

**PINELLAS COUNTY ORDINANCE NO. 15 - 42**

AN ORDINANCE OF THE COUNTY OF PINELLAS AMENDING CHAPTER 14 OF THE PINELLAS COUNTY CODE (“CODE”) RELATING TO ANIMALS; ADDING A NEW SECTION 14-38 TO THE CODE RELATING TO IRRESPONSIBLE PET OWNERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AREA EMBRACED; PROVIDING FOR FILING, PROVIDING FOR AN EFFECTIVE DATE.

**BE IT ORDAINED** BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, in meeting duly assembled this 10th day of November, 2015, that:

**Section 1.** Chapter 14 of the Pinellas County Code is hereby amended by adding Section 14-38 to read as follows:

**Sec. 14-38 Irresponsible Pet Owner**

The purpose of this section is to protect the citizens and animals of Pinellas County from the risks and expenses resulting from individuals who repeatedly fail to care responsibly for their domestic animals.

- I. For the purposes of this section, the following terms shall be defined as follows:
  - a. *Conviction* shall include a finding of guilt in an adversarial proceeding or a plea of “guilty” or “no contest”;
  - b. *Animal Safety and Welfare Violation* shall mean a violation of any of the following provisions of this code: 14-30 (except for violations based on excessive noise); 14-31; 14-32; 14-33; 14-34; 14-35; 14-61; 14-63; 14-64.
- II. *Irresponsible Pet Owner Class I*: A person with two previous convictions for Animal Safety and Welfare Violations occurring on separate dates, who commits a third Animal Safety and Welfare Violation within 24 months of the date of offense of the earliest of the three violations, may be charged with a violation of this section, punishable by a minimum fine of \$300.
- III. *Irresponsible Pet Owner Class II*: When a person meets the conditions for an Irresponsible Pet Owner Class I violation, and the circumstances of the most recent violation evidence a knowing refusal to comply with this code or to take corrective

actions, he or she may be charged as an Irresponsible Pet Owner Class II under this paragraph, punishable by a minimum fine of \$400.

IV. Upon conclusion of any appeal, or the expiration of any right to an appeal, a person who has a conviction for an *Irresponsible Pet Owner Class II* violation shall, for a period of three years after the date of the most recent conviction, be subject to the following regulations:

- a. Any owned dogs or cats shall be spayed/neutered and micro-chipped within 30 days
- b. Any owned dogs or cats shall be subject to an Irresponsible Pet Owner license fee established in accordance with this code and applicable law
- c. The owner shall not become the owner of any new dogs or cats, and no licenses will be issued for newly acquired dogs or cats.

**Secs. 14-39 - 14-45. - Reserved**

**Section 2. Severability.**

In the event that any court having jurisdiction over any case arising under this section determines that any subsection or other provision of this section is invalid for any reason, the remaining subsections or other provisions shall continue to be in full force and effect, and towards that end the Board of County Commissioners declares this section and its subsections and other provisions to be severable.

**Section 3. Codification.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pinellas County Code; and that the sections of this Ordinance may be renumbered or re-lettered to conform to the uniform system of the Code, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**Section 4. Areas Embraced.**

Pursuant to Section 2.01 of the Pinellas County Charter, this Ordinance shall be effective in the incorporated as well as unincorporated areas of the County.

**Section 5. Filing of Ordinance; Effective Date.**

Pursuant to Section 125.66(2), Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

APPROVED AS TO FORM

By:

  
Office of County Attorney