

Chapter 14

ANIMALS*

* **Charter References:** General powers of county, § 2.01.
Cross References: Health and sanitation, ch. 66.
State Law References: General powers of chartered counties, Fla. Const. art. VIII, § 1(g); livestock at large, F.S. ch. 588; cruelty to animals, F.S. ch. 828.

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ARTICLE I.

IN GENERAL

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ARTICLE II.

ANIMAL SERVICES*

* **Charter References:** Animal services, § 2.04(j).
State Law References: Local animal services ordinances, F.S. § 828.27.

DIVISION 1.

GENERALLY

Sec. 14-26. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon means to forsake entirely or neglect or refuse to provide or perform the legal obligations for care and support of an animal.

Animal means any living dumb creature.

Animal control code enforcement officer means all employees of the county department of animal services.

Animal hoarder is a person whose behavior is characterized by the following:

- Failure to provide minimal standards of sanitation, space, nutrition and veterinary care for animals
- Inability to recognize the effects of this failure on the welfare of the animals, human members of the

household and the environment

- Obsessive attempts to accumulate or maintain a collection of animals in the face of progressively deteriorating conditions
- Denial or minimization of problems and living conditions for people and animals

Animal shelter means any facility maintained by the county and any facility maintained by a nonprofit humane organization or municipal agency as approved by the board of county commissioners for the confinement, care, control or disposition of animals that come into its custody.

At large means any dog or cat on the owner's premises which is not within the unobstructed sight and in the control of the owner, or any dog or cat not confined by sufficient means to assure that it is maintained on the property of the owner; or any dog or cat off the owner's premises which is not controlled by an adequate leash or tether, or otherwise under the owner's physical control, as defined in this section.

Attack shall mean the action of an animal, whether or not in response to a command by its owner, to bite, to seize with its teeth or to pursue any human being or domestic animal.

Baiting means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, "baiting" means the use of live animals in the training of racing greyhounds.

Cat means the domestic cat, *felis catus*.

Cruelty (also torture and torment) shall be held to include every act, omission or neglect whereby unnecessary or unjustifiable pain or suffering is caused, except in the interest of medical science, permitted, or allowed to continue when there is a reasonable remedy or relief.

Dangerous animal means any animal that according to the records of county animal services:

- (1) Has aggressively bitten, attacked or endangered or has inflicted severe injury on a human being on public or private property;
- (2) Has more than once severely injured or killed a domestic animal while off the owner's property;
- (3) Has been used primarily or in part for the purpose of dog fighting or is a dog trained for dog fighting; or
- (4) Has, when unprovoked, chased or approached a person in a menacing fashion or apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

Department of animal services or department means the animal services department of the county.

Director means that person in charge of the administration of the department of animal services or

anyone designated by him.

Dog means the domestic dog, *canis familiaris*.

Guard dog means any type of dog used primarily for the purpose of defending, patrolling or protecting property or life at any commercial establishment.

Harboring means the act of keeping and caring for an animal, or providing food, shelter, or care for the animal for a period of at least 48 hours, regardless of whether or not the person is acting alone or in concert with others.

Kennel means any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire or training for a fee dogs or cats. County-operated or city-operated animal services agencies and registered nonprofit humane organizations shall be exempt from this definition.

Owner means any person possessing, harboring, keeping, or having control or custody of an animal or, if the animal is owned by a person under the age of 18 years, that person's parent or guardian.

Pet dealer means any person who, in the ordinary course of business, engages in the sale of more than two litters or 20 dogs or cats per year, whichever comes first, to the public. Such term includes breeders of animals who sell such animals directly to a consumer. County-operated or city-operated animal services agencies and registered nonprofit humane organizations shall be exempt from this definition.

Physical control means the immediate, continuous physical control of a dog or cat at all times, such as by means of a leash, cord, or chain of such strength to restrain the dog or cat; or in the case of specifically trained dogs, "physical control" shall also include visual signals or oral commands by the owner of a dog which effectively responds to such signals or commands, if such dog is at all times within the unobstructed sight of the dog's owner.

Proper enclosure means that, while on the owner's property, a dangerous animal is securely confined indoors, away from exposure to anyone other than members of the immediate household, or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designated to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the animal from escaping over, under, or through the structure and shall also provide protection from the elements.

Public nuisance animal means any animal or combination of animals that unreasonably annoys humans, endangers the life or health of other animals or persons, or substantially interferes with the rights of citizens, other than their owners, to the enjoyment of life or property. The term "public nuisance animal" shall mean and include, but is not limited to, any animal that:

- (1) Is repeatedly found at large;
- (2) Damages the property of anyone other than its owner;
- (3) Chases vehicles, bicycles, persons, or other animals;

- (4) Makes excessive noises, including, but not limited to, continued or repeated howling, barking, whining, or other utterances;
- (5) Causes fouling of the air by odor;
- (6) Is offensive or dangerous to the public health, safety, or welfare; or
- (7) Repeatedly defecates on the property of another.

Severe injury means any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery, regardless of the permanency of any disfigurement.

Unprovoked means that the victim who has been conducting himself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by an animal.

Veterinarian means a person who has graduated from an accredited school of veterinary medicine and licensed by the state board of veterinary medicine. The term "veterinarian" shall not apply to any veterinarian employed full-time by the county, and the county is specifically authorized to hire one or more veterinarians as full-time veterinarians who shall not be required to be licensed by the Florida Board of Veterinary Medicine, but shall be graduates of an accredited school of veterinary medicine.

(Ord. No. 92-15, § 1, 3-10-92; Ord. No. 98-8, § 1, 1-6-98; Ord. No. 98-66, § 1, 7-28-98; Ord. No. 98-100, § 1, 11-24-98; Ord. No. 02-56, § 1, 7-9-02; Ord. No. 08-54, § 1, 10-7-08)

Cross References: Definitions generally, § 1-2.

