

CHAPTER 72. ANIMALS*

Sec. 72.01. Short title.

This Chapter shall be known and cited as the "Alachua County Animal Services Ordinance."

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.02. Definitions.

As used in this chapter, the following words and phrases are defined as follows:

Aggressive dog means any dog that has been declared aggressive as a result of an investigation and determination from animal services because the dog has severely injured or killed a companion animal while off the owner's property.

Animal means any living dumb creature.

Animal services means the Alachua County Office of Animal Services, the director, and the enforcement officers.

Attack means to bite, to scratch, to chase, or to approach in a menacing fashion.

Bite means a penetration of skin with teeth and with blood appearing in the wound.

Cat means a domestic cat, felis catus.

Companion animal means any animal that lives with and about the habitat of a human and that is dependent upon that human for its survival.

County means the unincorporated area of Alachua County and the municipal areas included within the jurisdiction of this chapter.

Dangerous dog means any dog that has been declared dangerous as a result of an investigation and determination from animal services because the dog:

- (1) Has aggressively bitten, attacked, or endangered or has inflicted severe injury on a human being or caused death of a human being on public or private property; or
- (2) Has more than once severely injured or killed a companion animal while off of the owner's property; or
- (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 animal services.

Director means the person in charge of the administration of animal services.

Dog means a domestic dog, *canis familiaris*.

Domestic animal means an animal subject to rabies vaccination and license mandate, that is a dog, cat or ferret.

Enforcement officer means an animal services enforcement officer.

Excreta means feces.

Feral cat means any cat that is born wild or has reverted to the wild and that is unsocialized, untamed, or unable to be approached or handled.

Ferret means a domestic ferret, *mustela putorius furo*.

Humane euthanasia means an injection that causes immediate and painless death, as mandated by Florida Statutes and the Board of Veterinary Medicine.

Humane trap means a trap that captures animals alive and in a manner that does not injure the animals.

Leash means a leash, cord, or chain that is mobile and that is no longer than ten feet.

Livestock means animals of the bovine, equine, ovine, or porcine class, not kept as companion animals, including but not limited to cattle, calves, sheep, swine, horses, mules, goats, ostriches, and any other animal which can or may be used in and for the commercial preparation of meat or meat products.

Motor vehicle operator means any person who owns or operates a self-propelled vehicle, including vehicles propelled by electric power.

Owner means any competent person, firm, corporation, or organization, possessing, owning, harboring, keeping, or having custody or authority over any animal.

Physical control means:

- (1) Immediate and continuous control of a dog by a competent person, through the use of a leash; or
- (2) Continuous control of a dog through the use of an enclosure, which prevents the escape of the dog.

Proper enclosure for a dangerous dog means securely confined indoors in a manner that prevents escape or securely enclosed in a locked pen or structure that is designed to prevent the entry of young children and designed to prevent the dangerous dog 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.

Proper enclosure for an aggressive dog means securely confined in an enclosed structure that prevents the entry of young children and prevents the aggressive dog from escaping. Such structure shall have sides to prevent the dog from escaping over, under, or through it.

Scratch means a penetration of skin from something other than teeth and blood being present in the wound.

Severe injury means any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

Stray means all non-feral domestic animals found off of its owner's property without the owner's consent and without the consent to be on the property where the animal is found.

Tether means a leash, cord, or chain that is anchored on one end.

Unprovoked attack means an attack that occurs even though a person is acting peacefully and lawfully.

Violent dog attack means an attack by a dog that:

- (1) Has previously been declared dangerous; or
- (2) Causes severe injury or death to a human being.

Veterinarian means a person who is licensed to engage in the practice of veterinary medicine in Florida under the authority of F.S. ch. 474.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 1, 12-12-00)

Sec. 72.03. Adoption of state statutes by reference.

The board adopts by reference as a part of this chapter, all laws of the State of Florida relating to animal control, animal welfare, and animal cruelty.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.04. Territorial jurisdiction.

This chapter shall be applicable in the unincorporated area of the county and within the corporate limits of the cities of Alachua, Archer, Gainesville, Hawthorne, High Springs, LaCrosse, Micanopy, Newberry, and Waldo.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 2, 12-12-00)

Sec. 72.05. Enforcement agency designation and empowerment.

Animal services is designated as the county agency responsible for the proper enforcement of this chapter, and is assigned the administrative functions of carrying out the provisions of this chapter and other authorized duties. In carrying out the duties of this chapter animal services may employ equipment, including but not limited to control poles, nets, leashes of any construction, chemical capture devices, snake tongs, oleoresin capsicum aerosols, snake hooks, humane traps, collapsible batons, and metal carrying cages.

(Ord. No. 99-20, § 1, 11-23-99)

Cross references: Animal services enforcement officers, § 261.20 et seq.

Sec. 72.06. Humane education.

It is considered to be a valid public purpose to educate the population of the county concerning the law and proper care and respect for animals. In accordance with this duty, animal services shall make adequate provision for conducting appropriate educational programs.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.07. Enforcement officer's immunity.

When in good faith an enforcement officer enters property to perform the duties of this chapter, the enforcement officer is immune from civil liability and criminal prosecution for trespass.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.08. Enforcement procedures.

