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BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NUMBER 333

AN ORDINANCE AMENDING CHAPTER 4, ANIMALS AND FOWL, OF THE CODE OF LAWS AND ORDINANCES OF MARTIN COUNTY, FLORIDA, THEREBY ADDING A BLANKET LICENSE FEE FOR FOUR OR MORE ANIMALS; PROVIDING FOR PENALTIES FOR THE FAILURE TO STERILIZE ANIMALS ADOPTED FROM THE ANIMAL RESCUE LEAGUE; PROVIDING FOR CONFLICTING PROVISIONS; SEVERABILITY; APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE; EFFECTIVE DATE; AND CODIFICATION.

WHEREAS, the Board of County Commissioners of Martin County, Florida, is authorized pursuant to Chapter 125, Florida Statutes, to establish programs providing for the health, safety and general welfare of the residents of Martin County; and,

WHEREAS, the Board is authorized to establish those programs by ordinance; and,

WHEREAS, the Board is authorized to prescribe fines and penalties for the violation of its ordinances; and,

WHEREAS, the Board has determined that certain existing regulations concerning animal control should be amended.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART ONE: Chapter 4, Article III, Section 4-35 is hereby amended as follows:

Section 4-35. Issuance of animal license tags and vaccination certificates.

a) All owners of dogs and cats in Martin County shall be required to obtain a Martin County license tag for each dog and cat they own. The veterinarian shall issue a vaccination certificate and, if applicable, a neutering certificate, to each owner or custodian for each animal so vaccinated or neutered. Said certificate(s) must accompany all applications for a Martin County license tag.

b) Animal owners or custodians shall purchase such license tag directly from the County by mailing a request to Martin County Administration - Animal License Section, Martin County Administrative Building, 50 Kindred Street, Stuart, Florida, 33497.

Such request shall include the vaccination certificate duplicate copy, a neutering certificate duplicate copy (if applicable), a self-addressed stamped envelope and a check payable to the Martin County Board of County Commissioners - Animal Act Fund in one of the following amounts:

- (1) \$10.00 - original license tags; unneutered animal
- (2) \$5.00 - original license tags; neutered animal
- (3) \$1.00 - duplicate license tags
- (4) \$40.00 - original license tags for four (4) or more animals; unneutered animals
- (5) \$20.00 - original license tags for four (4) or more animals; neutered animals
- (6) no charge - seeing eye dogs; law enforcement animals

c) No license shall be transferable from one animal to another nor from one owner to another. Upon transfer of a previously licensed animal to a new owner, said owner shall have a period of thirty (30) days within which to comply with the requirements of this ordinance.

d) Any license issued shall be valid for one year from date of issue, and shall be renewed each year by repeating the above application procedure.

e) The licensing provisions of this ordinance shall not apply to:

- (1). any owner who is a non-resident or temporary resident, as defined, provided that the owner's animal has been vaccinated for rabies in some other jurisdiction, which vaccination remains valid under the laws of Martin County for the duration of the anticipated stay within this county. All other requirements including restraint obligations shall apply; or
- (2). the ownership, care, custody or maintenance, in the ordinary course of business, of any animal by a research or veterinary medical facility, government operated or authorized animal shelter, humane society facility, or

commercial pet shop, provided that said shelter, facility, or shop is operating in accordance with all applicable occupational licensing and zoning ordinances.

f) Proceeds accruing to the county from the sale of animal license tags shall be turned over to the clerk of the circuit court to be placed in a fund designated as the Animal Act Fund. The proceeds shall be used to pay animal control expenses. Any excess at the end of the fiscal year shall be placed in the general fund.

PART TWO: Chapter 4, Article IV, Section 4-48 is hereby amended as follows:

Section 4-48. Sterilization.

No unclaimed dog or cat shall be released for adoption without being sterilized or without a written agreement from the adoptor guaranteeing that said animal will be sterilized. An adoptee's failure to sterilize shall be deemed in violation of this section and such person shall be subject to punishment as provided for by law.

