

Add On

Meeting Date
12/19/17



AGENDA	
Section	New Business
Item No.	VIF 5

**AGENDA REPORT**  
**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS**

SUBJECT:	Legislative Intent & Permission to Advertise; RE: Amendments to Chapter 14, Article II, Animal Control.
DEPT/OFFICE:	Brevard County Sheriff's Office Animal Services and Enforcement

Requested Action:

It is requested that the Board of County Commissioners approve Legislative Intent and grant staff permission to advertise for a public hearing to consider changes to Chapter 14, Article II, Animal Control, Brevard County Code of Ordinances.

Summary Explanation & Background:

Over the past several months, staff has updated and amended various Sections of Chapter 14, Article II, Animal Control, Brevard County Code of Ordinances. These amendments take into account changes made at the State level and incorporate best management practices. Said amendments seek to promote a safe and healthy community for the citizens and animals of Brevard County. Furthermore, the changes will supply the tools and resources necessary for the County to handle the animal control-related issues covered within Chapter 14, Article II more effectively and efficiently.

Legislative Intent: The proposed amendments to Chapter 14, Article II will resolve inconsistencies and ambiguities with State law and will enable the County to implement policies and practices to better address issues related to animal control. These amendments are being made in the interest of the health, safety, and welfare of the people of Brevard County.

Upon granting Legislative Intent and Permission to Advertise, the Ordinance will be scheduled for future public hearing before the Board.

Attachment: The proposed Ordinance title is attached hereto as Exhibit A.

Fiscal impact: Cost of advertisement.

Clerk to the Board Instructions:

Exhibits Attached: Title of ordinance to be advertised

Contract /Agreement (If attached): Reviewed by County Attorney    Yes     No     PR

County Manager Frank Abbate	Assistant County Manager John Denninghoff	Department Director / Extension  <i>Wayne Ivey</i>
	Interim Assistant County Manager Jim Liesenfelt	



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December 20, 2017

Honorable Wayne Ivey  
Brevard County Sheriff's Office  
700 South Street  
Titusville, FL 32780

Attn: Greg Pelham

Dear Sheriff Ivey:

Re: Item VI.F.5., Legislative Intent and Permission to Advertise for Amendments to Chapter 14, Article II, Animal Control

The Board of County Commissioners, in regular session on December 19, 2017, approved legislative intent and granted permission to advertise for public hearing to consider changes to Chapter 14, Article II, Animal Control, Brevard County Code of Ordinances.

Your continued cooperation is greatly appreciated

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

cc: County Manager

## EXHIBIT A: TITLE OF ORDINANCE

AN ORDINANCE AMENDING THE BREVARD COUNTY CODE OF ORDINANCES, CHAPTER 14, ARTICLE II, ANIMAL CONTROL; UPDATING SEC. 14-36 DEFINITIONS; UPDATING SEC. 14-37 PENALTY; UPDATING SEC. 14-38 ALTERNATIVE REMEDIES; UPDATING SEC. 14-39 AUTHORITY AND PURPOSE; UPDATING SEC. 14-40 JURISDICTION; UPDATING SEC. 14-41 ADMINISTRATION; UPDATING SEC. 14-42 ENFORCEMENT AND PENALTIES; UPDATING SEC. 14-43 RESISTING, INTERFERING WITH OFFICER; UPDATING SEC. 14-44 IMPOUNDMENT OF ANIMALS; UPDATING SEC. 14-45 DISPOSITION OF IMPOUNDED ANIMALS; UPDATING SEC. 14-46 UNAUTHORIZED REMOVAL FROM CUSTODY; UPDATING SEC. 14-47 DISPOSAL OF DEAD ANIMALS; UPDATING SEC. 14-48 QUARANTINE OF ANIMALS; CREATING SEC. 14-48.5 AGGRESSIVE DOG CLASSIFICATION PROCEDURES, REQUIREMENTS, OWNER RESPONSIBILITIES, AND PENALTIES; UPDATING SEC. 14-49 CLASSIFICATION OF DOGS AS DANGEROUS; UPDATING SEC. 14-50 TO DEAL WITH AN ATTACK OR BITE BY DANGEROUS DOG OR SEVERE BITE BY ANY DOG; UPDATING SEC. 14-51 FAILURE TO SURRENDER ANIMAL OR CARCASS; CREATING SEC. 14-52 RABIES VACCINATIONS AND ANIMAL REGISTRATION TAGS; UPDATING SEC. 14-53 PROHIBITING CRUEL AND INHUMANE TREATMENT OF ANIMALS; CREATING SEC. 14-54 TAKING CUSTODY OF MISTREATED ANIMALS; UPDATING SEC. 14-55 RESPONSIBILITY FOR ANIMALS; UPDATING SEC. 14-56 ANIMAL AT LARGE; UPDATING SEC. 14-57 CREATION OF NUISANCE; UPDATING SEC. 14-58 PROHIBITING PHYSICAL INJURY OR PROPERTY DAMAGE CAUSED BY ANIMAL; UPDATING SEC. 14-59 PROHIBITING THE DEFECATION OR URINATION ON PUBLIC OR PRIVATE PROPERTY; UPDATING SEC. 14-60 ANIMAL ACCESS TO PUBLIC PARKS AND BEACHES; UPDATING SEC. 14-61 SERVICE ANIMALS; UPDATING SEC. 14-62 TRANSPORTING IN OPEN BED OF VEHICLE; UPDATING SEC. 14-63 CONFINEMENT OF FEMALES IN ESTRUS (HEAT); RESERVING SEC. 14-64; UPDATING SEC. 14-65 ABANDONMENT OF ANIMALS; UPDATING SEC. 14-66 MANDATORY NEUTERING OF CATS AND DOGS; CREATING SEC. 14-67 RESTRAINT BY TETHERING; CREATING SEC. 14-68 DOG FIGHTING AND OTHER ANIMAL FIGHTING; CREATING SEC. 14-69 CONTROLLING POISONOUS SUBSTANCES; RESERVING SEC. 14-70; CREATING SEC. 14-71 INJURY TO ANIMALS BY MOTOR VEHICLES AND REPORTING REQUIREMENTS; CREATING SEC. 14-72 FEEDING OF CATS AND DOGS OUTDOORS; CREATING SEC. 14-73 SPAY AND NEUTER TRUST FUND; CREATING SEC. 14-74 EDUCATION PROGRAM; CREATING SEC. 14-75 ANIMAL ADOPTION AND PET PLACEMENT PARTNERSHIP PROGRAM; CREATING SEC. 14-76 STERILIZATION PROGRAMS; CREATING SEC. 14-77 SPONSORSHIPS AND DONATIONS; CREATING SEC. 14-78 ANIMAL DEALERS; CREATING SEC. 14-79 HOBBY BREEDERS AND OCCASSIONAL SELLERS; CREATING SEC. 14-80 EXCESSIVE UNSTERILIZED ANIMAL PERMITS; CREATING SEC. 14-81 ESTABLISHMENT OF FEES; RESERVING SECS. 14-82 – 14-85; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR AN AREA ENCOMPASSED; PROVIDING FOR INCLUSION INTO THE CODE OF ORDINANCES; AND, PROVIDING FOR AN EFFECTIVE DATE.