



# Temple Terrace Police Department

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Kenneth R. Albano  
Chief of Police

Case # \_\_\_\_\_

## Section 4.410 ANIMALS OR FOWL THAT DISTURB NEIGHBORS OR DAMAGE PROPERTY DECLARED A NUISANCE AND PROHIBITED.

No owner shall keep, house, own, maintain or have in custody any dog, cat, or other animal or fowl, within the limits of the City, which by barking, howling, crowing, cackling, or by any other noises or by the destruction or damage of property creates a nuisance or disturbs the peace, comfort, and quiet or infringes on the property rights of adjoining neighbors.

(a) Form of complaint. Any persons who are disturbed in their peace, comfort, and quiet, or who have their property destroyed or damaged, in violation of this Section, shall have a right to file a complaint with the City's Chief of Police in the following written form:

I, or we, \_\_\_\_\_ residing at \_\_\_\_\_, and

I, or we, \_\_\_\_\_ residing at \_\_\_\_\_,

Temple Terrace, Florida, do hereby complain that \_\_\_\_\_ is the owner

or keeps, houses, or has the custody of \_\_\_\_\_ at \_\_\_\_\_,

Temple Terrace, Florida, which animal or fowl has created a nuisance as follows:

\_\_\_\_\_

and I, or we, request the City of Temple Terrace to require that said nuisance be abated.

\_\_\_\_\_  
Signature Date Signature Date

(b) Verification of complaint. If said written complaint is not signed by two persons who reside in separate dwellings, both of which are proximate to the alleged nuisance, the Chief of Police shall cause an investigation to be made to verify the allegations of the complaint.

(c) Service of complaint. Upon receipt of such written complaint, duly signed by two persons residing in two separate dwellings proximate to the alleged nuisance or upon verification of the complaint, the Chief of Police shall cause a copy of such complaint to be served upon the person complained against. If such nuisance is not abated, within three days after the service of such complaint upon the party complained against, the City, in its sole discretion, may request a hearing before the Municipal Code Enforcement Board in accordance with the procedures of that Board.

Kenneth R. Albano, Chief of Police

Served by: \_\_\_\_\_ #: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

### FOLLOW UP INVESTIGATION OF COMPLAINT TO BE COMPLETED FOUR (4) DAYS AFTER COMPLAINT IS SERVED

Investigated by: \_\_\_\_\_ #: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

#### COPIES:

Before Complaint Served: Copy to Records Holding File; Copy to Complainant

When Complaint is Served: Copy to Owner of Animal

After Complaint is Served: Original to Records; Copy to Code Enforcement

**TEMPLE TERRACE CODE  
CHAPTER 4 – ANIMALS AND FOWL**

**Section 4.400                   ANIMALS AND FOWL IN GENERAL.**

**Section 4.405                   DEFINITIONS.**

As used in this Chapter unless the context otherwise indicates:

*Cat.* Any member of any breed of the species *Felis Domestica*.

*Dog.* Any member of any breed of the species *Canis Familiaris*.

*Other domestic animal.* Includes any other animal not prohibited within this Chapter and normally and customarily kept within the confine of a house and described as a pet, including but not limited to birds, snakes, turtles, rabbits, ferrets.

*Owner.* Includes any person or persons, firms, corporations, or associations exercising any rights or property in an animal, without the right of possession as a keeper or custodian, with or without pay.

*At-large.* Off the premises of the owner and not under control of any owner either by leash, cord, chain, or other physical constraint.

*Humane Officer.* An Animal Control Officer of Hillsborough County whose duties include the maintenance of impounded animals at an animal shelter established for such purpose.

*Animal Control Officer.* Any City employee or other person specifically designated by the City Manager to enforce this Chapter or any portion thereof.

**Section 4.415                   ABANDONING ANIMALS OR FOWL.**

It shall be unlawful for any owner to abandon or set loose, with the intention of avoiding the responsibility for the custody and care of, any animal or fowl within the corporate limits of the City.

**Section 4.420                   NON-DOMESTIC ANIMALS AND FOWL.**

**Section 4.420.1               CITY DECLARED BIRD SANCTUARY.**

(a) Area designated. The entire area now and hereafter embraced by the corporate limits of the City of Temple Terrace, Florida, is hereby designated as a bird sanctuary.

(b) Prohibited acts. Except as provided hereinbelow, it shall be unlawful to hunt, kill, maim, or trap, or in any manner to attempt to shoot or otherwise molest birds or any wild fowl; to rob or otherwise molest or destroy the active nests of birds nesting or located within the limits of the City.

(c) Declaration of nuisance or health menace. If the City determines a nuisance or health menace to exist by reason of starlings, pigeons, or other birds or fowl not declared a protected species found roosting, nesting, or inhabiting any area within the City limits, the City Manager may designate one or more Animal Control Officers, which may include representatives from an Audubon society or a humane society, to assist in eliminating such conditions by trapping or other humane means of removal. If the condition has not been corrected by such means within a reasonable time, then the City Manager may designate such Animal Control Officers as he may deem necessary or appropriate to eliminate such conditions or health menace or nuisance.

**Section 4.420.2               HARBORING OF CERTAIN NON-DOMESTIC ANIMALS AND FOWL PROHIBITED.**

No owner shall keep, own, harbor, house, or permit to run at-large, any cattle, horses, pigs, hogs, sheep, goats, mules, chickens, lions, tigers, ocelots, bears, wolves, panthers, or other non-domestic animals and fowl within the corporate limits of the City, without the specific approval of the City Council.

