

- 1 (1) Has aggressively bitten, attacked, endangered or inflicted severe injury on a
2 human being on public or private property;
- 3 (2) Has killed or aggressively bitten, attacked, endangered, or inflicted injury to
4 a domestic animal while unprovoked and off the owner's property;
- 5 (3) Has, when not under the direct control of any person and, when unprovoked,
6 chased or approached a person upon the streets, sidewalks, or any public
7 grounds in a menacing fashion or apparent attitude of attack, provided that
8 such actions are attested to in a sworn statement by one (1) or more persons
9 and dutifully investigated by the appropriate authority.

10 Notwithstanding anything else contained in this ordinance to the contrary, a dog
11 shall not be classified by the Town or a Code Enforcement Officer as dangerous if
12 the incident occurred on private property containing a "Bad Dog" sign in
13 accordance with Section 767.04 Florida Statutes, as may be amended from time
14 to time, or if the threat, injury or damage sustained by a person was sustained at
15 a time when the person was unlawfully on the property of the dog's owner, or
16 while a person was lawfully on the property of the dog's owner but was
17 tormenting, abusing, or assaulting the dog, its owner, or a family member or guest
18 of the owner; or if the dog was protecting or defending a human being within the
19 immediate vicinity of the dog from an unjustified attack or assault.

20 Domestic animal shall mean an equine or bovine animal, goat, sheep, swine,
21 domestic cat, dog, poultry, ostrich, emu, rhea, or other tamed, raised or kept beast
22 or bird.

- 23 (a). The owner of a dangerous dog shall confine the dog to its property in an enclosure
24 and shall not take, or allow the dog to be taken, out of the property unless the
25 dog is securely muzzled and under the physical control of the owner by means of
26 a leash, cord or chain.
- 27 (b). When a court of competent jurisdiction has found the dog to be dangerous and
28 orders the dog to be registered with Broward County, no person shall keep or
29 harbor a dangerous dog without a valid dangerous dog license, pursuant to the
30 Broward County Code of Ordinances, sections 4-12(b)(1), as they may be
31 amended from time to time.
- 32 (c). The owner of a dangerous dog shall provide proof of vaccination to code
33 enforcement within two (2) business days of an incident.

34 Penalties:

35 An officer who has probable cause to believe that a person has committed an act
36 in violation of this ordinance shall issue a citation for a civil penalty in the amount
37 delineated below, or in its sole option, may set the matter to be heard by a Special

Key: Underlined text is added and ~~stricken~~ text is deleted.

1 Magistrate, where the Town shall seek a civil penalty in the amount set forth
2 below:

3
4 In accordance with Section 162.09 (2)(d) Florida Statutes, as may be amended
5 from time to time, a maximum penalty of \$1,000 for the first violation, \$5,000 for
6 a repeat violation, and up to \$15,000 if it is found that the violation is irreparable
7 or irreversible in nature. In addition to such fines, the Special Magistrate may
8 impose additional fines to cover all costs incurred by the Town in enforcing its
9 codes.

10 * * *

11 **Section 3: Inclusion.** The Town Clerk shall cause this Ordinance to be included
12 as part of the Town's Code of Ordinances.

13 **Section 4: Conflict.** That all Sections or parts of Sections of the Code of
14 Ordinances or parts of Ordinances, and all Resolutions, or parts of Resolutions, in conflict
15 are hereby repealed to the extent of such conflict.

16 **Section 5: Severability.** If any one or more of the provisions of this Ordinance
17 shall be held contrary to any express provision of law or contrary to the policy of express
18 law, though not expressly prohibited or against public policy, or shall for any reason
19 whatsoever be held invalid, then such provision shall be null and void and shall be
20 separate from the remaining provisions, and shall in no way affect the validity of all other
21 provisions of this Ordinance.

22 **Section 6: Effective Date.** This Ordinance shall be effective immediately upon
23 its adoption.

24 **PASSED ON FIRST READING** this 26th day of January, 2023 on a motion
25 made by Council Member Hartmann and seconded by Council Member Jablonski.

26 **PASSED AND ADOPTED ON SECOND READING** this 23rd day of March, 2023,
27 on a motion made by Council Member Kuczenski and seconded by Council Member
28 Hartmann.

29
30 [Signatures on the Following Page]
31

Key: Underlined text is added and ~~stricken~~ text is deleted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Breitkreuz
Allbritton
Hartmann
Jablonski
Kuczenski

Yes
Yes
Yes
Yes
Yes

Ayes
Nays
Absent
Abstaining


5
0
0
0


Steve Breitkreuz, Mayor

Attest:


Russell Muñiz, Assistant Town Administrator/Town Clerk

Approved as to Form and Correctness:


Keith M. Poliakoff, J.D., Town Attorney
1001.2316.01

Key: Underlined text is added and ~~stricken~~ text is deleted.