

Chapter 5

ANIMALS*

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*Cross reference—Nuisances, ch. 13.

State law reference—Animals, F.S. ch. 828.

ARTICLE I. IN GENERAL**Sec. 5-1. Animals on sidewalks.**

It shall be unlawful for any person to hitch, ride or allow any horse, mule, ass or other animal to stand on any sidewalk within the corporate limits of the town.

(Code 1980, § 5-1)

Cross reference—Streets and sidewalks, ch. 17.

Sec. 5-2. Hunting and trapping.

It shall be unlawful for any person to shoot, trap or in any other manner kill any birds or wild game of any kind within the corporate limits of the town.

(Code 1980, § 5-2)

Sec. 5-3. Damaging or killing animal belonging to another person.

(a) It shall be unlawful for any person to willfully or wantonly kill, maim or disfigure any animal belonging to another person.

(b) Any person who willfully and maliciously kills, maims or disfigures any animal of another person, or wilfully and maliciously administers poison to any such animal, or exposes any poisonous substance with intent that the poisonous substance shall be taken and swallowed by the animal, shall be punished as provided by section 1-9.

(Code 1980, § 5-3)

Sec. 5-4. Animals infected with contagious diseases.

It shall be unlawful for any person to keep within the corporate limits of the town any animal having a contagious or infectious disease.

(Code 1980, § 5-4)

Sec. 5-5. Cruelty to animals.

It shall be unlawful for any person to overload, drive when overloaded, overwork, torture, torment, deprive of necessary sustenance, or unnecessarily beat or whip any animal or cause or procure such to be done or for any person having the charge or custody of an animal, either as owner or otherwise, to inflict unnecessary cruelty upon it or to ride, drive or work it when sick or unfit to work or fail to provide it with proper food, drink, shelter or protection from the weather.

(Code 1980, § 5-5)

State law reference—Cruelty to animals, F.S. § 828.27.

Sec. 5-6. Vicious dogs; permitting to run at large.

No mischievous or vicious dog shall be permitted to run at large within the limits of the town and if any person is bitten or any injury is done by any dog running at large or without the

enclosure of the owner or keeper thereof, the owner of such dog or the person in whose enclosure the dog is usually kept shall upon conviction be punished as provided by section 1-9. (Code 1980, § 5-21)

Secs. 5-7—5-30. Reserved.

ARTICLE II. RABIES CONTROL

Sec. 5-31. Control of animals with rabies.

(a) *Rabies inoculation and tagging required.* The owner or person in charge of any dog in the town shall cause such dog to be inoculated against rabies and such animal shall wear at all times a tag as evidence of such inoculation.

(b) *Impoundment of dogs not inoculated.* The town animal control officers as designated by the town manager shall from time to time catch any dog which is found running at large on the streets or other public properties of the town and which is not wearing a tag evidencing such rabies inoculation and impound such animal at a location to be designated by the town manager.

(c) *Redemption by owner.* Such dog may be redeemed by the owner or person in charge of the animal by paying the impounding fees and costs of keeping such animal during impoundment and the costs of inoculating and tagging such animal before being released.

(d) *Disposition if unredeemed after five (5) days.* The owner or person in charge of any dog impounded as aforesaid shall have five (5) working days in which to redeem such animal or the animal could be adopted or euthanized.

(Ord. No. 289, § 1, 7-29-97)

Editor's note—Ord. No. 289, adopted July 29, 1997 created § 5-31 pertaining to the control of animals with rabies. Formerly § 5-31 pertained to the rabies inoculation—required tag and was repealed by Ord. No. 268, § 2, adopted February 28, 1995. The repealed provisions derived from the 1980 Code, § 5-22.

Sec. 5-32. Reserved.

Editor's note—Ord. No. 268, § 2, adopted February 28, 1995, repealed the provisions of former § 5-32, which pertained to rabies inoculation—impounding; redeeming; disposition when not redeemed, as derived from Code 1980, § 5-23.

Sec. 5-33. Reporting animal bites.

(a) If any person is bitten by an animal within the limits of the town, it shall become the duty of such person or the owner of such animal when he has knowledge of the incident to report such incident to the police department within 24 hours thereafter.

(b) It shall be the duty of every physician or other practitioner to report to the police department the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

ARTICLE IV. BIRD SANCTUARY**Sec. 5-81. Town designated.**

The entire area now embraced by the corporate limits of the town shall be designated as a bird sanctuary.

