ORDINANCE NO. 90-23

AN ORDINANCE AMENDING PROVISIONS IN THE CODE OF LAWS OF LEON COUNTY, FLORIDA, RELATING TO ANIMAL CONTROL, BY AMENDING CHAPTER 4, "ANIMALS AND FOWL", ARTICLE II 1/2, "ANIMAL CONTROL", DIVISION 1, "GENERALLY", BY AMENDING SECTION 4-41(b), "ENFORCEMENT AND PENALTIES", BY ADDING A NEW SUB-SUBPARAGRAPH (8) TO ESTABLISH A $2.00 SURCHARGE PER VIOLATION ON CITATIONS FOR VIOLATIONS OF THE COUNTY'S ANIMAL CONTROL ORDINANCES, WITH SUCH COLLECTED FUNDS TO BE EARMARKED FOR TRAINING OF COUNTY ANIMAL CONTROL OFFICERS; PROVIDING A GENERAL REPEALER CLAUSE; PROVIDING A SAVING CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in 1989 the Florida Legislature enacted amendments to Florida Statutes, Section 828.27 requiring minimum training and certification of Animal Control Officers hired after January 1, 1990; and,

WHEREAS, the legislation also provided that local governments may assess a $2.00 surcharge per violation on citations issued to citizens for violations of local animal control ordinances, with such collected funds to be used and earmarked for staff training of such Animal Control Officers; and,

WHEREAS, the Board of County Commissioners of Leon County, Florida, wishes to enact such a surcharge to commence immediately upon the effective date of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA AS FOLLOWS:

Section 1. That Chapter 4, "Animals and Fowl", Article II 1/2, "Animal Control", Division 1, "Generally" of the Code of Laws of Leon County, Florida, be, and the same is hereby, amended by enacting a new sub-subsection 4-41(b)(8), "Enforcement and Penalties", to read as follows:

(8) In addition to any penalties and/or court costs imposed by this Article or the Court, there shall be imposed and collected by the Clerk of the Court a $2.00 surcharge upon each civil penalty imposed for all citations issued for violations of this Article. All funds collected as a direct result of this surcharge shall be placed in a fund by the County to be utilized for funding training of Leon County animal protection officers as required by Florida Statutes, Chapter 828.

Section 2. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 3. That all ordinances or parts of ordinances which are in conflict herewith are hereby repealed.

Section 4. In accordance with Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment, and this Ordinance shall take effect upon receipt of official acknowledgement that said Ordinance has been filed.

BOARD OF COUNTY COMMISSIONERS
LEON COUNTY, FLORIDA

BY: _____
GARY YORDON, CHAIRMAN

ATTEST:

BY: _____
SAM HURST, DEPUTY CLERK

APPROVED AS TO FORM:

_____
COUNTY ATTORNEY