**Section 4.420.3 BEEKEEPING PROHIBITED.**

The keeping of bees shall be prohibited within the City.

**Section 4.425 DOGS, CATS AND DOMESTIC ANIMALS.**

**Section 4.425.1 RUNNING AT-LARGE.**

(a) No owner shall cause, permit, or allow any dog, cat, or other domestic animal to stray, run, go, or in any other manner to be at-large in or upon any public street, sidewalk, or park, or on private property of others without the express or implied consent of the owner of such private property.

(b) No owner while in control of any animal whether by leash or other manner shall allow such animal to trespass upon the property of another.

(c) Any person who has dogs, cats, or other domestic animals running, straying, or being at-large, uninvited on his property, may contact the Humane Officer to remove said animal from the premises. In addition, any person who has dogs, cats, or other domestic animals running, straying or being at-large, uninvited, on his property may file a complaint in accordance with **Section 4.410** of this Chapter.

(d) It shall be unlawful for any person to take, or attempt to take, by trap, or any other means or device, any dog, cat, or other domestic animal not belonging to that person, except under the direct supervision of a Humane Officer or Animal Control Officer.

**Section 4.425.2 BITES AND RABIES.**

(a) In the event that a dog, cat, or other domestic animal which has been vaccinated for rabies during the previous twelve (12) months bites any human being, the owner of such animal shall confine the animal at home within the dwelling place or chained on the premises for a period of ten (10) days or in the alternative may confine the animal at a veterinary hospital, dog pound, or humane animal shelter for said time period.

(b) In the event that a dog, cat, or other domestic animal which has not been vaccinated for rabies during the previous twelve (12) months bites any human being, the owner of such animal shall confine the animal at a veterinary hospital, dog pound, or humane animal shelter for a period of ten (10) days. If such unvaccinated dog, cat, or other domestic animal bites another animal, the owner of such unvaccinated dog, cat, or other domestic animal shall confine the dog, cat, or other domestic animal for a period of ten (10) days as provided in Subsection (a) of this Section. In either event, the owner shall cause the dog, cat, or other domestic animal to be vaccinated against rabies upon termination of the confinement period or within ten (10) days thereafter.

(c) In the event that any dog, cat, or other domestic animal is bitten by an animal diagnosed by a veterinarian as rabid, the dog, cat, or other domestic animal shall be immediately and humanely destroyed. If any dog, cat, or other domestic animal is bitten by an animal and the other animal is not available for rabies examination, or if the dog, cat, or other domestic animal is exposed to, but not bitten by, an animal diagnosed by a veterinarian as rabid, the owner shall observe the dog, cat, or other domestic animal for a period of one year and report any change in behavior or mannerisms of the dog, cat, or other domestic animal to the Animal Control Officer and to a veterinarian.

(d) If a dog, cat, or other domestic animal dies during any ten (10) day confinement period prescribed herein, the owner shall immediately notify the Animal Control Officer and the County Health Officer, if the confinement was for biting a human being, or the Animal Control Officer and a veterinarian, if the confinement was for biting another animal. In either case, the owner shall make the remains available for rabies examination as may be directed.

(e) It shall be unlawful for the owner of any dog, cat, or other domestic animal to keep or maintain such dog, cat, or other domestic animal unless it shall have been vaccinated against rabies, when such vaccination is required by State or County law.

**Section 4.425.3 CRUELTY.**

It shall be unlawful for any owner to overwork, deprive of necessary sustenance, torture, torment or cruelly beat, mutilate any dog, cat, or other domestic animal, or to permit such animal to be without proper protection from the weather and

from fleas or other insects. Confinement of any dog, cat, or other domestic animal in an automobile, truck, pen, or other enclosure without adequate ventilation shall be construed as cruel and a violation of this Section. The words "torture," "torment," and "cruelty" shall include every act, omission, or neglect whereby unnecessary or unjustifiable physical pain or suffering is caused or permitted.

**Section 4.425.4 KEEPING DOMESTIC ANIMALS IN UNSANITARY CONDITION.**

No owner shall keep, harbor, or shelter any dog, cat, or other domestic animal on any premise which in any manner will cause unsanitary or offensive conditions to arise therefrom.

**Section 4.425.5 DUTY OF OWNER OF DOMESTIC ANIMALS TO REMOVE DEPOSIT OF EXCRETA.**

It shall be unlawful for the owner of any dog, cat, or other domestic animal to fail to remove deposits of excreta made by said animal in that person's control, when the deposit of excreta occurred in the presence of the owner or person in control on any public property, including but not limited to, public parks, golf courses, rights-of-way, or on private property not belonging to the owner or person in control of the animal. If such depositing of excreta occurs, the owner or person in charge of the animal shall immediately cause its removal for disposal at the premises of the owner or person in charge of said animal. The penalty for violation of this Subsection shall be a fine of twenty-five (\$25.00) dollars for each separate offense.

*(Ord. No. 25, 11-1-55; Ord. No. 65, 1-22-60; Ord. No. 97, 12-5-61; Ord. No. 123, 11-5-63; Ord. No. 153, 10-19-65; Ord. No. 214, 5-20-69; Ord. No. 279, 3-13-73; Ord. No. 510, 5-1-84; Ord. No. 658, 6-21-88)*