- (a) An enforcement officer may issue a citation to a person when the officer has probable cause to believe that the person has violated a provision of this chapter. The citation shall contain:
- (1) The date and time of issuance;
 - (2) The name and address of the person;
 - (3) The date and time the violation was committed;
 - (4) The facts constituting probable cause;
 - (5) The section of the chapter that was violated;
 - (6) The name and authority of the officer;
 - (7) The procedure for the person to follow in order to pay the civil penalty, to contest the citation, or to appear in court as may be required;
 - (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 or she shall be deemed to have waived his or her 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; and
 - (11) A conspicuous statement that if the person is required to appear in court, that an option to pay a fine in lieu of appearing in court does not exist.
- (b) An enforcement officer may, but shall not be required to, issue a written warning prior to the issuance of a citation in incidents of violation of this chapter. Failure to comply with the provisions of a written warning may result in issuance of a citation or impoundment of the animal, or both.
- (c) An enforcement officer may issue an order to provide care, pursuant to F.S. § 828.073.
- (d) If a person fails to pay the civil penalty, fails to appear in court to contest the citation, or fails to appear in court as may be required, then the court may issue an order to show cause upon the request of animal services. The person shall be required by the court order to appear before the court to explain why action on the citation has not been taken. If any person who is issued such order fails to appear in response to the court's directive, the person may be held in contempt of court.
- (e) Pursuant to F.S. § 828.27(4), \$5.00 of each civil penalty imposed for a violation of this chapter shall be used by the county to pay the costs of a 40-hour minimum standards training course for the enforcement officers, which course is mandated by F.S. § 828.27(3).

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.09. Obstruction of enforcement.

- (a) A person shall not refuse to surrender an animal upon lawful demand by the director or an enforcement officer.
- (b) A person shall not interfere with the director or an enforcement officer who is lawfully performing authorized duties.
- (c) A person shall not hold, hide, or conceal any animal which the director or an enforcement officer is investigating or deems to be in violation of this chapter.
- (d) A person shall not take or attempt to take any animal from the director or an enforcement officer or from any vehicle used by the enforcement officer to transport animals.
- (e) A person shall not take or attempt to take any animal from the animal services' shelter, an animal services' animal carrier, or a trap without proper authority.
- (f) A person shall not willfully refuse to sign and accept a citation issued by an enforcement officer. If a person violates this subsection, the person shall be guilty of a misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or 775.083 or 775.084.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.10. Humane treatment for companion animals.

- (a) An owner shall treat a companion animal in a humane manner and shall provide humane care for an animal. Humane care includes but is not limited to providing adequate food, adequate water, adequate shelter, adequate space, and veterinary care to maintain health and to prevent or cure diseases.
 - (1) Adequate food means food which is of sufficient quantity and nutritive value to maintain each companion animal in good health. The owner shall ensure that adequate food is accessible to each companion animal, is prepared so as to permit ease of consumption for the age, species, condition, size, and type of each companion animal, is provided in a clean and sanitary manner, is placed so as to minimize contamination by excrement and pests, and is provided at suitable intervals for the species, age, and condition of the companion animal, which is at least once daily except as prescribed by a veterinarian.
 - (2) Adequate water means clean, fresh, potable water of a drinkable temperature. The owner shall ensure that adequate water is provided in a suitable manner, in sufficient volume, and at suitable intervals, at all times to maintain normal hydration for the age,

species, condition, size, and type of each companion animal, except as prescribed by a veterinarian, and that the water is provided in a clean, durable receptacle, which is accessible to each companion animal and is placed so as to prevent contamination of the water by excrement and pests.

- (3) Adequate shelter means a shelter that is suitable for the species, age, condition, size, and type of each companion animal, and provides adequate space for each companion animal, is safe and protects each companion animal from injury, direct sunlight, other weather elements, adverse effects of heat or cold, physical suffering, and impairment of health. The owner shall ensure that the shelter is properly lighted, is properly cleaned, enables each companion animal to be clean and dry, except when detrimental to the species, and for dogs and cats provides a solid surface and resting platform, pad, floor mat, or similar device that is large enough for the dog or cat to lie on in a normal manner and can be maintained in a sanitary manner.
 - (4) Adequate space means space that allows a companion animal to easily sit, stand, lie, turnabout, and make other normal body movements in a comfortable, normal position for a companion animal. The owner shall ensure adequate space exists so a companion animal can interact safely with other animals in the enclosure, unless specified by veterinarian care. Nothing precludes veterinary care that temporarily restricts movement if it would endanger a companion animal.
 - (5) Veterinary care may include humane euthanasia if a companion animal is beyond the abilities of veterinary medicine to treat or cure and the animal is suffering.
- (b) Livestock animals, raised for food under acceptable husbandry standards and government regulations, are exempt from this section.
 - (c) If a companion animal is maintained on a tether, then the owner shall use a tether that weighs less than $1/8$ the total weight of the companion animal and that is at least three times the body length of the companion animal from the nose to the end of the body, excluding the tail.
 - (d) An owner shall use a collar or harness which is appropriate for the age and size of a companion animal.
 - (e) A person shall not crop the ears or dock the tail of any dog, unless the person employs a veterinarian to perform the cropping and docking. If a person possesses a dog with an ear or ears cut off or cropped, or tail

docked, and with the unhealed wound, then that possession is prima facie evidence of a violation of this section, unless the cropping or docking was performed by a veterinarian.

- (f) A person shall not castrate a companion animal, unless that person employs a veterinarian to perform the castration.

(Ord. No. 99-20, § 1, 11-23-99)

Cross references: Animal cruelty, F.S. § 828.12.

Sec. 72.11. Confinement of domestic animals in heat (estrus).

- (a) An owner shall humanely and securely confine a domestic animal in heat (estrus) indoors or in an enclosed and locked structure which prevents the entry of a male domestic animal and prevents the female in heat from escaping. Confinement solely by a leash, tether or other similar restraint, or within a fence, open kennel, open cage or run, is not presumed to be in compliance with this section.
- (b) If a female domestic animal is to be released for an acceptable reason from the secured enclosure, then the owner of the female domestic animal in heat shall have physical control over the domestic animal at a distance of six feet or less, and be able to physically restrain the animal from coming into contact with a male domestic animal. Acceptable reasons for release from confinement are limited to excretion and veterinary visits.
- (c) A person intentionally breeding a female domestic animal in a controlled environment, with the consent of the owner of the male domestic animal, is exempt from this section during breeding.
- (d) For purposes of this section, the definition of domestic animal excludes ferret.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.12. Physical control of dogs off owner's property.