Sec. 14-27. Violations of article; civil remedies.

(a) A violation of this article is a civil infraction.

(b) Any person convicted of violating any of the provisions of this article may be fined in a sum not to exceed \$500.00. If a violation is continued, each day of such violation shall constitute a separate offense.

(c) Any person who has committed a civil infraction under this article but does not contest the citation shall be fined in an amount not to exceed \$300.00.

(d) In addition to the penalties provided in this section, the board of county commissioners is hereby authorized to institute any appropriate action or proceeding, including suit for injunctive relief, in order to prevent or abate violations of this article.

(Ord. No. 92-15, § 16, 3-10-92)

State Law References: Mandatory provisions, F.S. § 828.27(2), (4).

Sec. 14-28. Areas embraced.

All territory within the legal boundaries of Pinellas County, Florida, including all incorporated and unincorporated areas, shall be embraced by the provisions of this article.

(Ord. No. 92-15, § 17, 3-10-92)

Charter References: Conflicts between county and municipal ordinances, §§ 2.01, 2.04.

Sec. 14-29. Pet dealerships and kennels.

- (a) No pet dealership or kennel shall operate without having a valid pet dealer and kennel permit issued by the department.
- (b) Any person or entity desiring to operate a pet dealership or kennel shall file with the department a permit application on such form as provided by the department.
- (c) All permits issued under this section shall be annual permits, which shall remain in effect from the date the permit is issued until the same month and day of the following year.
- (d) In order to cover administrative and enforcement costs associated with this section, there are hereby levied annual permitting fees for pet dealers and kennels in amounts set by resolution of the board of county commissioners.
- (e) A permit issued under this section is nontransferable from one entity or person to another or from one location to another.
- (f) Any animal control code enforcement officer shall, at any reasonable hour, have access to and shall have the right to inspect the premises and records of a pet dealer or kennel to determine compliance with F.S. chs. 585, 767 and 828 and this article.
- (g) It shall be a violation of this article if the dealership or kennel fails to meet the standards set forth for basic animal care and facility sanitation as established by the department.
(Ord. No. 92-15, § 3, 3-10-92; Ord. No. 08-54, § 2, 10-7-08)

Sec. 14-30. Public nuisance animals.

- (a) The owner of any public nuisance animal, as defined under this article, shall be deemed to be in violation of this article, regardless of the knowledge, intent or culpability of the owner.
- (b) A citation for a violation of this section may be issued based upon:
 - (1) Receipt of verified affidavit(s) of complaint signed by two or more residents of the county, each residing in separate dwellings in the vicinity of the animal(s) or incident(s), setting forth the nature and the time(s) and date(s) of the act(s), the owner of the animal(s), the address of the owner and a description of the animal(s) doing such act(s), the accuracy and veracity of which, shall be confirmed through an animal services investigation; or
 - (2) The observance of noncompliance made by an animal control code enforcement officer, or any other such law enforcement officer authorized to enforce the provisions of this article, during the investigation of a complaint(s) from a resident(s) of the county residing in the vicinity of the animal(s), setting forth the address, the nature and time(s) and date(s) of the act(s), the owner of the animal(s) and/or the address of the owner, and a description of the animal(s) doing such act(s) and observance of such act(s) by an animal control code enforcement officer or any other such law enforcement officer; or

- (3) The personal observance of noncompliance made by an animal control code enforcement officer, or any other such law enforcement officer authorized to enforce the provisions of this article made during the course of the lawful performance of his/her duties in the vicinity of the place of the offense; or
- (4) Placing food or garbage, allowing the placement of food or garbage, or offering food or garbage in such a manner that it attracts cats, dogs, raccoons, coyotes or other wildlife and thereby creates a public nuisance.

(c) The department is also authorized to investigate for violations under this section arising under other circumstances and may issue citations for noncompliance based upon that investigation. (Ord. No. 92-15, § 6, 3-10-92; Ord. No. 98-66, § 2, 7-28-98; Ord. No. 02-56, § 2, 7-9-02; Ord. No. 08-54, § 3, 10-7-08)

Sec. 14-31. Reserved.

Sec. 14-32. Cruelty to animals.

- (a) Whoever tortures, torments or cruelly treats an animal shall be in violation of this article.
- (b) Whoever impounds or confines any animal in any place and fails to supply the animal during such confinement with a sufficient quantity of good and wholesome food and water shall be in violation of this article.
- (c) Whoever keeps any animal in any enclosure without wholesome exercise and change of air shall be in violation of this article.
- (d) Whoever abandons to die any animal that is maimed, sick, infirm, or diseased shall be in violation of this article.
- (e) A person who unnecessarily overloads, overdrives, tortures, torments, deprives of necessary sustenance or shelter, or unnecessarily or cruelly beats, mutilates, or kills any animal, or causes the same to be done, or carries in or upon any vehicle, or otherwise, any animal in a cruel or inhumane manner, shall be in violation of this article.
- (f) Whoever leaves or deposits any poison or any substance containing poison, in any common street, alley, lane, or thoroughfare of any kind, or in any yard or enclosure other than the yard or enclosure occupied or owned by such person, shall be in violation of this article.
- (g) Any person who commits any of the following acts shall be in violation of this article:
 - (1) Betting or wagering any money or other valuable consideration on the fighting or baiting of animals.
 - (2) Attending the fighting or baiting of animals.

(3) Hoarding animals.

(h) In addition to any other penalty provided by law, upon conviction for animal hoarding, the court may order the convicted person to undergo a psychological or psychiatric evaluation and any treatment that the court determines to be appropriate after due consideration of the evaluation.

(Ord. No. 92-15, § 9, 3-10-92; Ord. No. 08-54, § 4, 10-7-08)

Cross References: Offenses involving public morals, § 86-101 et seq.

