causing injury, property damage.

No animal shall cause injury, minor or severe, or threat of injury, to any person, or domestic animal, or cause any property damage to a person other than the owner. It is a violation of this article for the owner of an animal to permit or allow the animal to violate this section.

Sec. 14-59. Defecating, urinating on public or private property.

No animal shall be permitted or allowed to defecate or urinate upon any public property, or any private property, without permission of the property owner.

It shall be the responsibility of the owner or person in control of the animal to dispose of or remove any excretions caused by the animal. It is a violation of this article for the owner of an animal to permit or allow an animal to defecate or urinate upon any public property, or any private property, without permission of the property owner.

Sec. 14-60. Public parks and beaches.

- (a) No animal shall be permitted or allowed into or on any public park or beach; provided, however, that an area in public parks may be designated for animals by resolution of the Board, or by the governing body of any applicable municipality. In that event, the area provided for animals must be properly identified and posted by the county or the appropriate municipality.
- (b) It is a violation of this article for the owner of an animal to permit or allow the animal into, or on, any public beach, or any public park not designated for animals and not properly identified and posted. However, a disabled person, as defined under the Americans With Disabilities Act, shall have the right to be accompanied into or on any public park or beach by a service animal without violating this section.

Sec. 14-61. Service animals.

Every disabled person, as defined under the American With Disabilities Act, shall have the right to be accompanied by a service animal.

Sec. 14-62. Transporting in open bed of vehicles.

Any animal being transported in the open bed of a pickup truck or other similar vehicle from which the animal can easily escape, shall be confined in a humane manner inside a locked animal carrier or restrained by a minimum of two tethers, with one tether each being affixed to the opposite side of the truck or other similar vehicle, and both tethers being attached to the collar or harness of such animal. It is a violation of this article for the owner of an animal, as well as the driver of the pickup truck or other similar vehicle being used to transport an animal, to refuse or fail to confine and restrain the animal being transported as required by this section.

Sec. 14-63. Confinement of females in estrus (heat).

Any female dog or cat in estrus (heat) shall be confined in a secure enclosure, veterinary hospital or boarding facility, so as to prevent such dog or cat from coming into contact with another dog or cat, except for intentionally breeding purposes. It is a violation of this article for the owner of a female dog or cat in estrus to refuse or fail to confine the dog or cat as required by this section.

SECTION 4

Sec. 14-64. Feral animals and feral cat colonies.

- (a) The County may establish a fund or provide services to offset costs of trapping, neutering and vaccinating captured feral cats that can be returned to an appropriate, controlled, and registered colony site. Caregivers for such colonies, whether one or several animals, will be aided by the County in properly managing and caring for those colonies, to the extent that funding is available.
- (b) Each feral cat colony will be registered by the caregivers with an agency designated by the County, which will serve as a clearinghouse for information on current caregivers, education for new caregivers, and assistance for persons found in violation of (d)(1) through (4) below.
- (c) Any feral cat picked up by Animal Services and Enforcement which has an appropriate ear tipping or other distinguishing mark indicating that it belongs to a registered feral cat colony will be returned to that colony unless veterinary care is required or the criteria listed in 14-64(d) applies. The designated agency will be notified in such instances.
- (d) Any person or caregiver determined to be in violation of subsections (1) through (4) below, shall be issued a written warning and be allowed a period of time to come into compliance, or provide satisfactory evidence of

working to achieve compliance. That period of time shall not exceed ninety (90) days from issuance of the initial warning notice. Failure to comply shall result in violation of this article, which may result in the issuance of a citation. Caregivers of feral cat colonies shall implement proper management and sterilization practices as follows:

- (1) Register the feral cat colony with the agency designated in (b).
 - (2) Assure responsibility and arrangements for feeding the cat or cat colony regularly throughout the year, including weekends, holidays and vacations of the feral cat caregiver.
 - (3) Sterilize (neuter) all adult cats that can be captured.
 - (4) Vaccinate, as required by law, all cats that can be captured.
 - (a) Against rabies, preferably with a three-year vaccine.
 - (b) And any other infectious disease as mandated by law.
 - (5) Make every attempt to sterilize all kittens over eight (8) weeks of age and before sixteen (16) weeks of age.
 - (6) Make every attempt to remove kittens from the colony before eight (8) weeks of age for domestication and placement.
 - (7) Make every attempt to remove sick or injured cats from the colony for immediate veterinarian care or humane euthanasia.
 - (8) Ear crop all cats with a single cut preferably on the left ear, at least one (1) inch from the outside tip of the auricle. Providing either a tattoo on the inside the right ear or an electronic implant will aid in animal identification.
 - (9) Maintain proof of sterilization, vaccination, tattoo or implant and medical records for all cats. These records must be provided to Animal Services and Enforcement upon request.
- (e) Animal Services and Enforcement has the right to immediately seize and remove all, or parts, of any colony for the following reasons:
- (1) Public health and public safety concerns including rabies, other epizootic and certain zoonoses identified by the County Public Health Unit; or
 - (2) Animals creating a public nuisance as defined in section 14-36. The designated agency will be notified within twenty-four (24) hours of removal of any feral cats.
 - (3) In the event the feral cat caregiver fails to comply with this section, the designated agency will be notified at least a day before removal of any animal. The designated agency will attempt to resolve the situation prior to removal by Animal Services and Enforcement.