- (a) An owner shall have physical control of a dog at all times when off the owner's property, unless the property owner or designee or lessee consents to the removal of the physical control. Off the owner's property means on any public or private property including but not limited to streets, sidewalks, schools, parks, or private property of others. For property owned or controlled by a government entity, it is presumed that consent is not given unless posted.
- (b) Dogs which are exempt from this section include:

- (1) A police dog, fire dog, or SAR dog, as defined in F.S. § 843.19, when the dog is operating in its official capacity, as defined in said section; or
- (2) A dog that is a trained and certified animal service dog used to assist persons with disabilities when it is performing those services; or
- (3) A dog involved in organized training or exhibiting including obedience trials, conformation shows, field trials, hunting trials, and herding trials; or
- (4) A dog involved in any legal hunt in an authorized area, and when the owner possesses a valid hunting license.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.13. Removal of dog excreta.

The owner of a dog shall remove any excreta deposited by the dog on any property other than the owner's, including but not limited to public property, streets, sidewalks, schools, parks, and private property. The owner of a dog shall carry adequate waste removal devices or disposal bags while off of the owner's property, unless the waste removal devices are provided.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.14. Procedure to classify a dog as aggressive.

The procedure to classify a dog as aggressive shall be in accordance with the procedure set forth in Sec. 72.16 of this code.

Sec. 72.15. Requirements for aggressive dogs.

(a) On or before the fourteenth day after the classification of a dog as aggressive, the owner of the dog shall obtain a certificate of registration from animal services. The owner shall renew the certificate annually. Animal services is authorized to issue such certificates of registration and renewals only to persons who have attained at least 18 years of age and who present to animal services sufficient evidence of:

- (1) A current certificate of rabies vaccination for the dog;
- (2) A proper enclosure for an aggressive dog;
- (3) Warning signs that are clearly visible from all entry points and inform both children and adults of the presence of an aggressive dog on the property;

- (4) Permanent identification of the dog by electronic implantation; and
- (5) Two color photos of the dog in two different poses showing the color and size of the animal.

(b) If the owner does not comply with the requirements for aggressive dogs on or before the fourteenth day after the classification of the dog as aggressive, then animal services may confiscate the aggressive dog. On or before the tenth calendar day after the aggressive dog is confiscated, animal services shall give the owner written notification by certified mail, certified hand delivery, or service in accordance with F.S. ch. 48, that the aggressive dog was confiscated and that the owner may request a hearing. On or before the tenth calendar day after service of the written notice, the owner may submit to the county manager a request for a hearing to determine whether the requirements for aggressive dogs have been met. If no hearing is requested, then permanent custody vests with animal services. If a hearing is requested, then the county manager or his designee shall conduct the hearing between the fifth day and twenty-first day after service of the request. If the county manager or his designee determines at the hearing that the owner was in compliance at the time of the confiscation or has since come into compliance with the requirements for aggressive dogs, then animal services shall release the aggressive dog back to the owner. The owner of an aggressive dog who was not in compliance at the time of the confiscation but came into compliance before the hearing must pay all fees due to animal services, including board for the days leading up to the hearing, before the dog will be returned to the owner. If the county manager or his designee determines at the hearing that the owner has not complied with the requirements for aggressive dogs, then permanent custody vests with animal services ten days after service of the ruling on the owner.

(c) The owner shall immediately notify animal services when a dog that has been classified as aggressive:

- (1) Becomes loose or unconfined;
- (2) Attacks a human being or another companion animal; or
- (3) Dies.

(d) The owner shall immediately notify animal services if the owner moves to another address with the aggressive dog.

(e) The owner shall immediately notify animal services if the owner is going to sell the aggressive dog or give the aggressive dog away. Prior to an aggressive dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to animal services. The new owner shall

comply with all of the requirements of this chapter that relate to aggressive dogs, while residing in Alachua County.

(f) The owner shall immediately notify animal services if the owner believes that the aggressive dog has been stolen.

(g) The owner of an aggressive dog shall not permit the dog to be outside of the proper enclosure for an aggressive dog, unless the dog is restrained by a substantial leash and under physical control of a competent person.

(h) An owner of an aggressive dog shall not use the dog for hunting purposes.

(i) The provisions of this chapter relating to aggressive dogs do not apply to dogs used by law enforcement officials for law enforcement work.

(j) If a dog has been declared dangerous, the provisions of this section do not apply.

Sec. 72.16. Procedures to classify a dog as dangerous.

- (a) Animal services shall investigate reported incidents involving any dog that may be dangerous. Animal services shall interview the owner and require a sworn affidavit from any person, including any enforcement officer, desiring to have the dog classified as dangerous.
- (b) After the investigation, animal services shall determine if a dog is to be classified as dangerous and shall immediately provide written notification by registered mail, certified hand delivery, or in accordance with F.S. ch. 48, to the owner of a dog if that dog is classified as dangerous.
- (c) On or before the seventh calendar day after receipt of the written notice, the owner of a dog that has been classified by animal services as dangerous may file a written request for a hearing to appeal the classification.
- (d) The written request for a hearing shall be sent to the county manager. The county manager or the designee shall conduct the hearing on or after the fifth day and on or before the twenty-first day after receipt of the request.
- (e) The nature of the hearing is nonadversarial, informal in form, and is an opportunity for the owner to be heard. A person requesting a hearing shall be afforded the following rights:
 - (1) Present his or her case by oral or documentary evidence; and
 - (2) Be accompanied, represented, and advised by counsel; and

- (3) Offer the testimony of witnesses.
- (f) Following the hearing, the person who conducted the hearing or the designee shall prepare a written final decision and provide a copy of the decision to the owner by registered mail, certified hand delivery, or service in accordance with F.S. ch. 48.
- (g) On or before the tenth day after receipt of a final decision, the owner may file a written request for a hearing in the county court to review the decision.
- (h) Pending resolution of all appeals, if the dog has been confiscated, then animal services shall not destroy the dog. If the dog has not been confiscated, then the owner shall confine the dog in a proper enclosure for a dangerous dog.
- (i) Animal services may not classify a dog as dangerous if an attack occurred while a person was unlawfully on the property of the dog's owner.