State Law References: Cruelty to animals, F.S. § 828.12 et seq.

Sec. 14-33. Abandonment of animals.

(a) Any person who is the owner or possessor, or has charge or custody, of any animal and who abandons such animal to suffer injury or malnutrition or who abandons any animal in a street, road, private property or public place without providing for the care, sustenance, protection, and shelter of such animal shall be in violation of this article.

(b) Any person who releases within the county any species of the animal kingdom not indigenous to Florida without having obtained a permit to do so from the Florida Fish and Wildlife Conservation Commission shall be in violation of this article.

(c) Upon receipt of affidavits from two citizens who are not residents of the same household, or upon the report of a law enforcement officer, stating that an animal appears to have been abandoned, or upon receipt of a report that a non indigenous animal has been released, the department may investigate the matter and thereupon is authorized to impound and dispose of the animal in the manner provided by this article, with the assistance of a law enforcement officer if necessary. The department shall cause written notice, bearing the address where the animal may be claimed by the owner thereof and the time by which the animal must be claimed, to be sent to the owner, if known, at the owner's last known address.

(Ord. No. 92-15, § 10, 3-10-92; Ord. No. 98-66, § 4, 7-28-98; Ord. No. 02-56, § 3, 7-9-02; Ord. No. 08-54, § 5, 10-7-08)

State Law References: Abandonment of animals, F.S. § 828.13.

Sec. 14-34. Animals in vehicles.

(a) No vehicle owner, passenger, or operator shall place or confine an animal or allow it to be placed or confined or to remain in an unattended vehicle without sufficient ventilation or under conditions or for such a period of time as may reasonably be expected to endanger the health or well-being of such animal due to heat, lack of water or such other circumstances as may be expected to cause suffering, disability or death.

(b) No operator of a motor vehicle shall transport or keep an animal in or on any motor vehicle unless the animal is safely enclosed within the vehicle or protected by a container, cage, cross tethering or other device that will prevent the animal from falling, being thrown or jumping from the motor vehicle.

(c) Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, sheep, poultry or other agricultural livestock in trailers or other vehicles designed and constructed for such purposes.
(Ord. No. 92-15, § 11, 3-10-92; Ord. No. 08-54, § 6, 10-7-08)

Sec. 14-35. Animal control or cruelty surcharge.

(a) The clerk of the court is hereby authorized to collect the maximum surcharge provided for by F.S. § 828.27(4)(b), as may be subsequently amended, upon each civil penalty imposed for violation of this article.

(b) The surcharge provided for herein shall be used by the county to pay the cost of a 40-hour minimum standards training course for animal control code enforcement officers, approved by the Florida Animal Control Association.

(Ord. No. 99-45, § 1, 5-11-99)

Secs. 14-36--14-45. Reserved.

DIVISION 2.

ADMINISTRATION AND ENFORCEMENT

Sec. 14-46. Enforcement of article.

(a) The department of animal services is designated as the agency of the board of county commissioners to implement and administer the provisions of this article, except as otherwise provided by this article. Animal control code enforcement officers are authorized by the board of county commissioners to conduct investigations pursuant to F.S. ch. 828. Animal control code enforcement officers are also authorized to conduct investigations and issue citations for violations of this article upon probable cause to believe that a person has committed an act in violation of this article.

(b) It shall be a violation of this article to resist, obstruct, or oppose an animal control code enforcement officer while in the lawful performance of his duties, or with anyone who may be assisting in the performance of such duties.

(c) Any person who willfully refuses to sign and accept a citation issued by a law enforcement officer or animal control code enforcement officer shall be in violation of this article.

(d) The board of county commissioners may contract with any state chartered nonprofit humane organization to carry out the duties in this article or any part thereof. Such organizations shall carry out the duties pursuant to the provisions prescribed in this article; failure to do so shall result in the board of county commissioners assuming such duties or contracting with another organization to assume such duties.

Compensation may be provided in an amount adequate to fulfill the prescribed duties.

(Ord. No. 92-15, § 15, 3-10-92; Ord. No. 98-8, § 1, 1-6-98)

Sec. 14-47. Fees and charges; administration of article.

(a) The board of county commissioners is authorized, by resolution, to establish reasonable fees and charges relating to licensing, adoption, impoundment, service fees and such other fees deemed necessary to accomplish the purposes of this article. The director is authorized to waive or modify fees in extreme hardship cases, as set forth by procedures implemented by the director pursuant to this section.

(b) Dependent upon the availability of funds, the board of county commissioners may appropriate funds, in such amounts and under such conditions as deemed by resolution of the board, for rebates to be provided to residents of the county who are owners of dogs or cats which are sterilized within the county by licensed veterinarians.

(c) In the administration and enforcement of this article, the board of county commissioners is authorized to appropriate such sums of money, and the use of such county property, as in the judgment of the board shall be necessary and proper.

(d) The director is authorized to establish programs and procedures as are deemed necessary to accomplish the purposes of this article. These include, but are not limited to, enforcement actions, vaccination programs, measures to deal with kennel hazards, education programs, population control programs, licensing procedures, and the implementation of emergency procedures in the event of a disease outbreak or a state of emergency as defined by section 34-36 of the Pinellas County Code.

(Ord. No. 92-15, § 14, 3-10-92; Ord. No. 06-54, § 1, 6-20-06; Ord. No. 08-54, § 7, 10-7-08)

Sec. 14-48. Impoundment.

(a) The department of animal services and its animal control code enforcement officers, law enforcement officers and humane officers of state chartered nonprofit humane organizations shall have authority to pick up, catch or procure and impound any animal found to be in violation of this article, any animal infected or believed to be infected with rabies or other contagious or infectious disease to humans or animals, or any animal suspected of biting a human, in such manner as is reasonably necessary to effectuate its capture. Impounded animals shall be confined in a humane manner at an animal shelter. Animals impounded at an animal shelter shall be made available for public inspection in order to allow the owner to reclaim their animal. An animal impounded for the purpose of rabies observation shall not be moved or released from the place of quarantine unless permission is first obtained from the director of animal services. The director may approve an exception as to the above-required place of confinement for dogs, ferrets, or cats having a current rabies vaccination administered by a licensed veterinarian.

