

ORDINANCE NO. 105

AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES FOR THE CITY OF PORT ST. JOE, BY ADDING THERETO SECTION 4-38 AND PROVIDING A DEFINITION OF NUISANCE DOGS; PROVIDING FOR PENALTIES FOR THOSE ALLOWING SAID DOGS TO BECOME A PUBLIC NUISANCE AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA:

Section 1. Chapter 4 of the Code of Ordinances of the City of Port St. Joe, Florida, is amended by adding Section 4-38 as follows:

"Section 4-38. Public Nuisance.

(a). No owner or keeper of any dog shall fail to exercise proper care or control of the dog to prevent it from becoming a public nuisance, or nuisance animal(s).

(b). A public nuisance or nuisance animal shall be defined as a dog which:

- (1) Runs at large;
- (2) Molests passersby or passing vehicles;
- (3) Attacks other animals;
- (4) Trespasses on school grounds, parks or other public property;
- (5) Damages private or public property;
- (6) Barks, whines or howls in an excessive continuous or untimely fashion;
- (7) Causes an annoyance in the neighborhood by acts such as overturning garbage cans, digging holes upon other than its owner's property, or such other acts that are generally regarded to create a public nuisance."

Section 2. Penalty. Any person or firm found guilty of violation of or failure to comply with the terms of this ordinance shall be punishable by a fine of not more than \$100 or confinement not exceeding 10 days. Each day that a violation continues shall be a separate offense.

Section 3. Effective Date. This ordinance shall become effective upon adoption.

This ordinance introduced this 3rd day of July, 1979, and adopted this 17th day of July, 1979.

/s/ Frank Pate
Mayor-Commissioner

ATTEST: /s/ C. W. Brock
City Auditor/Clerk