(Ord. No. 99-20, § 1, 11-23-99)

State law references: Dangerous dog classification, F.S. § 767.11, et seq.

Sec. 72.17. Requirements for dangerous dogs.

- (a) On or before the fourteenth day after the classification of a dog as dangerous, the owner of the dog shall obtain a certificate of registration and a dangerous dog tag or collar from animal services. The owner shall renew the certificate annually. Animal services is authorized to issue such certificates of registration and renewals only to persons who have attained at least 18 years of age and who present to animal services sufficient evidence of:
 - (1) A current certificate of rabies vaccination for the dog;
 - (2) A proper enclosure for a dangerous dog;
 - (3) Warning signs that are clearly visible from all entry points and inform both children and adults of the presence of a dangerous dog on the property;
 - (4) Permanent identification of the dog by either a tattoo on the inside thigh or electronic implantation;
 - (5) Surgical sterilization of the dog, unless a veterinarian certifies in writing that the animal is incapable of reproduction or that neutering the animal would be injurious to the animal's health. If the health condition of the animal is of a temporary nature,

then the owner shall employ a veterinarian to neuter the animal immediately after the health condition has been corrected; and

- (6) Two color photos of the dog in two different poses showing the color and size of the animal.
- (b) The owner shall secure the dangerous dog collar or tag around the dog's neck so that it is clearly visible at all times.
- (c) If the owner does not comply with the requirements for dangerous dogs on or before the fourteenth day after the classification of the dog as dangerous, then animal services may confiscate the dangerous dog. On or before the tenth calendar day after the dangerous dog is confiscated, animal services shall give the owner written notification by certified mail, certified hand delivery, or service in accordance with F.S. ch. 48, that the dangerous dog was confiscated and that the owner may request a hearing. On or before the tenth calendar day after service of the written notice, the owner may submit to the county manager a request for a hearing to determine whether the requirements for dangerous dogs have been met. If no hearing is requested, then permanent custody vests with animal services. If a hearing is requested, then the county manager or his designee shall conduct the hearing between the fifth day and twenty-first day after service of the request. If the county manager or his designee determines at the hearing that the owner was in compliance at the time of the confiscation or has since come into compliance with the requirements for dangerous dogs, then animal services shall release the dangerous dog back to the owner. The owner of a dangerous dog who was not in compliance at the time of the confiscation but came into compliance before the hearing must pay all fees due to animal services, including board for the days leading up to the hearing, before the dog will be returned to the owner. If the county manager or his designee determines at the hearing that the owner has not complied with the requirements for dangerous dogs, then permanent custody vests with animal services ten days after service of the ruling on the owner.
- (d) The owner shall immediately notify animal services when a dog that has been classified as dangerous:
 - (1) Becomes loose or unconfined;
 - (2) Attacks a human being or another animal; or
 - (3) Dies.
- (e) The owner shall immediately notify animal services if the owner moves to another address with the dangerous dog. If the owner moves to a different jurisdiction, then the owner shall notify the enforcement

officer of the new jurisdiction that the dog has been classified as dangerous.

- (f) The owner shall immediately notify animal services if the owner is going to sell the dangerous dog or give the dangerous dog away. 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 animal services. The new owner shall comply with all of the requirements of this chapter that relate to dangerous dogs, even if the animal is moved from the jurisdiction of this chapter to another local government jurisdiction within the state.
- (g) The owner shall immediately notify animal services if the owner believes that the dangerous dog has been stolen.
- (h) The owner of a dangerous dog shall not permit the dog to be outside of the proper enclosure for a dangerous dog, unless the dog is muzzled and restrained by a substantial leash and under physical control of a competent person. The owner shall use a muzzle that is made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but prevents the dog from biting any person or animal. The owner may exercise the dog on the owner's property in a securely fenced or enclosed area that does not have a top, without a muzzle or leash on the dog, if the dog remains within the owner's sight and only members of his immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present. While transporting the dangerous dog, the owner shall restrain the dog safely and securely within a vehicle.
- (i) An owner with a dangerous dog shall not use the dog for hunting purposes.
- (j) The provisions of this chapter relating to dangerous dogs do not apply to dogs used by law enforcement officials for law enforcement work.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 02-23, § 1, 5-28-02)

State law references: Dangerous dog, F.S. § 767.12, et seq.

Sec. 72.18. Consequences to dog's owner after a dog attack.

- (a) If a dog, that has not previously been declared an aggressive or dangerous dog, attacks and causes severe injury to or death of any human and the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard of such propensities under the circumstances, then the owner is guilty of a

misdemeanor of the second degree, punishable as provided in F.S. § 775.082 or 775.083, unless the person attacked was engaged in criminal activity at the time of the attack.

- (b) If a dog that has previously been declared an aggressive or dangerous dog, attacks or bites a person or a companion animal without provocation, then the owner is guilty of a misdemeanor of the first degree, punishable as provided in F.S. § 775.082 or 775.083, unless the person attacked was engaged in criminal activity at the time of the attack.
- (c) If a dog that has previously been declared a dangerous dog, attacks and causes severe injury to or death of any human, then the owner is guilty of a felony of the third degree, punishable as provided in F.S. § 775.082, 775.083, or 775.084, unless the person attacked was engaged in criminal activity at the time of the attack.
- (d) If any dog bites any person, while such person is on or in a public place, or lawfully on or in a private property, including the property of the owner of such dog, then the owner shall be liable for the damages suffered by persons bitten, regardless of the former viciousness of such dog or the owner's knowledge of such viciousness. A person is lawfully upon private property of such owner when he or she is on the property in performance of any duty imposed by the laws of this state, or the laws or postal regulations of the United States, or when the person is on the property upon invitation, expressed or implied, of the owner. The owner of any dog shall not be liable for damages if:
 - (1) The person attacked was on the property, and that person mischievously or carelessly provoked or aggravated the dog that inflicted such damage; or
 - (2) The person attacked was over age six and at the time of any such injury, and an easily readable sign was displayed in a prominent place on the premises, and included the words "bad dog."