(b) Unless otherwise provided by this article, an impounded animal shall be held for at least five days, including the day of impoundment, except that those dogs, ferrets or cats impounded for the observation of rabies, or which are licensed or which the owner thereof can otherwise be identified, shall be held at least ten days. The depositing of a letter of notification by first class U.S. mail shall constitute adequate notification of impoundment. The owner shall also be notified by telephone, if possible. This section shall not apply to animals surrendered by the owner or an agent of the owner, in which case disposition may be made as provided in this article without notification or a holding period. At the expiration of the holding period, during which time a diligent attempt has been made to locate and contact the owner, the animal may be disposed of in the manner provided in this article.

(c) A 30-day holding period may be imposed upon all animal shelters, humane organizations, rescue groups or foster homes for domestic animals with owner information or that bear positive owner identification in the form of an identification tag, license tag, microchip, rabies tag, or tattoo, which are impounded during a state of emergency within Pinellas County or those animals which are transferred to Pinellas County from any area where a state of emergency has been declared by competent authority. The holding period will be ten days

for domestic animals that do not bear any of the aforementioned forms of positive owner identification which are impounded during a state of emergency within Pinellas County, or those animals which are transferred to Pinellas County from any area where a state of emergency has been declared by competent authority. Adoption or transfer of animals impounded during a state of emergency in Pinellas County, or of those animals which are transferred to Pinellas County from any area where a state of emergency has been declared by competent authority that are not redeemed within the holding period, will be conditional and the animals will be subject to reclaim by the owner for 120 days from the date of the state of emergency declaration in the area of origin, except where the owner has relinquished all rights to the animal. These requirements may be invoked by the director based on the nature of the state of emergency and its aftermath.

(d) A registry shall be maintained by the impounding agency or rescue group. The registry shall contain any identification and identifying characteristics of each animal impounded along with the location, date, reason for each pickup, any owner information, name of person surrendering the animal, if applicable, and final disposition, to include name and address of the reclaimant or adopter. A copy of the registry shall be provided to department of animal services monthly, and be made available for inspection by the department at the impounding agency, at any time, upon the department's request. The records shall be maintained by the impounding agency for two years.

(e) If an animal bites and causes injury to any human, the animal shall be immediately impounded for rabies observation and quarantine, if necessary, for the proper length of time or held for ten days. Thereafter, the animal shall either be returned to the owner or destroyed in an expeditious and humane manner in accordance with the provisions of this article and F.S. ch. 767, when applicable.

(f) Any owner or person having custody of an animal suspected of biting a human who fails to surrender the animal to the department of animal services for impoundment or inspection when requested by an animal control code enforcement officer shall be in violation of this article.

(g) For violations of this article, an owner may be subject to a written warning or such penalties as prescribed in this article, in addition to or in lieu of impoundment of the animal.
(Ord. No. 92-15, § 12, 3-10-92; Ord. No. 98-8, § 1, 1-6-98; Ord. No. 02-56, § 4, 7-9-02; Ord. No. 06-54, § 2, 6-20-06; Ord. No. 08-54, § 8, 10-7-08)

Sec. 14-49. Adoption, redemption and disposition of animals.

(a) All animals, which have been impounded or rescued in accordance with the provisions of this article, may be disposed of as provided below:

- (1) Within the holding period, animals may be redeemed by the owner or his/her agent upon the payment of any fees or costs associated with the impoundment. If the animal is a dog or cat which is unlicensed, it is necessary for the owner to obtain a license before redeeming the animal. Owners or agents of dogs or cats which have no positive identification shall be required to submit a verified statement of ownership in addition to obtaining a license and paying all associated fees and costs prior to the animal being redeemed.
- (2) If not redeemed within the holding period, animals may be disposed of by humane euthanasia or offered for adoption to any qualified person, upon payment of the adoption fee and, if applicable,

such other costs associated with the impoundment. Animals that appear to be severely diseased or injured and suffering, and those animals medically determined to be suffering from a contagious or infectious disease that could constitute a hazard to other animals or humans may be euthanized at the discretion of the director, or his or her designee, at any time.

- (3) All dogs and cats placed for adoption shall be vaccinated, licensed, and sterilized before custody is relinquished to the new owner.
- (4) Those animals which have passed medical and behavior screening, but have not been adopted, may be offered to state chartered nonprofit humane organizations for the purpose of providing adoptions of such animals. Fees and costs may be waived for the disposition of animals in this manner.

(b) No animal may be disposed of to any medical school, college, university or person for experimentation or vivisection purposes, or to any person providing, selling, or supplying animals to any medical school, college, university or person for experimentation or vivisection purposes.

(Ord. No. 92-15, § 13, 3-10-92; Ord. No. 98-66, § 5, 7-28-98; Ord. No. 02-56, § 5, 7-9-02; Ord. No. 08-54, § 9, 10-7-08)

State Law References: Animal euthanasia, F.S. § 828.05 et seq.

Secs. 14-50--14-60. Reserved.

DIVISION 3.

DOGS AND CATS

Sec. 14-61. Rabies vaccinations and licensing.

(a) Every person possessing, harboring, keeping, or having control or custody of a dog or cat over the age of four months within the county shall secure a county license from a veterinarian or from the department of animal services and, as a part of such license, shall show proof of a current rabies vaccination which shall have been administered by, or under the supervision of, a veterinarian. Evidence of circulating rabies virus antibodies shall not be used as a substitute for obtaining a license, current vaccination in managing rabies exposure or the need for a booster vaccination.

