



Sec. 14-64. Dangerous animals.

(a) The department shall investigate reported incidents involving any animal that may be dangerous and shall, if possible, interview the owner and require a verified statement from any person, including any animal control code enforcement officer or law enforcement officer, desiring to have an animal classified as dangerous.

(b) Any animal that is the subject of a dangerous animal investigation, that is not impounded with animal services, shall be maintained by the owner in a proper enclosure as that term is defined in section 14-26. The owner shall post the premises with clearly visible warning signs at all entry points that inform both children and adults of the presence of a dangerous animal on the property. Furthermore, it is unlawful for the owner of the animal to permit the animal to be outside a proper enclosure unless the animal is muzzled and restrained by a substantial chain or leash and under the control of a competent person over the age of 18. The muzzle shall be made in a manner that will not cause injury to the animal or interfere with its vision or respiration, but shall prevent it from biting any person or animal. When being transported, such animals shall be safely and securely restrained within a vehicle. The provisions of this section shall apply pending the outcome of the investigation and resolution of any hearing or appeals related to the dangerous animal classification. The address of where the animal resides shall be provided to animal services. No animal that is the subject of a dangerous animal investigation may be relocated or ownership transferred pending the outcome of the investigation or any hearings or appeals related to the determination of the dangerous animal classification.

(c) In the event that any animal control code enforcement officer has sufficient cause to believe that an animal is or may be dangerous and that the owner is unable or unwilling to securely confine the animal pending a final determination, the animal control code enforcement officer may impound the animal pending the investigation or any hearing or appeals regarding the dangerous animal classification, if deemed necessary to protect the public. If the animal is subsequently classified as dangerous by animal services or the animal control authority and such classification is appealed, it shall remain impounded pending final resolution. The owner shall be responsible for boarding fees, veterinary and other costs incurred by the county to maintain the animal during such investigation, classification and appeals.

(d) After the investigation, the department shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous and shall afford the owner an opportunity for a hearing prior to making a final determination. Animal services shall provide written notification of the sufficient cause finding, to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of chapter F.S. ch. 48 relating to service of process. The owner may file a written request for a hearing containing any reasons why they dispute the determination within seven calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible, but not more than 21 calendar days and no sooner than five days after receipt of the request from the owner.

(e) Upon a determination by the director that an animal is dangerous, the director shall make a summary of findings, which shall be incorporated in writing in the classification document.

(f) Animal services shall provide written notification to the owner of the dangerous classification by registered mail, certified hand delivery, or service. The owner may file a written request for a hearing in the county court to appeal the classification within ten business days after receipt of a written determination of the dangerous animal

classification. Pending a resolution of the appeal, the owner must continue to confine the animal in a proper enclosure or surrender the animal to animal services.

(g) Within ten business days after receipt of notification that there is sufficient cause to classify the animal as dangerous pursuant to F.S. ch. 767, or this article, by animal services or after receipt of the decision of the animal control authority upholding the classification, or, if a dangerous dog classification is upheld by the county court on appeal, within one business day after rendition of the order upholding the classification, the owner of the animal must surrender the animal for immediate destruction by animal services.

(h) This section shall not apply to animals owned and used by a law enforcement agency.

(i) If an animal attacks and causes severe injury to or death of any human, the animal shall be immediately confiscated by animal services and placed in quarantine, if necessary, for the proper length of time. The animal will remain confined at animal services pending final resolution of a dangerous animal investigation pursuant to F.S. § 767.12, and this article. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during the confinement. Payment is due upon receipt of an invoice from animal services.

(j) Upon final resolution of the finding that an animal is dangerous, the animal will be destroyed in a humane and expeditious manner. Upon the destruction of the animal:

(1) Animal services shall provide the owner of the animal written notice containing all costs and fees not previously collected by animal services in the confiscation, maintenance, quarantine and destruction of the animal, with a deadline of not less than 30 days from receipt of the notice of payment of the costs and fees.

(2) Pinellas County may thereafter institute proceedings in a court of competent jurisdiction to compel payment of the fees and costs incurred by animal services in the confiscation, maintenance, quarantine, and destruction of the animal. A certified copy of an order awarding the county its fees and costs may be recorded in the public records, and thereafter shall constitute a lien against the land of the animal owner or, if the violator does not own the land, upon any other 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 personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After one year from the filing of any such lien which remains unpaid, Pinellas County may foreclose, or otherwise execute on the lien.

(Ord. No. 92-15, § 7, 3-10-92; Ord. No. 98-66, § 3, 7-28-98; Ord. No. 02-56, § 7, 7-9-02; Ord. No. 08-54, § 11, 10-7-08)