(Ord. No. 99-20, § 1, 11-23-99)

State law references: Dog owner's liability for damages to persons bitten, F.S. § 767.04.

Sec. 72.19. Procedures after possible rabies exposure.

- (a) When an animal has allegedly bitten or scratched a person or is suspected or believed to be infected with rabies, the owner shall relinquish control of the animal to animal services upon request, or

shall quarantine the animal at home or with a veterinarian, as directed by animal services.

- (b) In certain cases, home quarantine of a domestic animal, which has bitten or scratched a person, may be permitted at the discretion of animal services, if determined safe and appropriate, and the following criteria and conditions are met:
 - (1) If the animal involved is a domestic animal, and it has a current vaccination from a veterinarian, and the domestic animal is wearing a current license tag;
 - (2) If a person is attacked by a dog, the owner must have had the dog under physical control when the attack occurred or if the dog attack occurred on the owner's property, animal services must determine that the attack was provoked;
 - (3) The owner of the domestic animal must have facilities deemed appropriate by animal services to contain the domestic animal during the quarantine period within either a cage, a fenced yard, or within the owner's house;
 - (4) The owner shall allow a representative or designee of the county health department to visually check an animal quarantined at home at the end of the quarantine period if it is deemed necessary; and
 - (5) Such other conditions and safeguards as animal services may deem necessary and appropriate.
- (c) If a domestic animal is reported or observed to not be confined or a dog is reported to not be under physical control at any time during the home quarantine period, the home quarantine privilege is revoked immediately and the owner, at their own expense, shall confine the domestic animal either with a veterinarian or at the county animal shelter for the duration of the quarantine period.
- (d) The decision to allow home quarantine of a domestic animal is made by the investigating enforcement officer. In the event of any dispute regarding the appropriateness of home quarantine, the director has the final decision in the matter.
- (e) If a police dog, as defined in F.S. § 843.319, has attacked a person while acting under the direction of a law enforcement agency in an official capacity, such as aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders, the director may exempt the dog from the quarantine and impoundment provisions of this chapter, upon proof of a current vaccination and licensing for the dog.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 02-23, § 2, 5-28-02)

State law references: Quarantine of police or service dog, F.S. § 767.16.

Sec. 72.20. Procedures after violent dog attack.

- (a) If a violent dog attack occurs, then animal services shall confiscate the dog and immediately place it in quarantine if necessary.
- (b) Animal services shall give the owner written notification by certified mail, certified hand delivery, or service in accordance with F.S. ch. 48, that the dog was confiscated and that the owner may request a hearing as set out in §§ 72.16 (c)--(g), on or before the tenth day after receipt of the notification.
- (c) Animal services shall confine and isolate the dog for a period of time as determined by animal services. The period cannot end prior to the tenth day from the date the owner received notification of the confiscation.
- (d) Animal services shall humanely euthanize the animal at the exhaustion of any appeals.
- (e) 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.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.21. Companion animals creating a public nuisance.

- (a) Without regard to knowledge, intent, or culpability, an owner shall prevent a companion animal from becoming a public nuisance. Animal services may impound a companion animal creating a public nuisance. A public nuisance includes but is not limited to a companion animal that:
 - (a) Trespasses on public or private property other than the owner's;
 - (b) Causes damage to another person's property;
 - (c) Creates a danger to the public health or safety;
 - (d) Disturbs or turns over garbage containers;
 - (e) Chases or molests vehicles, bicycles, persons, or animals; or
 - (f) Displays a menacing or threatening behavior.

- (b) Companion animals creating noise disturbances as provided in noise control in chapter 110 of this code are public nuisances. In the event of a public nuisance caused by noise, animal services may follow the procedures as outlined in chapter 110.
- (c) Enforcement actions allowed by this section are cumulative and in addition to actions outlined elsewhere in this chapter.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.22. Rabies vaccination for domestic animals.

- (a) The owner of a domestic animal three months of age or older shall employ a veterinarian to vaccinate the domestic animal against rabies. The owner shall employ a veterinarian that uses a vaccine appropriate for the species of the animal as recognized by the current Compendium on Animal Rabies Control. The owner of a dog shall employ a veterinarian to vaccinate the dog 12 months after the initial vaccination and then triannually thereafter. The owner of a cat shall employ a veterinarian to vaccinate the cat 12 months after the initial vaccination then annually thereafter, if the veterinarian administers the one-year adjuvant free vaccine. If the veterinarian does not administer the one-year adjuvant free vaccine, then the owner of the cat shall employ a veterinarian to vaccinate the cat triannually thereafter. The owner of a ferret shall employ a veterinarian to vaccinate a ferret 12 months after the initial vaccination then annually thereafter.
- (b) If a veterinarian gives a written opinion that a vaccination would be injurious to the health of a domestic animal, then the owner may suspend the vaccination for the time period that would be injurious. During the suspended time period, the owner shall confine the domestic animal in an enclosed building or kennel, or maintain the animal on a leash held by a human, until the domestic animal can be safely vaccinated.
- (c) Any business selling rabies vaccine in Alachua County shall prominently display a sign, no smaller than eight inches by ten inches, with letters no smaller than 0.25 inches, that states:

FLORIDA STATUTES §828.30(1) STATES IN PART: "ALL DOGS AND CATS 4 MONTHS OF AGE OR OLDER MUST BE VACCINATED BY A LICENSED VETERINARIAN AGAINST RABIES WITH A UNITED STATES GOVERNMENT-APPROVED VACCINE."

RABIES VACCINE ADMINISTERED BY ANYONE OTHER THAN A LICENSED VETERINARIAN IS NOT RECOGNIZED IN ALACHUA COUNTY FOR PURPOSES OF REQUIRED LICENSING OF DOGS, CATS OR FERRETS.