- (1) The duration of immunity of the vaccine shall be recognized in accordance with the current Compendium of Animal Rabies Prevention and Control developed by the National Association of State Public Health Veterinarians.
- (2) Animals not meeting the definition of "currently vaccinated" include:
 - a. Dog, cat, ferret, horse, cattle or sheep whose first vaccination was given less than 28 days before exposure to a known or suspected rabid animal;
 - b. Dog, cat, ferret, horse, cattle or sheep whose previous vaccination expired;
 - c. Dog, cat, ferret, horse, cattle or sheep not vaccinated by, or under the supervision of, a

veterinarian;

d. Any wild animal, or wild and domestic animal hybrids.

(3) Veterinarians or authorized entities shall distribute the county license and rabies vaccination certificates and tags to dog or cat owners according to the most recent procedure promulgated by the department.

(4) Licenses may be issued without the administration of a rabies vaccination provided a veterinarian has examined the dog or cat and has certified that a rabies vaccination could endanger its health because of infirmity, debility, illness, or other medical consideration and states on the certificate, "Rabies vaccination not given for medical reasons." The dog or cat must be vaccinated as soon as its health improves sufficiently to tolerate the vaccine.

(5) The certificate and tag shall be approved and supplied by the board of county commissioners. No other license and rabies certificate or tag shall be valid in the county, except as otherwise provided under this article. The certificate shall provide space for pertinent data for identification of the animal. The license tag shall consist of a serially numbered piece of metal or other material bearing the same number as the certificate. All dogs and cats shall be required to wear a tag, except as otherwise provided under this section. The person to whom a dog or cat license has been issued shall cause the tag to be securely fastened by a substantial device about the animal's neck so as to be clearly visible at all times. If a license tag is lost or destroyed, a duplicate shall be issued by the department upon presentation of the certificate and upon payment of a fee as established by the board of county commissioners. In lieu of the tag, owners of cats may choose a breakaway collar or an alternate form of identification, as approved by the department.

(6) Failure to comply with the provisions of subsections (1) through (5) above or the current procedures promulgated by the department may result in loss of licensing and tag issuing authority.

(b) Licenses, either certificate or tag, shall not be transferable from one dog or cat to another.

(c) Licenses under this article expire when the rabies vaccination expires. A license shall be renewed on or before the date of expiration.

(d) Those persons who relocate their dogs or cats, which are over the age of four months, to the county shall secure a license within 30 days of relocation.

(e) When ownership of a dog or cat is transferred from one party to another, the transferor shall report the change of ownership to the department on such form as provided by the department, whether such change is effectuated by sale, barter, gift, or otherwise, within 30 days of such transfer. The new owner shall maintain a record of the date of transfer, the name and address of the transferor, and proof of previous vaccination and license. Such records shall be maintained by the new owner for a minimum period of one year from the date of transfer and shall be subject to inspection upon demand by any animal control code enforcement officer. All owners of dogs or cats over four months shall obtain a county license within 30 days of the date that they became the owner as defined in this article.

(f) Every person selling or transferring ownership of a dog or cat shall keep records of the most recent proof of vaccination, license, and, when applicable pursuant to F.S. ch. 828, certificate of veterinary inspection. The previous owner shall maintain such records for a minimum period of one year from the date of transfer. All dogs and cats offered for sale, and copies of vaccination or license records, or certificates of veterinary inspection, held by the seller and veterinarian shall be subject to inspection by any animal control officer.

(g) Every person owning, possessing, harboring, keeping or having control or custody of a dog or a cat shall keep records of proof of vaccination, license, and when applicable pursuant to F.S. ch. 828, certificates of veterinary inspection. Every person owning, possession, harboring, keeping or having control or custody of a ferret shall keep records of proof of vaccination. Such records shall be subject to inspection upon demand by any animal control code enforcement officer.

(h) The board of county commissioners is authorized to establish reasonable fees for the issuance and renewal of dog or cat licenses. License fees shall be waived for the following:

- (1) Those persons who are legally blind and whose dogs are registered Seeing Eye dogs; or those persons who are legally deaf and whose dogs are certified "hearing" dogs; or such other physically handicapped persons whose dogs are certified and trained to assist the physically handicapped.
- (2) Dogs owned by a law enforcement agency and used for law enforcement purposes.
- (3) The initial license issued to dogs or cats adopted from state chartered nonprofit humane organizations based upon registry data provided in accordance with subsection 14-48(c).

(i) The provisions of this section shall not apply to racing greyhounds.
(Ord. No. 92-15, § 2, 3-10-92; Ord. No. 98-8, § 1, 1-6-98; Ord. No. 98-66, § 6, 7-28-98; Ord. No. 98-100, § 2, 11-24-98; Ord. No. 02-56, § 6, 7-9-02; Ord. No. 06-54, § 3, 6-20-06; Ord. No. 08-54, § 10, 10-7-08)

Sec. 14-62. Guard dogs.

(a) Registration.

- (1) Guard dog owners or services shall register all dogs used in their business, whether housed or used in the county, with the department. The registration shall include: Name, address and telephone number of the service's manager; the breed, sex, weight, age, color, registration number of the guard dog, and other distinguishing physical features of the dog; a county rabies vaccination and license certificate; and a tag that is highly visible and conspicuously different from ordinary dog tags, as approved and supplied by the board of county commissioners. As a condition to registration, proof of ownership must be presented by either a notarized bill of sale or a notarized affidavit.
- (2) Guard dogs which are newly acquired by guard dog services shall be vaccinated against rabies and registered with the department within 72 hours of acquisition.

