

APPROVED BY THE BOARD OF COUNTY  
COMMISSIONERS AT THEIR MEETING

JUN 18 1991 *JAC*

RESOLUTION NO. 91-M-24

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA PERTAINING TO ANIMAL SERVICES; REPEALING ORANGE COUNTY RESOLUTIONS NO. 88-M-03 AND NO. 88-M-24 PERTAINING TO ANIMAL CONTROL; ESTABLISHING IMPOUNDMENT FEES; ESTABLISHING A FEE TO BE CHARGED TO OWNERS OF ANIMALS SEIZED BY ANIMAL SERVICES DEPARTMENT FOR VIOLATIONS OF ORDINANCE 91-08 AND RETURNED TO OWNERS WITHOUT IMPOUNDMENT; ESTABLISHING FEES FOR SERVICES PROVIDED BY THE LOW-COST SPAY/NEUTER CLINIC; ESTABLISHING A FEE FOR CERTIFICATES OF REGISTRATION FOR DANGEROUS ANIMALS; ESTABLISHING FEES FOR DISPOSAL OF DEAD ANIMALS; ESTABLISHING FEES AND PROCEDURES FOR ADOPTIONS; ESTABLISHING A SCHEDULE OF CIVIL PENALTIES FOR VIOLATIONS OF ORDINANCE NO. 91-08; PROVIDING FOR A SURCHARGE ON CITATIONS ISSUED PURSUANT TO THE ANIMAL SERVICES ORDINANCE; ESTABLISHING AN ANIMAL SERVICES CLASSIFICATION COMMITTEE; ESTABLISHING AN ANIMAL SERVICES ADVISORY BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners on April 2, 1991, approved Orange County Ordinance No. 91-08, entitled "Orange County Animal Services Ordinance" which amended Ordinance No. 87-9 and repealed Ordinance No. 74-5; and

WHEREAS, the Board of County Commissioners on January 25, 1988, adopted Resolution No. 88-M-03 which promulgated rules and regulations pursuant to Orange County Ordinance No. 87-9; and

WHEREAS, the Board of County Commissioners on May 2, 1988 adopted Resolution No. 88-M-24 which amended Sections 3 and 4 of Resolution No. 88-M-03; and

WHEREAS, the Board of County Commissioners desires to repeal Resolutions No. 88-M-03 and No. 88-M-24; and

WHEREAS, Section 5-30, Orange County Code, empowers the Board of County Commissioners to enact rules and regulations to implement and carry out the provisions of the Orange County Animal Services Ordinance.

Section 4. Pursuant to Section 5-39(k), Orange County Code, the Board of County Commissioners hereby establishes the following annual fees for obtaining and renewing a certificate of registration for a dangerous animal:

- |                         |         |
|-------------------------|---------|
| (a) Sterilized animal   | \$25.00 |
| (b) Unsterilized animal | \$75.00 |

Section 5. Pursuant to Section 5-39(l), Orange County Code, the Board of County Commissioners hereby establishes a fee of ten dollars (\$10.00) for the disposal of dead animals.

Section 6. Pursuant to Section 5-46, Orange County Code, the Board of County Commissioners hereby establishes the following fees and procedures for adoptions:

(a) Fees:

- |                         |         |
|-------------------------|---------|
| 1. Spayed/Neutered Cats | \$10.00 |
| 2. Spayed/Neutered Dogs | \$10.00 |
| 3. Fertile Cats         | \$30.00 |
| 4. Fertile Dogs         | \$40.00 |

(b) Procedures:

1. Each prospective adopter shall be required to complete an Animal Services adoption questionnaire.
2. No adoption will be made to a person whose residential lease does not allow pets.
3. If a prospective adopter's residential lease requires a pet security deposit, the deposit must be paid before the adoption is made.

4. No adoption will be made to any person who has had an animal impounded by the Animal Services Department more than once in any six (6) month period of time. Prospective adopters who have received a citation for an Animal Services ordinance violation will be evaluated on a case by case basis.
5. Any person who adopts an animal from the Animal Services Department will be required to sign a release form.
6. All dogs and cats will be spayed or neutered prior to release for adoption unless an exception is granted at the discretion of the Animal Services Department Manager based on a recommendation from the Department's contract or staff veterinarian.

Section 7.

(a) Citations may be issued to an owner or keeper of an animal for first, second or subsequent offenses of the same violation of the ordinance. Depending upon the circumstances or seriousness of the offense, a warning rather than a citation may be issued.