- (d) Upon vaccination against rabies, the licensed veterinarian shall provide the animal's owner and animal services with a rabies vaccination certificate which must contain at least the following information:
- (1) The license number of the administering veterinarian.
 - (2) The name, address, and phone number of the veterinarian and owner.
 - (3) The date of vaccination.
 - (4) The expiration date of the vaccination.
 - (5) The species, age, sex, color, breed, weight, and name of the animal vaccinated.
 - (6) The rabies vaccine manufacturer.
 - (7) The vaccine lot number and expiration date.
 - (8) The type and brand of vaccine used.
 - (9) The route of administration of the vaccine.
 - (10) The signature or signature stamp of the licensed veterinarian.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 3, 12-12-00; Ord. No. 02-23, § 3, 5-28-02)

State law references: Rabies vaccination of dogs, cats, and ferrets, F.S. § 828.30(3);

Rabies control, F.S. § 381.031(1)(g)(1); dogs and cats transported or offered for sale, health requirements, F.S. § 585.195.

Sec. 72.23. Licensing domestic animals.

- (a) The owner of a domestic animal three months of age or older, shall license the domestic animal for one year beginning at the time of the initial rabies vaccination.
- (b) After the expiration of the domestic animal's initial license, the owner shall thereafter purchase a license valid for the period of effectiveness of each subsequent rabies vaccination.
- (c) A license shall consist of a rabies vaccination, license certificate and license tag for the animal's collar. License certificates and license tags may only be issued by animal services. No other license certificate or

license tag shall be valid in the county. A license or license tag issued for one animal is not valid for any other animal.

- (d) An owner, to whom a tag and license have been issued, shall securely fasten the tag by a substantial device around the domestic animal's neck so the tag is clearly visible at all times.
- (e) In the event a license tag is lost or destroyed, animal services shall issue a replacement tag upon presentation of the corresponding license certificate and payment of the appropriate fee.
- (f) A person newly residing in the county shall comply with the licensing provisions of this section on or before the thirtieth day after the date a person changes residences. A person who relocates a domestic animal to the county after having had their domestic animal inoculated in another county or state by a veterinarian may obtain a county tag from animal services upon presenting written proof of proper rabies vaccination which meets the criteria for duration of immunity as provided for in this chapter, and by paying appropriate licensing fees.
- (g) Animal services shall design the license certificate and a suitable license tag. The license tags must designate the name of the county and the year the tag was issued in addition to any other wording or identification as, from time to time, may be deemed practical or appropriate.
- (h) No later than the 15th day of each month, each veterinarian practicing in Alachua County shall provide to animal services a complete list of all domestic animals they have vaccinated against rabies for the previous month. The list shall be in accordance with § 828.30, Florida Statutes.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 4, 12-12-00; Ord. No. 01-22, § 1, 9-25-01)

Sec. 72.24. Exceptions to wearing license tag.

- (a) A person, whose domestic animal is participating in any organized exhibition or field trial or organized training for these events, may remove the domestic animal's license tag during the activity.
- (b) When ferrets are on the owner's property, the owner may remove the license tag.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.25. Removal of feral cat colonies.

Animal services has the right to impound a feral cat colony if:

- (a) The colony or its members create public health and safety concerns (including rabies and other zoonotic diseases and certain animal to animal disease); or
- (b) The cats create a public nuisance as defined in section 72.19.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.26. Owning primary vectors of rabies.

A person shall not own, harbor, keep, display, exhibit, sell, or intentionally breed animals which are primary vectors of rabies, including but not limited to raccoons, foxes, coyotes, and skunks, unless permitted by the Florida Fish and Wildlife Conservation Commission.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.27. Keeping stray domestic animals.

A person shall not harbor, feed and/or keep any stray domestic animal, unless animal services is notified within 24 hours from the time such animal came into possession. Upon receiving notice, an enforcement officer may impound the animal and place it in the animal shelter. A person shall surrender any stray domestic animal to an enforcement officer upon the officer's demand.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.28. Impoundment and confiscation of animals; rights of entry.

- (a) Animal services may impound:
 - (1) any domestic animal not under physical control, off the owner's property, and without consent to be on the property where the animal is found; or
 - (2) any domestic animal not vaccinated or licensed, as required by this chapter; or

- (3) any animal which has bitten or scratched a person or any animal carrying or suspected of carrying rabies or any other infectious or contagious diseases; or
 - (4) any animal found in distress, including but not limited to a sick or injured, abandoned, or neglected animal, for which the owner cannot be found after reasonable effort to do so, or for which the owner is unable or unwilling to provide proper care; or
 - (5) any dog suspected of committing a violent dog attack; or
 - (6) a companion animal that is creating a public nuisance; or
 - (7) for any other reason as outlined in this chapter.
- (b) Animal services may confiscate any animal impounded on three or more occasions. If an animal is confiscated by animal services, the owner of the animal and animal services shall follow the notice and hearing requirements set forth in this chapter for failure to comply with dangerous dog requirements.
- (c) Pursuant to F.S. §§ 828.27, 828.073, and 125.01, animal services shall have the authority to enter public or unfenced private property, exclusive of buildings, to carry out the duties imposed by this chapter.
- (d) Pursuant to F.S. §§ 828.27, 828.073, and 125.01, animal services shall have the authority to enter fenced private property, exclusive of buildings, when:
- (1) The owner of an animal which has bitten or otherwise exposed a human or domestic or captive wild animal to rabies refuses to surrender such animal for rabies quarantine.
 - (2) The animal being sought was at large immediately prior to animal services receiving a complaint that the animal was at large chasing people or companion animals or was causing the destruction or loss of personal property, but subsequently returned to its owner's fenced private property, provided, however, that the animal has the capability to leave the fenced property by climbing, jumping, or crawling under the fence and provided that an attempt to contact the owner, if known, was unsuccessful.
 - (3) Animal services is taking possession of any animal found neglected or cruelly treated pursuant to F.S. §§ 828.27, 828.073 and 125.01.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 5, 12-12-00; Ord. No. 02-23, § 4, 5-28-02)

Sec. 72.29. Redemption of impounded companion animals.