- (3) The fee for registration of a guard dog with the department shall be established by the board of county commissioners and shall be a one-time charge for each individual dog.
- (4) Such registration shall not constitute a waiver of the annual license or other requirements of this article.
 - (b) Each guard dog shall be permanently identified by microchip implantation.
 - (c) Reporting requirements. Any person possessing, harboring, keeping or having control or custody of a guard dog shall immediately notify the department when such guard dog:
 - (1) Is loose or unconfined;
 - (2) Has bitten a human being or attacked another animal; or
 - (3) Is sold or given away, or dies. Prior to a guard dog being sold or given away, the owner shall provide the name, address and telephone number of the new owner to the department.
 - (d) Inspection. As a condition to possessing, harboring, keeping, or having control or custody of a guard dog, any animal control code enforcement officer shall, at any reasonable hour, have access to and shall have the right to inspect any premises housing the guard dog to determine compliance with F.S. chs. 828 and 767 and this article.
 - (e) It shall be unlawful for any person to own, harbor, keep, maintain, use or otherwise have custody of any guard dog in the county which has not been vaccinated, registered, and microchipped as provided by this article.
 - (f) Transportation of guard dog.
 - (1) Any vehicle transporting a guard dog must be clearly marked showing that it is transporting a dangerous dog. A compartment separate from the driver is required which shall allow adequate ventilation for the animal.
 - (2) No guard dog shall be transported in the trunk of a car or on open-bed trucks.
 - (3) Guard dogs must be muzzled and leashed, or maintained in a proper enclosure, as defined in this article, when not on guard duty at a commercial establishment.
 - (g) Requirements for businesses using guard dogs.
 - (1) Each business which hires or uses a guard dog must provide proper fencing to keep the guard dog from digging or jumping out, or must otherwise properly confine the animal within a secure enclosure.
 - (2) At each appropriate location and entry point, and at 50-foot intervals along the fence perimeter, a

sign shall be posted including the words "Bad Dog."

- (3) Entry points shall have a sign posted with the telephone number of the dog's trainer or handler in case of an emergency.

(Ord. No. 92-15, § 4, 3-10-92; Ord. No. 98-66, § 7, 7-28-98)

Sec. 14-63. Dogs or cats at large.

(a) No dog or cat shall run at large within the county, as defined under this article. Any person who possesses, harbors, keeps, or has control or custody of any dog or cat which is running at large shall be in violation of this article, regardless of the knowledge, intent or culpability of the owner.

(b) This section shall not apply to police dogs as defined in F.S. § 843.19 when such dogs are engaged by a law enforcement agency in an official capacity, or to any dog which is actually engaged in or being trained for the sport of hunting during a legal hunting season within authorized areas and supervised by the owner.

(c) The owner of any female dog or cat in heat (estrus) which is not kept confined in a secure enclosure, such as a building, veterinary hospital, boarding kennel or closed kennel, such that the female dog or cat cannot come in contact with any male dog or cat, except when the owners of both animals intend to breed such animals, shall be deemed in violation of this article. A fenced area is not sufficient enclosure for the purpose and intent of this subsection.

(Ord. No. 92-15, § 5, 3-10-92)

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)

Sec. 14-65. Reserved.

Editors Note: Section 14-65 has been deleted by the editor, at the direction of the county, inasmuch as it has been superseded by Ord. No. 08-54, § 11, adopted Oct. 7, 2008. Former § 14-65 derived from Ord. No. 92-15, § 8, adopted Mar. 10, 1992; Ord. No. 98-8, § 1, adopted Jan. 6, 1998; Ord. No. 98-12, § 1, adopted Jan. 13, 1998; Ord. No. 98-66, § 7, adopted July 28, 1998; and Ord. No. 99-16, § 1, adopted Feb. 16, 1999. See § 14-64 for similar provisions.

Sec. 14-66. Reserved.

Editors Note: Section 14-66 has been deleted by the editor, at the direction of the county, inasmuch as it has been superseded by Ord. No. 08-54, § 11, adopted Oct. 7, 2008. Former § 14-66 derived from Ord. No. 98-66, § 8, adopted July 28, 1998. See § 14-64 for similar provisions.

Sec. 14-67. Hearings.

(a) *Hearing officer.* There is hereby created for the purposes of this chapter the position of hearing officer. Said hearing officer shall be the director of the health department, or his/her designee, or alternatively a retired judge who is a member in good standing of the Florida Bar and qualified to serve as a Senior Judge within the Sixth Judicial Circuit.

(b) *Notice of hearing.* Upon receipt of a timely, written request for hearing, the director of the department shall schedule a hearing to be held as soon as possible and shall provide the owner of the animal initially classified as dangerous pursuant to F.S. § 767.12, or the owner of an animal confiscated pursuant to F.S. § 767.13, with no less than five calendar days' written notice of the time, date, and place of the hearing, which shall be held not more than 21 calendar days from the date the department receives the owner's request. The notice of hearing shall be sent to the owner by certified mail return receipt requested.

(c) *Hearing procedures.*

(1) Each party shall have the following rights:

- a. To be represented by counsel;
- b. To call and examine witnesses;

- c. To introduce exhibits;
 - d. To examine opposing witnesses on any relevant matter, even though the matter was not covered under direct examination;
 - e. To impeach any witness regardless of which party first called the witness to testify.
- (2) All hearings shall be conducted, insofar as is practicable, in accordance with the Florida Rules of Civil Procedure and the Florida Evidence Code. However, the general nature of the hearing shall be conducted in an informal manner.
- (3) Any interested party may be allowed, within the discretion of the hearing officer, to intervene and appear in a proceeding pending before the hearing officer.
- (4) Evidence.
- a. In any hearing before the hearing officer, irrelevant, immaterial, or unduly repetitious evidence shall be excluded. All other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form, and all testimony of parties and witnesses shall be made under oath. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.
 - b. Documentary evidence may be received in the form of a copy or excerpt if the original is not readily available. Upon request, parties shall be given an opportunity to compare the copy with the original.
 - c. A party shall be permitted to conduct cross-examination when testimony is taken or documents are made a part of the record.
 - d. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions.
 - e. The hearing officer shall ensure that a tape recording of the hearing is preserved, which record shall be public and open to inspection and transcription by any person. A party wishing to have a court reporter record the proceedings must retain and compensate the court reporter for his or her services.
- (5) Written determinations of the hearing officer.
- a. After the hearing, the hearing officer shall issue a determination based upon the preponderance of the evidence. The division shall bear the burden of establishing the elements sufficient to support a finding that the animal is dangerous or that the animal

warrants imminent destruction; and the owner shall bear the burden of establishing any legal defense to the classification of dangerousness or the finding of imminent destruction.