SECTION 5.

Sec. 14-65. Abandonment of animals.

Pursuant to [Section § 828.13](#), Florida Statutes, any person who is the owner, possessor, or caregiver, or has charge or custody of any animal who abandons such animal to suffer injury or malnutrition or abandons any animal in or on a street, road or public place without providing for the care, sustenance, protection and shelter of such animal is guilty of a misdemeanor of the first degree, punishable as provided in [F.S. § 775.082](#), or a fine of not more than \$5,000 or by both punishment and a fine.

Sec. 14-66. Mandatory neutering of cats and dogs.

All cats and dogs offered for adoption by animal shelters in Brevard County must be neutered (spayed or castrated) prior to adoption unless certified by a veterinarian licensed in Florida that such procedures would be injurious to the animals health. Shelters may enter into a written agreement with the adopter guaranteeing that sterilization will be performed within 30 days prior to sexual maturity; in such cases, the shelter shall require a sufficient deposit from the adopter to cover reasonable costs of the neutering operation. Such deposit will be refundable upon presenting written evidence from the veterinarian performing the surgery that the sterilization has been completed. It is a violation of this article to fail to comply with the provisions set above. A violation of Florida [Statue 823.15](#) may also be dealt with in accordance with [F.S. 812.25 \(2\) \(b\)](#).

SECTION 6. Severability.

In the event any provision of this ordinance is invalidated by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 7. Conflicting provisions.

In the case of direct conflict between any provision of this ordinance and a portion or provision of any other appropriate federal, state or county law, rule, code or regulation, the more restrictive shall apply.

SECTION 8. Effective date.

This ordinance shall take effect immediately upon its adoption and filing as provided by law. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida, within ten (10) days of enactment.

SECTION 9. Area encompassed.

This Ordinance shall be effective through the unincorporated areas of Brevard County. Adopted by the Brevard County Board of County Commissioners during regular session on the 9th day of January, 2000.

CIVIL PENALTIES FOR CIVIL INFRACTIONS
Includes BASE Fine + \$10 Court Cost + \$5 Surcharge

Code		1st	2nd	3rd	4th
Section	Description of Violation	Offense	Offense	Offense	Offense
14-43	Resisting or interfering with officer	\$300.00	\$400.00	\$500.00	\$500.00
14-48	Violation of Quarantine (FL ADM 64D-3.001-64D3.014)	\$215.00	\$315.00	\$415.00	\$500.00
14-49	Violation of dangerous dog restrictions	\$500.00	\$500.00	\$500.00	\$500.00
14-50	Violation of dangerous dog provisions	\$500.00	\$500.00	\$500.00	\$500.00
14-50	Attack causing severe injury	\$500.00	\$500.00	\$500.00	\$500.00
14-51	Failure to surrender animal or carcass	\$300.00	\$300.00	\$300.00	\$300.00
14-52(b)	Failure to vaccinate dog, cat or ferret	\$115.00	\$215.00	\$315.00	\$415.00
14-53(a)	Cruelty to animals	\$200.00	\$300.00	\$400.00	\$500.00
14-54(b)	Failure to obtain rabies certificate	\$115.00	\$215.00	\$315.00	\$415.00
14-54(b)	Failure to obtain animal license tag	\$115.00	\$215.00	\$315.00	\$415.00
14-54(k)	Dog or cat without attached animal license tag	\$115.00	\$215.00	\$315.00	\$415.00
14-54(n)	Dog or cat intentionally wearing tag not issued	\$100.00	\$200.00	\$300.00	\$400.00
14-55	Failure to properly secure animal	\$50.00	\$165.00	\$265.00	\$415.00
14-56	Animal at large	\$50.00	\$165.00	\$265.00	\$415.00
14-57(a)	Creation of a nuisance	\$100.00	\$200.00	\$300.00	\$400.00
14-58	Animal causing property damage	\$100.00	\$200.00	\$300.00	\$400.00
14-58	Attack causing injury	\$215.00	\$315.00	\$415.00	\$465.00
14-59	Animal defecating/urinating on property	\$50.00	\$65.00	\$65.00	\$65.00
14-60(b)	Animal on public park or beach	\$50.00	\$65.00	\$65.00	\$65.00
14-62	Failure to confine or restrain animal in pickup truck	\$100.00	\$200.00	\$300.00	\$400.00
14-63	Failure to confine female dog or cat in estrus (heat)	\$200.00	\$300.00	\$400.00	\$500.00
14-66	Failure to comply with mandatory neutering	\$75.00	\$125.00	\$250.00	\$500.00

Service Fees

Transport	\$25.00
Office Bite Investigation	\$35.00
Field Bite Investigation	\$75.00
Initial License Tag	\$7.00
Replacement License Tag	\$1.00