- (a) Animal services shall hold for redemption any companion animal which has been impounded at the shelter for no less than three business days after the day of impoundment. If animal services allows an owner to redeem an injured animal or one suspected of carrying an infectious or contagious disease, then the owner shall provide immediate veterinary care.
- (b) In addition to other requirements set forth herein, an owner seeking to redeem their companion animal must present valid picture identification, acceptable proof of ownership, and pay all fees. Acceptable proof of ownership includes but is not limited to, license receipt, veterinary records, affidavits from neighbors, photographs or other reliable, verifiable documentary evidence. Fees include but are not limited to reclaim fees, vaccination and/or licensing fees, boarding fees, and veterinary charges.
- (c) If a companion animal is impounded because of inhumane treatment or held during dangerous dog proceedings, the owner shall make monthly payments for fees accrued.
- (d) If the owner does not reclaim the animal within the specified time, then the shelter having custody of the animal may provide for the animal to be adopted, or dispose of the animal by humane euthanasia, or other humane methods as provided by the laws of Florida.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.30. Adoption of animals.

- (a) Animal services shall not permit a person to adopt a companion animal from the shelter if animal services determines that adoption would not be in the best interest of the animal or the public because the animal shows any sign of aggression, or animal services has knowledge of previous aggression by the animal, or because the animal is suffering from an illness or an injury.
- (b) Any dog or cat adopted from animal services shall be sterilized, vaccinated and licensed by animal services prior to release to the new owner. If the sterilization of the animal cannot be done at the time of

adoption because of health reasons, then the person shall leave a deposit guaranteeing sterilization, as required by F.S. § 823.15. The person shall also license the domestic animal to be adopted.

- (c) To be eligible for the return of the required adoption deposit for any domestic animal from animal services, the adopter shall:
 - (1) Employ a veterinarian to sterilize the animal on or before the thirtieth day from the date of adoption or sale, or prior to the animal's sexual maturity; and
 - (2) Present written documentation from the veterinarian who performed the sterilization to animal services on or before the thirtieth day from date of sterilization; and
 - (3) Present written documentation of any disposition of the dog or cat prior to sterilization, to animal services on or before the thirtieth day from the date of disposition.
- (d) To be eligible for the return of the required adoption deposit for any domestic animal from animal services, the adopter shall: If an adopter fails to comply with this section within the time specified, then the adopter shall forfeit the deposit and animal services may issue a citation. Pursuant to F.S. § 823.15(2), an adopter, who fails to comply with the provisions of this section, shall be liable for attorneys' fees and costs of the county in enforcing the provisions of this section.
- (e) In order to protect the health of the animals at the animal shelter, animal services is authorized to provide health screening of animals that are impounded, including but not limited to a veterinary examination, a temporary vaccination for common viruses, heartworm testing for dogs, and feline leukemia testing for cats.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 6, 12-12-00)

Sec. 72.31. Humane euthanasia.

- (a) The director or designee shall attempt to contact the owner of any animal impounded and wearing a current tag before humane euthanasia of the animal.
- (b) Companion animals not claimed and not adopted from animal services on or before the third business day after the day of impoundment may be disposed of in a humane manner.

- (c) In the event any untagged animal is found in a state of pain and suffering or becomes so during confinement, animal services may euthanize the animal in a humane manner without complying with the three-day waiting period.

(Ord. No. 99-20, § 1, 11-23-99)

State law references: Euthanasia of domestic animals, F.S. § 828.055 et seq.

Sec. 72.32. Disposal of animal carcasses by owners.

- (a) An owner of any animal, upon the death of such animal, shall dispose of the carcass by burying the carcass at a sufficient depth, of at least two feet, below the surface to prevent predators from exhuming the carcass, or by recognized alternate methods of disposal such as cremation, or rendering. An owner shall not dispose of the carcass of any animal by dumping such carcass on any public or private property.
- (b) A person who, upon demand, does not surrender to animal services the carcass of any dead animal exposed to rabies shall be guilty of a misdemeanor of the second degree, for each separate offense.

(Ord. No. 99-20, § 1, 11-23-99)

State law references: Disposal of carcass, F.S. § 823.041.

Sec. 72.33. Duties of person injuring an animal.

Any person injuring an animal shall immediately notify the owner of the animal, if the owner is known, or shall notify animal services, the county sheriff's office, or the Gainesville Police Department if the owner is not known.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.34. Companion animals in motor vehicle.

- (a) A motor vehicle operator shall not place or confine a companion animal or allow it to be placed, confined, or remain in an unattended motor vehicle under conditions for such a period of time as may reasonably be expected to endanger the health or well-being of the animal, due to situations including but not limited to insufficient ventilation, heat, or lack of water.

- (b) A motor vehicle operator, operating on a public right-of-way, shall not transport or keep a companion animal in or on any motor vehicle, unless the companion animal is in the passenger compartment of the vehicle, or protected by a container, cage, or other appropriate tethering device that will prevent the animal from falling from, being thrown from, or jumping from the motor vehicle.
- (c) Any enforcement officer who finds a companion animal in a motor vehicle under conditions described in the above subsections shall notify animal services. Animal services shall make reasonable attempts to notify the operator of the vehicle. In the event the operator of the vehicle cannot be located after a reasonable attempt, animal services may authorize the enforcement officer to enter the motor vehicle by using the amount of force which is reasonably necessary to remove the animal. The enforcement officer removing the animal shall deliver it to the animal shelter or veterinarian, if the officer deems the animal is in distress. In a prominent place on the motor vehicle the enforcement officer shall leave a written notice bearing the name of the officer, his department's name and telephone number, and the address where the owner may claim the animal. In addition, the enforcement officer shall notify animal services where the animal was delivered. The animal shelter having custody of the animal shall make reasonable efforts to contact the owner of the animal and give notice that the animal is in its custody. On or before the third business day after the date that the animal was removed from the vehicle, the owner may reclaim the animal upon payment of the reasonable maintenance charges, which may include veterinary fees, reclaim and boarding fees, licensing, and vaccination fees.