- b. All determinations of the hearing officer shall be in writing, signed and dated by the hearing officer, shall contain findings of fact and conclusions of law, and shall be served upon the owner by registered mail, certified hand delivery, or service in conformance with F.S. ch. 48. If the hearing officer upholds the initial classification of dangerousness or sufficient cause for imminent destruction, the owner shall comply with the applicable provisions this article and F.S. ch. 767; or in the event of any appeal of said determination to a court of competent jurisdiction, within 14 calendar days of a decision adverse to the owner. Any owner may file a written request for a county court certiorari review of the animal control authority hearing and the findings of the hearing officer to appeal the determination of the hearing officer within ten business days of receipt of the determination. If a court of competent jurisdiction makes a dispositive ruling regarding the appellate procedure for appeals taken pursuant to F.S. §§ 767.12 and 767.13, the appellate procedure set forth by the court shall be followed and, if that procedure is de novo, the provisions regarding the hearing officer shall be automatically revoked in favor of an administrative review of the affidavits, records, and other such evidence by the director of animal services.

(6) Payment of hearing officer.

- a. The cost of the hearing officer shall be paid by the department if an animal is cleared of all charges and released back to its owner; the cost of the hearing officer shall be paid by the owner if an animal is not cleared of all charges nor released back to its owner.
- b. If the party who requested the hearing and subsequently became responsible for the cost of the hearing officer fails to pay the hearing officer within 30 days, the department or the county may pay the hearing officer and take action in civil court to obtain reimbursement from the liable party or a lien against the property of the liable party.

(Ord. No. 98-66, § 9, 7-28-98; Ord No. 02-56, § 8, 7-9-02; Ord. No. 08-54, § 12, 10-7-08)

Sec. 14-68. Striking or interfering with a law enforcement animal.

(a) For the purpose of this ordinance, the following terms shall have the meaning indicated in this section. No attempt is made to define ordinary words which are used in accordance with their established dictionary meaning, except when necessary to avoid misunderstanding.

- (1) *Law enforcement animal* means an animal that is owned or leased by a law enforcement agency for the principal purposes of:
 - a. Aiding in:
 - 1. The detention of criminal activity;

2. The enforcement of the laws; and
 3. The apprehension of offenders.
- b. Ensuring the public welfare.
- c. The term includes, but is not limited to, the following:
1. A horse:
 - i. Full-time mounted patrol;
 - ii. Part-time mounted patrol;
 - iii. Posse.
 2. A dog:
 - i. Arson investigation;
 - ii. Bomb detection;
 - iii. Narcotic detection;
 - iv. Patrol;
 - v. Search and rescue;
 - vi. Tracking;
 - vii. Cadaver.
- (b) Striking or interfering with a law enforcement animal.
- (1) It shall be unlawful and punishable as provided by law for any person to knowingly or intentionally:
- a. Strike, torment, bait, injure, or otherwise mistreat a law enforcement animal; or
 - b. Interfere with the actions of a law enforcement animal or harass or bait a law enforcement animal while the animal/handler is:
 1. On duty working for his/her respective agency; or
 2. In an off-duty capacity working at an approved off duty/extra duty event for a contracted entity being paid for law enforcement services; or

3. An approved non-pay volunteer event.
- (2) It is a defense that the accused person:
 - a. Engaged in training activity or discipline; and
 - b. Acted as an employee or agent of a law enforcement agency.
 - (3) In addition to any sentence or fine imposed for the conviction of an offense under this section, the court may order the person convicted to make restitution to the person or law enforcement agency owning the animal for reimbursement of:
 - a. Veterinary bills; and
 - b. Cost of retraining and temporary loss of use; and
 - c. Replacement cost if the animal is disabled, unable to perform its duty, or is killed.

(c) In addition to any other law enforcement or code enforcement officer authorized to issue citations under this chapter, the Sheriff of Pinellas County, his deputies, the Florida Highway Patrol, and police officers in municipalities without conflicting ordinance, shall have the duty and authority to enforce the provisions of this section.

(Ord. No. 98-99, § 1, 11-30-98)

Secs. 14-69--14-85. Reserved.

ARTICLE III.

GAME AND FISH*

* **Cross References:** Aquatic preserves, § 58-366 et seq.; natural resources, ch. 82; parks and recreation, ch. 90; waterways, ch. 130.

State Law References: Special laws or general laws of local application pertaining to hunting or freshwater fishing prohibited, Fla. Const. art. III, § 11(a)(19).

DIVISION 1.

GENERALLY

Secs. 14-86--14-95. Reserved.

DIVISION 2.

SALTWATER FISHING*

* **Editors Note:** The acts contained in this division retain their status as special acts. *See* charter § 5.02. The source of each section is stated in the history note following the section. Unless stated otherwise, the presence of more than one act in a history note indicates that the section is derived from the first listed act as amended by the other acts listed in the history note. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines, capitalization, citations to state statutes and session laws, and expression of numbers in text has been used. Catchlines have been added or adjusted as necessary to accurately reflect the contents of the sections. Textual references to other sections of the same act or to other acts found in this Code are altered so as to reference this Code. The internal numbering or lettering scheme within sections has been made consistent with the scheme used in this Code; however, deleted paragraphs are reserved to maintain sequence. Sections providing for legal status (i.e., severability sections, repealers and effective dates) have been deleted. Additions for clarity are indicated by brackets.