(b) Pursuant to Section 828.27, Florida Statutes, and Section 5-52(d), Orange County Code, the Board of County Commissioners hereby establishes the following schedule of

civil penalties for a violation of this Ordinance by any person who does not contest the citation:

1. Failure to vaccinate against rabies:

First Offense	\$ 10.00
Second and Subsequent Offense	\$ 20.00
2. Failure to Tag:

First Offense	\$ 10.00
Second and Subsequent Offense	\$ 20.00
3. Failure to notify Animal Services that a dangerous animal has been brought into Orange County: \$ 50.00
4. Failure to comply with the written notification of classification:

First Offense	\$100.00
Second Offense	\$200.00
Third Offense	\$300.00
5. Unauthorized exposure of poisonous or injurious substance:

First Offense	\$ 50.00
Second Offense	\$200.00
Third Offense	\$300.00
6. All other violations of the Ordinance:

First Offense	\$ 25.00
Second Offense	\$ 50.00
Third Offense	\$100.00

(c) Any subsequent offense committed by an owner within eighteen (18) months of a previous offense of the same violation shall incur a civil penalty of the next offense.

(d) Pursuant to Section 5-52(e), Orange County Code, a \$2.00 surcharge will be added to each civil penalty for a violation of Ordinance No. 91-08 in accordance with Section 828.27, Florida Statutes.

Section 8. Pursuant to Section 5-32, Orange County Code, the Board of County Commissioners hereby establishes an Animal Services Classification Committee.

(a) 1. The Animal Services Classification Committee shall consist of seven (7) members appointed by the Board of County Commissioners. All members shall be registered voters and residents of Orange County, Florida unless such requirements are waived by a two-thirds vote of the members of the Board of County Commissioners. An application form must be completed and submitted to the Intergovernmental Affairs Department before a person can be considered for appointment. The following areas of expertise or experience are desirable for members of the Animal Services Classification Committee:

K-9 handler (may be member of law enforcement)

Veterinarian

Orlando Humane Society, Inc.

Obedience trainer or handler

Member of American Kennel Club

Two (2) members of the public.

2. All initial appointments will be made for the remainder of the calendar year 1991. In order to achieve continuity through the staggering of terms, appointments that shall commence on January 1, 1992 shall be made in the following manner: two (2) members shall be appointed for a term of one (1) year, two (2) members shall be appointed for a term of two (2) years and three (3) members shall be appointed for a term of three (3) years. All subsequent appointments shall be for a term of two (2) years.

3. The members of the Animal Services Classification Committee serve at the pleasure of the Board of County Commissioners and may be removed without cause. If any member of the Animal Services Classification Committee resigns, dies or is removed for cause, the Board of County Commissioners shall fill the vacancy by appointment within thirty (30) days after the County Chairman is notified of the need to appoint a successor. Any such appointment shall be for the unexpired term of the vacated office.

(b) The Animal Services Classification Committee annually shall elect one of its members to serve as Chairman and one member to serve as Vice-Chairman. The Chairman shall preside over and conduct meetings of the Animal Services Classification Committee. The Vice-Chairman shall act in the absence of the

Chairman. The secretary to the Animal Services Department Manager or designee shall function as secretary to the Animal Services Classification Committee, but shall not be considered a member of the Animal Services Classification Committee. The secretary or designee shall keep minutes of each meeting of the Animal Services Classification Committee that reflect the identification of topics discussed, motions made and votes taken. Minutes shall be submitted to the County Chairman or her designee within three (3) weeks after the meeting at which the minutes are approved.

(c) 1. The Animal Services Classification Committee shall meet as often as necessary. All meetings shall be open to the public. Special meetings may be called by the Chairman or Vice-Chairman or by any three members of the Committee upon forty-eight (48) hours notice to all members and to the Animal Services Department Manager.

2. Any member who is absent from three (3) consecutive meetings or twenty-five percent (25%) of the regular scheduled meetings in a year shall be replaced. A vacancy shall occur thirty (30) days after the County Chairman is notified of the need to appoint a successor member due to absenteeism. Members shall serve until their successors have been appointed. A member shall be considered absent if not present during fifty percent (50%) of the duration of a meeting.

3. Four (4) members of the Animal Services Classification Committee shall constitute a quorum.

Recommendations and decisions of the Animal Services Classification Committee must be made by a majority vote of those present and voting.

(d) Members of the Animal Services Classification Committee shall receive no compensation for the performance of their duties hereunder, but each member shall be reimbursed for necessary expenses incurred while engaged in the performance of such duties, pursuant to Section 112.061, Florida Statutes.

(e) The Animal Services Department Manager will act as advisor to the Animal Services Classification Committee.

(f) The Animal Services Classification Committee shall, within five (5) working days of the referral, review each completed investigation that is referred to the Committee by the Animal Services Department Manager pursuant to Section 5-32, Orange County Code, regarding an incident involving an animal that may be dangerous. The Animal Services Classification Committee shall, after review of the completed investigation, determine whether the animal should be classified as a dangerous animal pursuant to Section 5-29(m), Orange County Code, as a dangerous dog pursuant to Chapter 767, Florida Statutes, or whether the complaint fails to meet the applicable criteria.

(g) The Animal Services Classification Committee shall provide the Animal Services Department Manager with its written determination as to classification immediately. The Animal



Services Department Manager shall send a written notice of classification to the owner of an animal classified as dangerous in accordance with the requirements of Section 5-32, Orange County Code.