(Ord. No. 99-20, § 1, 11-23-99)

Cross references: Vehicles and traffic, Ch. 51.

Sec. 72.35. Animal exploitation.

- (a) A person shall not promote, conduct, or permit exploitative live animal contests, performances, or exhibitions, in which animals are encouraged, forced, or trained to perform in an exploitive manner. Prohibited activities are limited to:
 - (1) Equine diving;
 - (2) Greased pig contests;
 - (3) "Hog dog" rodeos;
 - (4) Goldfish swallowing.
- (b) A person or organization whether for profit, nonprofit, charity, or any other purpose shall not offer an animal as a prize in response to

participation in a contest, drawing of chance, merchandising premiums, promotional giveaways, or any other similar event. Pet retailers that operate a cat adoption program are exempt from this provision, if the program:

- (4) Limits cat intake to one litter per individual cat per lifetime;
- (5) Maintains a veterinarian of record;
- (6) Provides for spaying of the mother;
- (7) Provides veterinary care to the kittens; and
- (8) Provides for sterilization of the kittens, prior to six months.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.36. Sale or donation of impounded animals for purpose of scientific research.

All animals in the custody of animal services shall be disposed of via adoption, owner reclamation, or euthanasia. Animal services shall not release, sell, or give any live animal to any institution or private firm or individual for the sole purpose of medical or scientific research.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.37. Inspection of animal establishments.

- (a) Animal services shall have the authority to enter any facility and inspect the facility and any records pertaining to the animals where animals are boarded, sold, bred, trained, or groomed, including but not limited to pet dealerships, kennels, catteries, roadside zoos, zoological parks, flea markets, fairs, circuses or performing animal exhibitions, or any other premise or property where animals are kept as a business.
- (b) Animal services shall not inspect research and instructional programs conducted in the interest of medical science by universities registered with the USDA and operated under federal statutes and rules, establishments owned by licensed veterinarians in private practice, the U.F. College of Veterinary Medicine, or animal establishments where livestock is raised by a bonafide commercial enterprise regulated by governmental agencies.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.38. Authority of animal services to assist with certain animals.

Animal services is authorized, by permit from the Florida Fish and Wildlife Conservation Commission, to humanely trap, transport, relocate, release, or euthanize indigenous or nonindigenous, nongame wildlife. Animal services may also release indigenous wildlife to rehabilitators permitted by the Florida Fish and Wildlife Conservation Commission. Animal services is authorized to assist law enforcement agencies in situations involving livestock, upon request of such agencies. Animal services may provide assistance to citizens and law enforcement agencies in incidents involving any animal.

(Ord. No. 99-20, § 1, 11-23-99)

Sec. 72.39. Trapping animals.

- (a) Any person trapping an animal shall:
- (1) Use a humane trap;
 - (2) Provide the trapped animal with protection from the direct rays of the sun and direct effects of the wind, rain, irrigation and sprinkle systems;
 - (3) Provide fresh water and fresh bait in the trap each time the trap is set;
 - (4) Set the trap at dusk, never during daylight hours;
 - (5) Check the trap in the morning and if the animal has not been trapped, spring the trap;
 - (6) If an animal has been trapped, notify animal services by 10:00 a.m. the following morning so that an enforcement officer can remove any trapped animal, this subsection does not apply to traps set pursuant to a trapping permit granted by the Florida Fish and Wildlife Conservation Commission;
 - (7) Not remove an animal trapped or tamper with the trap or move the trap with an animal inside; and
 - (8) Make every attempt to locate the offspring of any trapped lactating mother.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 7, 12-12-00)

Sec. 72.40. Fees.

- (a) The board shall establish by resolution the fees to be charged in connection with the provisions of this chapter, including boarding and reclaim fees, fees for vaccination and adoption, and fees for license certificates, license tags, and replacement tags; provided that the fee for reclaiming an impounded animal shall be set on an escalating scale so that an owner of an animal that had been previously impounded by

animal services shall pay a higher reclaim fee for such animal on subsequent impoundments.

- (b) Persons with disabilities, with dogs specially trained to assist those persons, and law-enforcement agencies with dogs trained for assisting the agency are exempt from the cost of the license tag.
- (c) No fees shall be assessed if an animal is improperly impounded.
- (d) The reclaim fee shall be waived for a first offender, once during the owner's life, when the owner elects to attend a humane education program presented by animal services.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 8, 12-12-00; Ord. No. 01-22, § 1, 9-25-01)

Sec. 72.41. Waiver of fees.

- (a) The director of the office of animal services may grant a waiver of a required fee or charge, except for fees or charges for licensing, anytime the owner's animal has been impounded as a direct result of a crime committed against the animal owner and the animal owner has been referred to animal services by the Alachua County Office of Victim Services, Peaceful Paths, the Gainesville Police Department, the Alachua County Sheriff's Office, or any other law enforcement office or victim assistance program.
- (b) The director of the office of animal services may grant a waiver of a required fee or charge, except for fees or charges for licensing, once during the animal owner's lifetime for animal owners meeting the Alachua County Office of Social Services' economic screening guidelines as long as the animal owner has not violated. Section 72.10 prior to the impoundment of the owner's animal and no action has been taken against the animal owner under F.S. §828.073 prior to the impoundment of the owner's animal.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 00-22, § 9, 12-12-00)

Sec. 72.42. Chapter to be liberally construed.

This chapter is to be liberally construed in order to effectively carry out the purposes which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of the county.

(Ord. No. 00-22, § 10, 12-12-00)