

Sec. 10-13. - Removal of animal defecation; removal of waste associated with animal feeding, polystyrene serving items prohibited.

(a) (1) *Removal of animal defecation.* Any person owning, possessing, harboring or having the care, charge, control or custody of any animal shall immediately remove and thereafter dispose of any fecal matter deposited by the animal on public or private property (other than the property of the owner or responsible party of the animal) unless the owner or person in lawful possession of the property has consented to such deposit. For the purpose of this subsection, animal fecal matter shall be immediately removed by placing the matter in a closed or sealed container and thereafter disposing of it by depositing the matter in a trash receptacle, sanitary disposal unit, or other closed or sealed container.

(2) *Removal of waste associated with animal feeding; polystyrene serving items prohibited.* Any person who feeds or provides food or liquids intended for human or animal consumption to an animal on public or private property (other than the property of the owner or responsible party for the animal) shall remove and dispose of any waste associated with the feeding of the animal, including, but not limited to, any remaining food or liquid and the serving items (including, but not limited to, dishes, plates, cans, or containers), immediately following the feeding of the animal. The use of polystyrene serving items is prohibited. Animals may be fed by placing food on the ground, provided the food is removed in accordance with this subsection. For the purpose of this subsection, the waste associated with animal feeding shall be immediately removed by depositing the waste in an appropriate trash or garbage receptacle.

(b) This section shall not apply to disabled persons accompanied by a service dog used for their assistance.

(Ord. No. 94-2906, § 1(4-6.14.1), 2-16-94; Ord. No. 2008-3604, § 5, 4-16-08; Ord. No. 2017-4140, § 1, 10-18-17)

10-10. - Animals prohibited in public parks and on beaches.

It shall be prohibited for any person to take any animal into, or to keep any animal in or upon, any public park or public beach in the city, except for enclosed public park areas specifically designated for dogs by the city manager or in off-leash park areas specifically designated for dogs as provided in section 10-11. Animals under the custody and control of a law enforcement officer and service dogs accompanying a disabled person are excluded from this section.

(Code 1964, § 4-6.12; Ord. No. 2008-3604, § 5, 4-16-08; Ord. No. 2009-3646, § 1, 9-9-09; Ord. No. 2012-3750, § 1, 1-11-12)

Sec. 10-11. - Running at large prohibited; exception.

It shall be prohibited for the owner or person in control of any animal to permit the animal to run at large. All animals, when not on the premises of their owner or of the person in control, must be on a leash or contained in a carrier device and under the control of a competent person, except that in South Pointe Park, in the designated area south and west of the Washington Avenue entry plaza, dogs may be off-leash from sunrise to 10:00 a.m. daily and from 6:00 p.m. to 9:00 p.m. on Monday through Friday, or during such other hours as may be specifically designated by a resolution of the city commission after a public hearing, through and including December 31, 2014.

(Code 1964, §§ 4-6.6, 4-6.13; Ord. No. 2009-3646, § 2, 9-9-09; Ord. No. 2011-3743, § 1, 10-19-11; Ord. No. 2012-3750, § 2, 1-11-12; Ord. No. 2012-3772, § 1, 7-18-12; Ord. No. 2012-3785, § 1, 12-12-12; Ord. No. 2013-3798, § 1, 5-8-13; Ord. No. 2014-3834, § 1, 1-15-14; Ord. No. 2014-3850, § 1, 4-23-14)

Sec. 10-2. - Fines for violations of animal control ordinances; unpaid fines to constitute lien and basis for revocation of city parking permits/decals.

(a) All violations of this chapter are civil infractions, except as otherwise provided in section 10-5. Each violation of this chapter shall constitute a separate offense. Violations of this chapter, except as otherwise provided in sections 10-9, 10-15, 10-17, 10-18, and 10-19, will be punished as follows:

- (1) For a first offense, a \$50.00 fine.
- (2) For a second offense within the preceding 12 months, a \$100.00 fine.
- (3) For each additional offense within the preceding 12 months, a \$200.00 fine.

For purposes of this section, an offense shall be deemed to have occurred on the date that the violation occurred. An offense occurring 12 months after the last offense shall be treated as a first offense for purposes of incurring new fines. However, any fines imposed in any prior 12-month period shall not be waived.

(b) The failure of any person to pay the appropriate fine within the time allowed or to appeal the violation shall constitute a waiver of the right to an administrative hearing before the special master and fines may be accessed accordingly.

(c) A certified copy of an order imposing a fine may be recorded in the public records and thereafter shall constitute a lien upon any real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the recording of any such lien that which remains unpaid, the city may foreclose or otherwise execute upon the lien. In addition, any order of the special master imposing a fine for a violation of section 10-11 that remains unpaid two months after the date of the order shall be grounds for the

revocation of any and all residential parking permits or decals issued to the violator by the city.

(Code 1964, § 4-2; Ord. No. 2008-3604, § 2, 4-16-08; Ord. No. 2014-3859, § 1, 5-21-14; Ord. No. 2014-3860, § 1, 5-21-14; Ord. No. 2017-4139, § 1, 10-18-17; Ord. No. 2018-4200, § 1, 6-6-18)

Sec. 10-5. - Failure to give accurate identification; refusal to sign and accept a notice of violation.

Any person who is in violation of this chapter and fails to give accurate information regarding his or her identity or willfully refuses to sign or accept a notice of violation issued by law enforcement officer shall be guilty of a misdemeanor of the second degree, punishable as provided by F.S. § 775.082, 775.083 or 775.084.

(Code 1964, § 4-5; Ord. No. 2008-3604, § 5, 4-16-08)