

Sec. 4-7. Public nuisance animals.

- (a) This section shall not apply to livestock or other animals utilized in a farm operation as defined in FS 823.14 and qualified for nuisance protection under the FS 823.14, to guide dogs for the blind, or to hunting, competition or working dogs while being trained or worked.
- (b) It is a violation of this chapter to own, keep, or harbor a public nuisance animal. The owner of any public nuisance animal shall be in violation of this chapter, regardless of the knowledge, intent or culpability of the owner.
- (c) It shall be considered a nuisance when the keeping of dogs, cats or other animals results in an offensive odor because of failure of the owner to clean the premises.
- (d) Public nuisance animal shall also mean any dog that makes excessive noises that cause unreasonable annoyance, disturbance or discomfort to the neighbors. This includes but is not limited to continued or repeated howling, barking or whining, without provocation, with the exception of dogs housed at animal care establishments. The violation can be witnessed by an officer or documented in at least two (2) affidavits from individuals living or staying in separate residences within one thousand (1,000) feet of the dog's location. The affidavits must contain documentation of the times and dates of such nuisances, and must be documented by an animal control officer who will determine if there is probable cause to believe a violation has occurred. A violation may be documented in one (1) notarized affidavit for the purposes of this section if there are no other residences within the dog's location other than the residence of the party filing the affidavit.