

EMERGENCY ORDINANCE NO. 184

AN ORDINANCE TO PROVIDE FOR LICENSING, AND TO REGULATE THE HOWLING, BARKING AND RUNNING AT LARGE OF DOGS INSIDE THE CITY LIMITS OF BONIFAY, AND TO PROVIDE PENALTIES FOR FAILURE OF A REFUSAL OF A DOG OWNER TO COMPLY WITH ORDINANCE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, A MUNICIPAL CORPORATION, AS FOLLOWS:

SECTION 1. That it shall be unlawful for any person to own, keep, or have in their possession any dog within the limits of the City of Bonifay without having obtained a license number for same.

SECTION 2. Upon presentation of fee and substantial proof of rabie vaccination, the Clerk shall issue a license number to person for each dog at which time the person will be held responsible for affixing the number on a collar which will be secured around the dog's neck.

The Clerk shall be responsible for keeping a register showing name of person purchasing license, license number, date license purchased, date of vaccination, and a general description of dog licensed.

SECTION 3. Any dog found at large on the street or in any public place inside the city limits of Bonifay without having his license, vaccination and owners' collar appropriately fastened around his neck as required will be picked up and impounded by the City Police or any person designated. If the dog is not released within three (3) days by the owner or person acting for the owner by payment of license tax herein required together with an impoundment fee of \$10.00, such dog shall be killed or disposed of at such times or in such manner as shall be prescribed by three (3) councilmen.

A. The Chief of Police or any state, county or municipal law enforcement officer or employee, is hereby authorized to properly destroy any such dog found within the corporate limits of the city which has not been vaccinated or does not wear a collar having affixed thereto a tag identifying owner and date of vaccination.

B. The city shall not be required to, but may cause any such dog to be first impounded. When impounded, no such dog shall be released unless and until the person applying therefor shall pay the city an impounding fee of \$5.00 for each dog to be released, shall pay the city all expense it has incurred in keeping each dog to be released and shall,

prior to the release, have each dog to be released vaccinated. Any dog not so redeemed within five (5) days after being impounded shall be killed or otherwise destroyed. No person shall release or cause to be released any dog impounded under the provisions hereof except as herein provided.

C. BARKING DOGS -- Barking or howling dogs that constitute a public nuisance shall be removed from the city by the Chief of Police or the Chief of Police.

D. VICIOUS DOGS -- Any person owning, keeping, or harboring in or upon any premises occupied by him or under his charge or control, any vicious or dangerous dog shall keep such dog securely fastened by a chain not over ten (10) feet long, or in a suitable pen securing his confinement.

E. Any person owning, keeping or harboring any vicious or dangerous dog and allowing or suffering such dog to be or go upon any street, park, or public place, or private premises other than the habitat of such dog, shall keep such dog muzzled or otherwise secured, so as to prevent it from biting persons or animals.

SECTION 4. Any person having a dog in his possession, custody or control that is unlicensed may surrender same, to be disposed of as provided in Section 4 of this ordinance. Any person surrendering such dog is not responsible for license tax on such dog.

SECTION 5. Any person who shall knowingly or willfully remove any license number from any dog without consent of owner or who shall knowingly put any license number on any dog for which it was not issued or who shall violate any other provisions of this ordinance shall be punished by fines not to exceed \$25.00 and not less than \$10.00. These fines to be paid to the City Clerk and entered into registry and deposited into City Treasury.

SECTION 6. It shall be unlawful for any keeper or owner of a female dog to allow it to be found on any street or public place during any period in which said dog is in heat. If any such dog, whether she is licensed or not, be found upon the street or running at large in the city limits, shall be impounded and unless the owner or keeper shall within one (1) day after notice to him of such impounding, pay for her release the sum of \$10.00, she shall be killed under the direction of the City Police and the

owner or keeper upon failure to pay such impounding, as provided for by this section shall be punished by a fine of not more than \$25.00 and not less than \$10.00.

SECTION 7. That any dog within the limits of the City of Ponifay having hydrophobia, or any dog which shall have been bitten by any animal with hydrophobia shall be immediately killed whether it is licensed or not, and any dog which is "ramp" frothing at the mouth shall be immediately removed by the owner or killed by police.

SECTION 8. Owners or keepers of dogs running at large, under this ordinance, may be required to place and keep muzzles thereon, whether licensed or not, for the safety of the public upon a proclamation or notice signed by the Mayor, and any three (3) of the city councilmen. Any person not abiding by this notice shall be punished by a fine not exceeding \$25.00 and not less than \$10.00.

SECTION 9. Provided that owners and persons having dogs temporarily in the city limits may be exempt from payment of license tax under this ordinance upon immediately tying up or keeping the same dog while inside the city limits.

SECTION 10. This ordinance shall take effect immediately upon its passage and approval.

PASSED in regular session of the City Council of the City of Ponifay on the 23rd day of January, 1978.

ATTEST:

City Clerk

President or Chairman of the City Council

Done on this 23rd day of January, 1978.

Mayor