

ORDINANCE NO. 2017-\_\_\_\_\_

AN ORDINANCE OF CITRUS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, PERTAINING TO ANIMAL CONTROL, AMENDING SECTION 14-35(c) TO MODIFY HOLD TIME FOR CATS; AMENDING SECTION 14-35(d) TO MODIFY HOLD TIME FOR DOGS AND DELETE LANGUAGE REGARDING QUARANTINE OF ANIMALS; AMENDING SECTION 14-37(1)d TO DELETE THE TERM "CHRONICALLY AT LARGE", ADDING SECTION 14-65 ENTITLED "MANDATORY SPAY AND NEUTER FOR CATS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND INCLUSION INTO THE CODE; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Citrus County Board of County Commissioners ("Board") is the legislative and governing body of Citrus County, a political subdivision of the State of Florida, authorized to exercise governmental powers pursuant to Article VIII of the Constitution of the State of Florida and Section 125.01, Florida Statutes; and

**WHEREAS**, the Board desires to reduce the intake of cats and kittens to the Citrus County Animal Shelter and thereby decrease the need for euthanasia; and

**WHEREAS**, on May 9, 2017, the Board determined that it wished to have a mandatory spay or neuter Ordinance in order to reduce the amount of unwanted or stray cats and kittens; and,

**WHEREAS**, the Board desires to reduce the hold time for certain animals in order to facilitate the adoption and spay and neuter of shelter animals, and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CITRUS COUNTY:**

**Section 1.** Article II, Section 14-35(c) is amended to provide as follows: There is no mandatory hold time for cats and kittens which have been impounded and are without any form of identification (including but not limited to collars, tags, microchips and tattoos). Cats and kittens impounded without any form of identification may be made available for adoption at any time after impoundment. Intact cats and kittens over the age of four months impounded without any form of identification may be spayed or neutered at any time after impoundment. Cats and kittens which are impounded and which have a form of identification will be held for five days from the date of impoundment unless in imminent danger of death from disease or trauma or injured to such an extent as to cause unjustified pain or suffering. A cat or kitten that is in imminent danger of

37 death from disease or trauma or which has been injured to such an extent as to cause unjustified  
38 pain or trauma may be euthanized at any time after impoundment. Euthanasia of cats to prevent  
39 overcrowding will be conducted using the following priorities:

40 (1) Sick or diseased;

41

42 (2) Feral;

43

44 (3) Unadoptable.

45

46

47 **Section 2.** Article II, Section 14-35 (d) is amended to provide as follows: All puppies which are  
48 impounded without any form of identification (including but not limited to collars, tags,  
49 microchips and tattoos) may be made available for adoption and may be spayed or neutered any  
50 time after impoundment. Dogs which are impounded without any form of identification and which  
51 are not suffering from or suspected to have an infectious or contagious disease, or which have not  
52 been injured to such an extent as to cause unjustified pain or suffering, shall be held for redemption  
53 for a minimum of three days, including the day said animal was impounded, after which time the  
54 dog may be spayed or neutered and made available for adoption. Puppies and dogs which have  
55 identification and which have been impounded and are not suffering from or suspected to have an  
56 infectious or contagious disease, or which have not been injured to such an extent as to cause  
57 unjustified pain or suffering, shall be held for redemption for a minimum of five days, including  
58 the day said animal was impounded, after which the dog may be spayed or neutered and made  
59 available for adoption.

60 **Section 3.** Article II, Section 14-37(1)(d) is amended to provide as follows: An owner seeking to  
61 obtain possession of any unsterilized animal that was found at-large shall be required to purchase  
62 a spay/neuter voucher, which is redeemable for such service at animal services or a local  
63 participating veterinarian, and provide verification of such sterilization within 30 days of  
64 redemption.

65 **Section 4.** Article II, Section 14-65 is added to provide as follows:

66 Sec. 14-65. – Mandatory Spay and Neuter for Cats.

67 (a) *Purpose.* The Board has determined that the unintended or uncontrolled breeding  
68 of cats within the County leads to many cats and kittens being unwanted, becoming strays,  
69 suffering privation and death, being impounded and euthanized at great expense to the  
70 community, and constituting a public nuisance and public health hazard. It is, therefore,  
71 declared to be the public policy of the County to encourage every feasible means of  
72 reducing the number of unwanted cats and kittens in the County.

73 (b) *Spaying, neutering of cats.*

74 (1) Every cat four (4) months of age or older within the County shall be spayed or  
75 neutered, unless proof of one (1) of the following exemptions is provided to the County:

76 a. The cat is registered with a national or international club or association and  
77 the owner certifies in writing to the County that the animal is being used, trained,  
78 or considered for use in a show(s), sporting competition(s), or other similar  
79 competitive event(s) held by one (1) or more national or international clubs or  
80 associations.

81 b. A veterinarian licensed in the State certifies in writing that the cat is  
82 medically unfit to undergo the required spay or neuter procedure because of a  
83 medical condition, including but not limited to age, that would be substantially  
84 aggravated by such procedure or would likely cause the cat's death. The writing  
85 must state the date by which the cat may be safely spayed or neutered. The County  
86 may extend the time for spaying or neutering a cat or may exempt such cat from  
87 the spay/neuter requirement based upon the written medical recommendation of a  
88 licensed veterinarian. For a cat that is not spayed or neutered due to a health  
89 condition as provided herein, the license tag fee established by the Board for  
90 sterilized cats shall apply. As soon as the medical condition that prevents a cat from  
91 being spayed or neutered ceases to exist, it shall be the duty of the owner of such  
92 cat to promptly comply with this section.

93 c. The owner wishes to keep the cat unsterilized and has purchased a breeder  
94 permit from the County.

95 d. The cat is used for breeding purposes by a licensed hobby or commercial  
96 breeder and is registered as a pedigreed cat with the Cat Fancier Association or the  
97 International Cat Association.

98 e. The cat is being harbored by a shelter, humane society, or private animal  
99 nonprofit organization, whether public or private, whose principal purpose is  
100 securing the adoption of cats or offering sanctuary for cats, provided that the cat is  
101 spayed or neutered prior to being placed for adoption.

102 **Section 5. Severability.** If any section, sentence, clause, phrase or provision of this Ordinance is  
103 held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or  
104 unconstitutionality shall not be construed so as to render invalid or unconstitutional the remaining  
105 provisions of this Ordinance.

106  
107 **Section 6. Codification.** The publisher of the County's Code of Ordinances, the Municipal Code  
108 Corporation, is directed to incorporate this article into the Code of Ordinances where indicated.  
109

110 **Section 7. Modification.** The provisions of this Ordinance may be modified as a result of  
111 considerations that may arise during public hearings. Such modifications shall be incorporated  
112 into the final version of the ordinance adopted by the Board and filed with the Clerk.

113

114 **Section 8. Effective Date.** This Ordinance shall take effect as provided by law.

115

116 **PASSED AND DULY ADOPTED**, in open session, with a quorum present and voting, this  
117 \_\_\_\_\_day of June, 2017.

118

119 BOARD OF COUNTY COMMISSIONERS  
120 OF CITRUS COUNTY, FLORIDA

121 ATTEST:

122

123

124 \_\_\_\_\_  
ANGELA VICK, CLERK

125

124 \_\_\_\_\_  
SCOTT CARNAHAN, CHAIRMAN

126 APPROVED AS TO FORM FOR THE  
127 RELIANCE OF CITRUS COUNTY ONLY:

128

129

130 \_\_\_\_\_  
DENISE A. DYMOND LYN,  
131 COUNTY ATTORNEY