Section 9. Pursuant to Section 5-48, Orange County Code, the Board of County Commissioners hereby establishes an Animal Services Advisory Board to assist and advise it in carrying out an effective and comprehensive Animal Services program.

(a) The responsibilities of the Animal Services Advisory Board shall be:

1. To assist and advise the Board of County Commissioners concerning animal services programs and policies in Orange County.
2. To assist the Board of County Commissioners in promoting a community awareness of the purposes and responsibilities of the Orange County Animal Services Department.

(b) 1. The Animal Services Advisory Board shall consist of seven (7) members appointed by the Board of County Commissioners. All members shall be registered voters and residents of Orange County, Florida unless such requirements are waived by a two-thirds vote of the members of the Board of County Commissioners. An application form must be completed and submitted to the Intergovernmental Affairs Department

before a person can be considered for appointment. The membership of the Animal Services Advisory Board may include representatives of the following agencies or professions:

Orange County Sheriff's Department

Orange County Health Department

Orlando Humane Society, Inc.

Veterinarian

Attorney

Two (2) at large appointments from the public

2. All initial appointments will be made for the remainder of the calendar year 1991. In order to achieve continuity through the staggering of terms, appointments that shall commence on January 1, 1992 shall be made in the following manner: two (2) members shall be appointed for a term of one (1) year, two (2) members shall be appointed for a term of two (2) years and three (3) members shall be appointed for a term of three (3) years. All subsequent appointments shall be for a term of two (2) years.

3. Members of the Animal Services Advisory Board shall receive no compensation for the performance of their duties hereunder, but each member shall be reimbursed for necessary expenses incurred while engaged in the performance of such duties, pursuant to Section 112.061, Florida Statutes.

4. The members of the Animal Services Advisory Board may be removed for cause upon a majority vote of the Board of County Commissioners. If any member of the Animal Services

Advisory Board resigns, dies or is removed for cause, the Board of County Commissioners shall fill the vacancy by appointment within thirty (30) days after the County Chairman is notified of the vacancy. Any such appointment shall be for the unexpired term of the vacated office.

(c) The Animal Services Advisory Board annually shall elect one of its members to serve as Chairman and one member to serve as Vice-Chairman. The Chairman shall preside over and conduct meetings of the Animal Services Advisory Board. The Vice-Chairman shall act in the absence of the Chairman. The secretary to the Animal Services Department Manager or designee shall function as secretary to the Animal Services Advisory Board, but shall not be considered a member of the Animal Services Advisory Board. The secretary or designee shall keep minutes of each meeting of the Animal Services Advisory Board that reflect the identification of topics discussed, motions made and votes taken. Minutes shall be submitted to the County Chairman or her designee within three (3) weeks after the meeting at which the minutes are approved.

(d) 1. The Animal Services Advisory Board shall meet at least quarterly. All meetings shall be open to the public. Special meetings may be called by the Chairman or Vice Chairman or by any three members of the Committee upon forty-eight (48) hours notice to all members and to the Animal Services Department Manager.

2. Any advisory board member who is absent from three (3) consecutive meetings or twenty-five percent (25%) of the regular scheduled meetings in a year shall be replaced. A vacancy shall occur thirty (30) days after the County Chairman is notified of the need to appoint a successor member due to absenteeism. Members shall serve until their successors have been appointed. A member shall be considered absent if not present during fifty percent (50%) of the duration of a meeting.

3. The Chairman shall be responsible for preparing the meeting agenda. The Animal Services Department Manager shall aid the Chairman in preparing and distributing the agenda, which, except for special meetings, shall be mailed to each member of the Animal Services Advisory Board at least five (5) days before the next meeting date. The Animal Services Department Manager and any member of the Animal Services Advisory Board may place an item on the agenda by notifying the Chairman prior to the preparation of the agenda.

4. Four (4) members of the Animal Services Advisory Board shall constitute a quorum. Recommendations and decisions of the Animal Services Advisory Board must be made by a majority vote of those present and voting.

5. The Animal Services Department Manager shall attend all meetings of the Animal Services Advisory Board, but shall not vote on any matter.

(e) Subcommittees may be appointed by the Chairman, when necessary, as determined by the Animal Services Advisory Board or by the Chairman.

(f) All recommendations of the Animal Services Advisory Board will be reduced to writing and will be forwarded to the Animal Services Department Manager and Director of the Health and Human Services Division for review. The Animal Services Advisory Board, through its Chairman, shall submit an annual report of the activities of the advisory board to the Board of County Commissioners by completing a standard form supplied by the appropriate County department. The annual report shall be submitted prior to the annual appointments to the advisory board.

Section 10. This Resolution shall take effect upon adoption.

ADOPTED THIS 18th DAY OF June, 1991.

ORANGE COUNTY, FLORIDA

BY: Vera M. Carter  
VICE County Chairman

DATE: June 18, 1991

ATTEST: Martha O. Haynie, Comptroller  
as Clerk to the Board  
of County Commissioners

BY: Mary J. Garrison  
Deputy Clerk