

Sec. 4-2-33. - Animal control.

- (a) *Animals utilized by law enforcement.* Restrictions relating to public places, schools, parks, beaches, and recreational areas shall not apply to animals utilized by law enforcement agencies.
- (b) *Public places.* Animals are prohibited from public places in the City of Pensacola, such as airports, hotels, restaurants, theaters, public conveyances, grocery stores, or other establishments serving food, beverages or staple foods, and at public gatherings such as outdoor festivals, fairs, etc. Animals so found, whether roaming or in direct control by the owner, shall be impounded and the owner shall be in violation of this section and shall be punished in accordance with the provisions of section 4-2-41 of the Code of the City of Pensacola, Florida. This section shall not apply to animals trained to assist the blind, provided, such animal is in the company of such blind person. Further, this section shall not prohibit the suitable transport of animals by their owners or authorized agents on public conveyances when accomplished in accordance with the rules and regulations of the public conveyances involved.
- (c) *Schools, parks, and beaches.* It shall be unlawful for the owner of an animal to allow his animal in public places of the City of Pensacola such as school grounds, public parks, beaches, and playgrounds, unless on a suitable leash or under the direct control of the owner.
- (d) *Showing and training.* The above two (2) subsections shall not be construed to prohibit the showing and training of dogs in appropriate locations of auditoriums, schools, parks, parking lots, armories, theaters, and similar public or privately owned areas.
- (e) *Dangerous or vicious animals.* The owner of any

dangerous or vicious animal shall confine the animal in a building or secure enclosure. Any person who shall release, either willfully or through a failure to exercise due care or control, or take such animal out of such building or secure enclosure in such a manner which is likely to cause injury to another person or damage to the property of another person shall be in violation of this section and shall be punished in accordance with the provisions of [section 4-2-41](#) of the Code of the City of Pensacola, Florida.

(f)

Female animals in season. The owner of any female animal in heat who does not keep such animal confined in a building or secure enclosure, veterinary hospital, or boarding kennel in such a manner that such female animal cannot come in contact with another animal, except for intentional breeding purposes, shall be in violation of this section and shall be punished in accordance with the provisions of [section 4-2-41](#) of the Code of the City of Pensacola, Florida. Any female animal not confined as herein provided shall be impounded and shall not be redeemed during said period of heat. Such female animal shall be redeemed in accordance with the provisions of [section 4-2-35](#). This section shall not apply to female animals while entered in organized shows.

(g)

Disposition of dead animals.

(1)

Any animal, as defined in this article, killed or found dead on public property, shall be disposed of by the impounding officer.

(2)

Any person may, on his own real property, bury or dispose of any dead animal; provided such person places not less than three (3) feet of earth over the carcass of the animal.

(3)

The owner of any dead animal may request the impounding officer to pick up and dispose of

such animal. The impounding officer shall charge and collect from the owner, if any, for the disposition of such dead animal, a fee established by the impounding officer under the provisions of [section 4-2-24](#)

(h)

Animal nuisances prohibited. Any animal or animals that habitually or continuously bark, howl, or otherwise disturb the peace and quiet of the inhabitants of the City of Pensacola or are kept or maintained in such a manner or in such numbers as to disturb by noxious or offensive odors or otherwise endanger the health and welfare of the inhabitants of the City of Pensacola are declared to be an animal nuisance. It shall be unlawful for any person to keep, harbor or maintain an animal nuisance, as defined above. Any person who keeps, harbors or maintains an animal found to be an animal nuisance, as defined above, shall be in violation of this section and shall be punished in accordance with the provisions of [section 4-2-41](#) of the Code of the City of Pensacola, Florida.

(i)

Direct control. It shall be a violation of this section for any animal to be off the premises of its owner or person responsible for said animal, without being in direct control of its owner, person responsible therefor, or other person. Animals not under direct control shall be considered unlicensed animals and may be seized, restrained, impounded, and disposed of as provided by this article for any unlicensed animal.

(j)

Care of animals struck by vehicles. It shall be unlawful for any person who shall have knowingly struck an animal by a vehicle under his control, to fail to render first aid to such animal by taking it to a veterinarian or by notifying either the owner, the impounding officer or the police.

(k)

Removal of animal waste.

(1)

It shall be the duty of each person who is in direct control of an animal on areas other than the property of said person to remove any feces left by that person's animal on any yard, sidewalk, gutter, street, right-of-way, or other public or private place.

(2)

It shall further be the duty of any person while in direct control of an animal to have in his or her possession a plastic bag or "pooper scooper" or other such device sufficient for his or her use in the removal of animal waste.

(3)

Any person in violation of subsection (1) or (2) above shall be in violation of this section and shall be punished in accordance with the provisions of [section 4-2-41](#)

(l)

Cruelty to animals. It shall be unlawful for any owner or person to be cruel to an animal by cruelly beating, torturing, mutilating, failing to provide food, drink or shelter, or by abandoning animals. Any person cruel to an animal as herein provided shall be in violation of this section and shall be punished in accordance with the provisions of [section 4-2-41](#)

(Ord. No. 16-87, § 2, 5-14-87; Ord. No. 15-90, § 2, 2-22-90; Ord. No. 16-95, § 1, 4-13-95; Ord. No. 19-09, § 1, 5-28-09)

Sec. 4-2-34. - Enforcement for violation.

(a)

The impounding officer shall impound:

(1)

Any animal found to be cruelly treated, as defined in subsection [4-2-33\(l\)](#), or any animal suspected or believed to be infected with rabies or any infectious disease. Each animal so apprehended which is suspected to have or exhibits symptoms of having rabies or an infectious or contagious disease shall be segregated from other animals so as to prevent

said animal from coming into contact with any animal.

(2)

Any animal not licensed as provided for in this article.

(3)

Any animal found running at large.

(b)

The impounding officer or his authorized agents may, in the event an animal is deemed in violation of this article or is owned, kept, harbored, sustained or maintained in violation of this article:

(1)

Issue a citation or notice to appear conforming to the requirements of state law to the owner of such animal. If the person(s) shall fail to abate the offense(s), the impounding officer may file a complaint against the person(s) in violation of this article in accordance with the provisions of [section 4-2-41](#); and

(2)

Impound such animal.

(Ord. No. 16-87, § 2, 5-14-87; Ord. No. 15-90, § 2, 2-22-90)