

CHAPTER 3: ANIMALS AND FOWL

Article

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ARTICLE I: IN GENERAL

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§ 3-1 CRUELTY TO ANIMALS.

No person shall inflict any unnecessary cruelty whatever upon any animal whether wild or domestic.
(Ord. 86, § I, passed 7-16-1973)

§ 3-2 POISONING ANIMALS.

No person shall willfully place within reach of any domestic animal any substance that is harmful to such animal.
(Ord. 86, § II, passed 7-16-1973)

§ 3-3 ABANDONING.

(A) No person shall desert or abandon any dog, cat or other domestic animal.

(B) (1) When any person desires to dispose of any pet he or she shall communicate with the Police Department or Humane Society.

(2) Thereupon the Police Department or Humane Society shall find a home for the pet, if possible, or see that it is disposed of by the Humane Society.
(Ord. 86, § III, passed 7-16-1973)

§ 3-4 DEAD ANIMALS; DISPOSITION.

No person shall place any dead animal upon his or her premises or upon the premises of any other person or allow any dead animal to remain upon his or her premises, or any dead animal belonging to him or her to remain upon the premises of another without disposing of same or causing the same to be properly removed or disposed of within 24 hours.

(Ord. 86, § IV, passed 7-16-1973)

§ 3-5 ANIMALS WITH COMMUNICABLE DISEASES.

Any animal in the town which is infected with a communicable disease, and which is exposed to contact with children or other animals, shall be confined and isolated or surrendered to the humane officer.

(Ord. 86, § V, passed 7-16-1973)

§ 3-6 CENSUS OF PETS.

For the purpose of enabling enforcement of this chapter, as soon as practicable after its final passage, the Police Department of the town shall cause to be made a census of all dogs and cats living within the town.

(Ord. 86, § VI, passed 7-16-1973)

§ 3-7 MARINE WILDLIFE; DEFINED.

For the purpose of this article, the following definition shall apply, unless the context clearly indicates or requires a different meaning.

MARINE WILDLIFE shall mean all wild creatures that inhabit the marine environment, including but not limited to sharks, dolphins, moray eels, barracudas, manatees and all species of fish.

(Ord. 200, § 1, passed 5-1-2001)

§ 3-8 FEEDING MARINE WILDLIFE PROHIBITED.

(A) It shall be unlawful for any person to feed marine wildlife within 1,500 feet of the mean high water line adjacent to the shoreline in the Town of Hillsboro Beach.

(B) It shall be unlawful for the owner or operator of any vessel to permit or assist any passenger on that vessel in the feeding of marine wildlife within 1,500 feet of the mean high water line adjacent to the shoreline in the Town of Hillsboro Beach.

(C) Any violation of this section shall be punishable pursuant to § 1-9 of this code.

(D) Nothing in this section shall be construed to prohibit the use of bait or chum in the course of any lawful fishing activity or harvesting of marine wildlife pursuant to all applicable state and federal regulations.

(Ord. 200, § 1, passed 5-1-2001)

§§ 3-9 — 3-16 RESERVED.

ARTICLE II: DOGS AND CATS

Section

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§ 3-17 RABIES INOCULATION; REQUIRED.

No person who shall own, or have charge or control of, any dog or cat shall keep or knowingly permit such dog or cat within the town without first having the dog or cat vaccinated against rabies. (Ord. 86, § VII, passed 7-16-1973)

§ 3-18 VACCINATION; VETERINARIAN; TAG; CERTIFICATE.

(A) Every dog or cat shall be vaccinated against rabies by a veterinarian duly licensed by the state, or the owner shall present proper proof that his or her dog or cat has been currently inoculated by proper authority.

(B) The veterinarian shall issue to the owner, or person in charge or control of the dog or cat, a metal tag showing that the dog or cat has been vaccinated against rabies, which tag shall be attached to the collar or harness of the dog or cat.

(C) The veterinarian shall issue a certificate stating the kind, name and markings of the dog or cat vaccinated and the date of the vaccination. The certificate shall also contain the name of the owner or person in charge or control of the dog or cat, and the address where the dog or cat is usually kept while in the town.

(D) Every owner, or person in charge or control of any dog or cat so vaccinated, shall present the veterinarian's certificate of vaccination to the Clerk within 15 days after the vaccination, or at any time upon demand of the Police Department.
(Ord. 86, § VIII, passed 7-16-1973)

§ 3-19 ANIMAL BITES; REPORT REQUIRED.

When any person is bitten by an animal within the town, the person, or the owner of the animal, shall report the incident to the Police Department or the Clerk, or the County Health Department, within 24 hours after the incident.
(Ord. 86, § IX, passed 7-16-1973)

§ 3-20 QUARANTINE OF ANIMAL; LABORATORY ANALYSIS.

(A) The owner, or person having charge or control of any animal known to have bitten any person, shall place or keep the animal in quarantine, for such period of time as may be designated by the County Health Officer, for the purpose of testing the animal for disease.

(B) Any animal suspected of being infected with rabies shall be released by its owner or custodian to the County Health Officer for laboratory analysis by a licensed veterinarian.

(C) No liability for compensation to the owner of the animal shall attach to the town by virtue of any procedure by the County Health Officer or the veterinarian.
(Ord. 86, § X, passed 7-16-1973)

§ 3-21 ROAMING OR RUNNING AT LARGE.

(A) *On private property of another.*

(1) It is unlawful to permit any dog or cat to enter or be upon private property in the town belonging to, leased by or in the rightful possession of any person without the consent of the property owner, lessee or tenant.

(2) For the purpose of this section, **PRIVATE PROPERTY** shall include any portion of the public right-of-way which adjoins private property and which is a grassed area maintained by the owner of the adjoining private property.