State Law References: Special laws or general laws of local application pertaining to sale or purchase of speckled sea trout or weakfish prohibited, F.S. § 370.083; special laws or general laws of local application pertaining to spearfishing in salt waters and saltwater tributaries prohibited, F.S. § 370.172(4); restriction on county powers relative to saltwater fish, F.S. § 125.01(4); saltwater fish, F.S. ch. 370.

Subdivision I.

In General

Sec. 14-96. Unlawful to permit net or seine to remain set in inland salt waters in excess of four hours.

(a) The words "inland waters," for the purpose of this section shall be defined as follows: All rivers, creeks, runs, brooks, streams, channels, passes, inlets, sounds, bays, bayous, harbors, lagoons or any other inland water, whether the same be salt or brackish, up to and including all approaches of all inland waters to the open waters of the Gulf of Mexico, in Pinellas County, Florida. The dividing line between inland salt waters and open waters of the Gulf of Mexico, for the purpose of this section, shall be established by a line drawn from the farthest point to the farthest point of the outside beach or shoreline at noon low tide, or of the mainland or islands in question, where such beach or shoreline joins the open Gulf of Mexico, as the case may be, said line to be drawn across the entrance to the pass, inlet, harbor, river, creek, lagoon, bay, or bayou, and be considered as the dividing line between inland waters and open waters.

(b) It shall be unlawful to set any net or seine of any description in the inland salt waters of Pinellas County and allow it to remain for a period of time exceeding four hours. The time of such net being in the water [is] to be calculated from the time any portion of such nets is or are first placed in the water. Provided, however, this restriction shall not apply to gill-nets of standard mesh and twine, used in the practice known as "drift-netting."

(c) The owner or owners of nets and seines used or found in use in said inland waters of Pinellas County shall be responsible for the use to which nets or seines are put, when used by themselves or any other person or persons accused of violation of this section, and the court trying said cause shall make a suitable order to the sheriff or other law enforcement officer.

(d) Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100.00 nor more than \$500.00 or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment, and upon conviction of a second or subsequent violation of this section shall be punished by a fine of not less than \$300.00 nor more than \$1,000.00 or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment.

(Laws of Fla. ch. 21486(1941), §§ 1--4)

Editors Note: The specific penalty provided for in the above section is unconstitutional and unenforceable as a special act may not prescribe punishment for crime. *See* Fla. Const. art. III, § 11. However as this section makes a violation a misdemeanor, such violation is punishable as a misdemeanor of the second degree. *See* F.S. §§ 775.08--775.083; *Delmonico v. State*, § 155 So. 2d 368 (Fla. 1963); *Lynch v. Durrance*, 77 So. 2d 489 (Fla. 1955); *Jannett v. Windham*, 109 Fla. 129, 147 So. 296 (1933); *reh. denied*, 109 Fla. 129, 153 So. 784, *aff'd*. 290 U.S. 602.

Sec. 14-97. Taking of saltwater fish in manmade canals.

(a) [*Regulated.*] It is unlawful for any person to take or attempt to take any saltwater fish, except by hook and line or handheld cast net or with no more than five blue-crab traps, within any manmade saltwater canal located in Pinellas County, Florida.

(b) [*Penalty.*] The violation of this section is declared to be a criminal offense and misdemeanor within the meaning of F.S. § 775.08, and shall be punishable as provided by law.
(Laws of Fla. ch. 85-492, §§ 1, 2)

Secs. 14-98--14-110. Reserved.

Subdivision II.

Net License

Sec. 14-111. Required.

No person, firm or corporation shall use or cause to be used any gill net or nets from a boat in the saltwaters of Pinellas County for the purpose of taking or catching fish without a valid license issued by the department of natural resources [now department of environmental protection].
(Laws of Fla. ch. 83-504, § 1)

Sec. 14-112. Fee.

An annual fee of \$300.00 shall be collected by the department for the issuance of the gill net license during a 60-day period beginning May 1 of each year; provided, however, that in 1983 the license issue period shall begin 60 days after this subdivision becomes law. Only one such license shall be required per boat when fishing upon the waters of Pinellas County and shall be valid for the licensee and those members of his immediate family.
(Laws of Fla. ch. 83-504, § 2)

Sec. 14-113. Number to be displayed on boat.

Each person who obtains a license pursuant to this subdivision shall prominently display the license number upon the boat in numerals which are at least ten inches in height and one inch in width in such manner that the permit number is visible both horizontally and vertically.
(Laws of Fla. ch. 83-504, § 3)

Sec. 14-114. Disposition of proceeds.

The proceeds from the collection of fees pursuant to this subdivision minus reasonable administrative cost, shall be used for marine habitat research and restoration in Pinellas County.

(Laws of Fla. ch. 83-504, § 4)

Sec. 14-115. Exceptions to subdivision.

This subdivision shall not apply to a common cast or throw net.

(Laws of Fla. ch. 83-504, § 5)

Sec. 14-116. Application of fee toward future licenses.

In the event the legislature provides for a saltwater products or commercial fishing license, such license fee shall be credited against the fee provided in section 14-112.

(Laws of Fla. ch. 83-504, § 6)

Sec. 14-117. Validity of existing licenses.

For the purpose of complying with the provisions of section 14-111, any similar license issued for any other Florida county shall be valid, as long as the total fee for the license is not less than \$300.00.

(Laws of Fla. ch. 83-504, § 7)

Sec. 14-118. Penalty for violation of subdivision.

The violation of any provision of this subdivision is declared to be a criminal offense and misdemeanor within the meaning of F.S. § 775.08, and shall be punishable as provided by law.

(Laws of Fla. ch. 83-504, § 8)