(Ord. No. 204, § 1, 6-24-85)

Sec. 5-82. Signs to be posted.

Adequate signs shall be erected at entrances of the town within the discretion of the town council signifying the designation of the area within the corporate limits of the town as a bird sanctuary.

(Ord. No. 204, § 2, 6-24-85)

Sec. 5-83. Hunting, etc., birds or wild fowl; molesting nests.

It shall be unlawful to hunt, kill, maim or trap; to hunt with a slingshot, gun or attempt to in any manner shoot or otherwise molest birds or any wild fowl; or to rob or otherwise molest the nests of birds nesting or located within the corporate limits of the town.

(Ord. No. 204, § 3, 6-24-85)

Sec. 5-84. Numbers constituting health menace; condition to be eliminated.

If starlings, pigeons, or other similar birds are found roosting, nesting or inhabiting any locality within the corporate limits of the town in such numbers as to constitute a health menace to persons or property, it shall be the duty of the town council to notify representatives of the Audobon Society, Garden Club, Birdwatchers Club, or Humane Society, if representatives of any of these organizations are available, advising them that such a condition exists and requesting that immediate action to eliminate the condition be taken by them. If the condition has not been eliminated by representatives of these organizations within a reasonable time, then the town council shall take whatever action it deems necessary to eliminate such conditions or health menace.

(Ord. No. 204, § 4, 6-24-85)

Sec. 5-85. Penalty for violation of article.

Any person violating any of the provisions of this article, upon conviction thereof, shall be punished by a fine of not more than \$100.00 or imprisonment for not more than 30 days, or by both fine and jail sentence.

(Ord. No. 204, § 5, 6-24-85)

(c) It shall be the duty of every licensed veterinarian to report to the town his diagnosis of any animal observed by him as a rabies suspect.
(Code 1980, § 5-25)

Sec. 5-34. Reserved.

Editor's note—Ord. No. 268, § 3, adopted February 28, 1995, repealed the provisions of former § 5-34, which pertained to rabid dogs quarantined, as derived from Code 1980, § 5-24.

Sec. 5-35. Reserved.

Editor's note—Ord. No. 268, § 4, adopted February 28, 1995, repealed the provisions of former § 5-35, which pertained to town pound; fees, as derived from Code 1980, § 5-26.

Secs. 5-36—5-55. Reserved.

ARTICLE III. LIVESTOCK*

Sec. 5-56. Keeping within town limits; penalty for violation of section.

(a) No person shall keep or use any livestock, other than swine, within the limits of the town according to the official map of the town, nor shall he, on any premises in the town which he owns, possesses, has charge of or over which he has or exercises control, permit any livestock to be kept or used unless such livestock is kept in an enclosed area. Such area shall not be less than five acres.

(b) Any person keeping or allowing livestock to be kept contrary to the provisions of this section shall be subject to the penalties provided by section 1-9.
(Code 1980, § 5-9)

Sec. 5-57. Livestock generally—Running at large prohibited.

It shall be unlawful for any owner or custodian of horses, cattle, goats, sheep or hogs to allow such animals to run at large anywhere within the corporate limits of the town.
(Code 1980, § 5-7(a))

Sec. 5-58. Reserved.

Editor's note—Ord. No. 268, § 4, adopted February 28, 1995, repealed the provisions of former § 5-58, which pertained to livestock generally—impoundment, as derived from Code 1980, § 5-27(a)—(d).

***State law reference**—Livestock, F.S. § 588.12 et seq.

Sec. 5-59. Fowl running at large.

It shall be unlawful for any person, either as owner or keeper, to permit or otherwise allow any domestic fowl, including chickens, ducks, geese and turkeys, to run at large within the corporate limits of the town.

(Code 1980, § 5-6)

Sec. 5-60. Hog enclosures.

(a) Hogs shall not be kept within any enclosed lot, yard or pen within the limits of the town, which lot, yard or pen shall be less than 35 square feet. The surface of the enclosure shall be made of concrete and shall be maintained in a sanitary condition. Any person keeping or allowing hogs to be kept contrary to the provisions of this section shall be subject to the penalty as provided by section 1-9.

(b) Any hogs maintained or kept in violation of subsection (a) of this section may be impounded by the town council, and on notice to the owner the town council may authorize the sale of the hogs, or any portion thereof, for the penalty imposed by section 1-9 and the costs, fees and expenses of the proceeding.

(Code 1980, § 5-8)

Secs. 5-61—5-80. Reserved.

See 5-59
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