(B) *On public property.*

(1) It is unlawful to permit any dog or cat to run at large upon the public streets, sidewalks, parks or recreation areas of the town.

(2) For the purpose of this section, *AT LARGE* shall be defined as not on a leash, the leash not to exceed 8 feet in length; and the dog or cat shall be under the physical restraint of the person in possession of the dog or cat.

(Ord. 86, § XI, passed 7-16-1973; Ord. 145, passed 10-3-1988; Ord. 162, § 1, passed 12-2-1991)

§ 3-22 RESERVED.

Editor's note:

Former § 3-22, pertaining to dogs or cats roaming at large upon the public streets, has been deleted and treated by the original editor as having been superseded by the provisions of § 3-21, amended by Ord. 145, adopted 10-3-1988; said former section bore no history note.

§ 3-23 SETTING AT LARGE.

(A) It shall be unlawful for any person to open, unlatch, unsnap or otherwise release any fence, pen or other enclosure or restraint containing or restraining any dog or cat in the town, save and except with the express consent of the owner of the fence, pen or enclosure or other container or restraint.

(B) For the purpose of this section, *AT LARGE* shall be defined as a dog or cat not on a leash. The leash required to comply with this article shall not exceed 8 feet in length and the dog or cat shall be under physical restraint of the person in possession of the dog or cat.

(C) It shall be unlawful to permit any dog or cat, whether on a leash or at large, to come upon city property or any public beach at any time.

(Ord. 86, § XII, passed 7-16-1973; Ord. 86, § XVII, passed 7-16-1973; Ord. 162, § 2, passed 12-2-1991)

§ 3-24 ALLOWING DAMAGE OR DESTRUCTION OF PROPERTY.

It shall be unlawful to permit any dog or cat to damage, despoil or destroy:

(A) Any public property; or

(B) Any private property in the town belonging to, in the possession or under the custody or control of any person.

(Ord. 86, § XIII, passed 7-16-1973)

§ 3-25 BITCHES IN HEAT.

It shall be unlawful to permit any bitch in heat to be out-of-doors except:

(A) Within adequately fenced property of the person owning the bitch in heat or being responsible for her custody and control; or

(B) On a leash, chain, rope or lead not to exceed 8 feet in length, and under the physical restraint of the person in possession of the bitch.

(Ord. 86, § XIV, passed 7-16-1973)

§ 3-26 BARKING OR HOWLING DOGS OR CATS.

It shall be unlawful to permit any dog or cat in the town which howls, cries, yells, barks or growls to such an extent as to disturb the sleep, peace or tranquility of the community.

(Ord. 86, § XV, passed 7-16-1973)

§ 3-27 VICIOUS DOGS.

(A) It shall be unlawful to permit or maintain any vicious dog in the town unless the dog is:

(1) On the property of the person owning or controlling such dog or responsible for its custody;
and

(2) Properly muzzled.

(B) For the purpose of this section, a *VICIOUS DOG* is defined to include without limitation any dog which has previously bitten or attempted to bite an innocent person.

(C) An *INNOCENT PERSON* for the purposes of this section shall be construed and defined as a non-trespasser.

(D) The owner of a known vicious dog shall post his or her property with appropriate warnings to this effect.

(Ord. 86, § XVI, passed 7-16-1973)

§ 3-28 IMPOUNDING.

(A) Any dog or cat entering or remaining on private or public property, in violation of this article; every dog or cat at large upon public streets, sidewalks, parks or recreation areas, in violation of this article; every dog or cat damaging, despoiling private or public property, in violation of this article; every bitch in heat remaining out-of-doors, in violation of this article; any dog or cat howling, crying, yelling, screaming, barking or growling, in violation of this article; and every vicious dog permitted or maintained, in violation of this article, shall be subject to being picked up by any police officer, public health officer, the Humane Society of Broward County or official dog catcher appointed by the town, and deposited by the official in any place or places maintained by or arranged for through the town for

the retention, custody or control of the animals. The Town Commission may by motion enter into such contracts as it deems advisable with the Humane Society of Broward County, the Broward Rabies Control Division and the Broward County Health Department to carry out the purposes of this section.

(B) The person owning or being responsible for the detained animal may arrange for its release by:

(1) Proving his or her ownership or right to possession of the animal;

(2) Paying such charges as may be required by the agency or person in whose possession or control such detained animal may have been delivered by the town; and

(3) Paying to the town an impounding fee of \$25.

(C) The charges imposed under this section are separate and independent of and from any and all fines that are or may be imposed on any person under this article and no conviction of a person thereunder shall be required as a condition precedent to the collection of charges under this section.

(Ord. 86, § XVIII, passed 7-16-1973)

§ 3-29 PENALTY FOR VIOLATIONS.

(A) Any person violating §§ 3-21 through 3-27 of this article shall, upon conviction, be punished by a fine not to exceed \$100 for a first offense.

(B) For a second offense, within a 1-year period, any person violating §§ 3-21 through 3-27 of this article shall, upon conviction, be punished by a fine not to exceed \$150 for the second offense.

(C) For a third offense, within a 1-year period, any person violating §§ 3-21 through 3-27 of this article shall, upon conviction, be punished by a fine not to exceed \$300 for the third offense.

(D) Thereafter, any person convicted of such an offense may be punished by a fine not to exceed \$500 at the discretion of the Municipal Court.

(E) For the purpose of enforcement of this article, it shall be conclusively presumed that any person owing or having responsibility for the possession, custody or control of any dog or cat in the town shall be and is responsible for the activities of the dog or cat and shall be presumed to have permitted, aided and consented to any and all acts of the dog or cat, including acts violative of this article.

(Ord. 86, § XIX, passed 7-16-1973)