PART THREE: CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict.

PART FOUR: SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

PART FIVE: APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable through Martin County's jurisdiction except where in conflict with a municipal ordinance to the extent of such conflict.

PART SIX: FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to send a certified copy of this ordinance to the Bureau of Laws, Department of State, The Capitol, Tallahassee, Florida 32304.

PART SEVEN: EFFECTIVE DATE.

This ordinance shall take effect upon receipt of official acknowledgment from the Office of Secretary of State that this ordinance has been filed in that office.

PART EIGHT: CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article" or other word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that parts three through eight shall not be codified.

DULY PASSED AND ADOPTED THIS 22ND DAY SEPTEMBER, 1987.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

THOMAS G. KENNY, III, CHAIRMAN

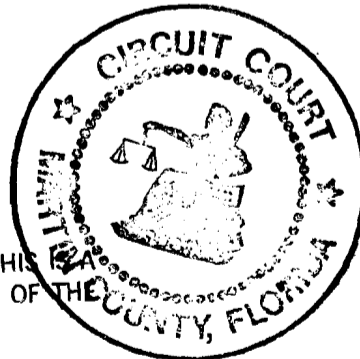
APPROVED AS TO FORM AND
CORRECTNESS:

JOHNATHAN A. FERGUSON
ASSISTANT COUNTY ATTORNEY

Marsha Stiller
MARSHA STILLER, CLERK
By Elsie R. Hutton, D.C.

STATE OF FLORIDA
COUNTY OF MARTIN

THIS IS TO CERTIFY THAT THIS IS
TRUE AND CORRECT COPY OF THE
ORIGINAL.



MARSHA STILLER, CLERK
Marcy Chase
DATE: 9/30/87

0688R

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

NOTICE OF INTENT

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA will consider adopting a County Ordinance regarding the amendment of Chapter 4, Animals and Fowl at its regular meeting on the 22nd day of September, 1987, at 9:00 A.M., or as soon thereafter as the matter may be heard, at the Martin County Administrative Center, 50 Kindred Street, Stuart, Florida. Matters affecting your personal and property rights may be heard and acted upon. All interested persons are invited to attend and be heard.

Copies of the proposed ordinance may be obtained from the County Attorney's Office, First Floor, Martin County Administrative Center, 50 Kindred Street, Stuart, Florida. Amendments to the proposal may be made by the Board of County Commissioners at the public hearing.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETINGS OR HEARINGS OF ANY BOARD, COMMITTEE, COMMISSION, AGENCY, COUNCIL OR ADVISORY GROUP, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD SHOULD INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The title of the proposed ordinance is as follows:

AN ORDINANCE AMENDING CHAPTER 4, ANIMALS AND FOWL,
OF THE CODE OF LAWS AND ORDINANCES OF MARTIN COUNTY,
FLORIDA, THEREBY ADDING A BLANKET LICENSE FEE FOR
FOUR OR MORE ANIMALS; PROVIDING FOR PENALTIES FOR
THE FAILURE TO STERILIZE ANIMALS ADOPTED FROM THE
ANIMAL RESCUE LEAGUE; PROVIDING FOR CONFLICTING
PROVISIONS; SEVERABILITY; APPLICABILITY; FILING WITH
THE DEPARTMENT OF STATE; EFFECTIVE DATE; AND
CODIFICATION

1987.
ATTEST: THIS NOTICE EXECUTED AND DATED THIS 1ST DAY OF SEPTEMBER,

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA


MARSHA STILLER, CLERK


THOMAS G. KENNY, III, CHAIRMAN

APPROVED AS TO FORM AND
CORRECTNESS:


JOHNATHAN A. FERGUSON
ASSISTANT COUNTY ATTORNEY

PUBLISH: THE STUART NEWS

DATE: SEPTEMBER 3, 1987

NOTE TO PUBLISHER:

Send billing and Affidavit of Publication to:
Board of County Commissioners
50 Kindred Street
Stuart, Florida 34997
Attention: Accounting Department