

**FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COURTHOUSE ANNEX – COMMISSION MEETING ROOM
JULY 5, 2016
9:00 AM
AGENDA**

The Board of County Commissioners asks that all cell phones are turned off or placed on silent (vibrate) mode. If you would like to comment on any matter, when recognized by the Chairman, state your name, sign the speaker log, and please adhere to the 3-minute time limit. If you plan on distributing any handouts (information) to the Commission, please provide a copy to the Clerk for the official records.

- | | |
|-----------------|--|
| 9:00 AM | <u>Call to Order</u>
<u>Prayer and Pledge</u>
<u>Approval of Minutes</u>
<u>Payment of County Bills</u> |
| 9:15 AM | <u>Department Directors Report</u>
Howard Nabors - Superintendent of Public Works
Fonda Davis - Solid Waste Director
Pam Brownell - Emergency Management Director
Erik Lovestrand - Extension Office Director |
| 9:30 AM | <u>Lisa Bretz - Executive Director - Area Agency on Aging - Update</u> |
| 9:45 AM | <u>Mike Cooper - CEO - Weems- Report</u> |
| 10:00 AM | <u>Open Bids - Armory Warming Kitchen Equipment</u> |
| 10:15 AM | <u>Open Bids - Upgrade Airport Airfield Lighting System</u> |
| 10:30 AM | <u>Marcia Johnson - Clerk of Courts - Report</u> |
| 10:45 AM | <u>Public Hearing - Ordinance - Regulating the Time of Sale of Alcohol</u> |
| 11:00 AM | <u>Public Hearing - Ordinance - Litter Control</u> |
| 11:15 AM | <u>Public Hearing - Ordinance - Animal Control</u> |
| 11:30 AM | <u>Alan Pierce - RESTORE Coordinator - Report</u> |
| 11:45 AM | <u>Michael Morón - County Coordinator - Report</u> |
| 12:15 PM | <u>Michael Shuler - County Attorney - Report</u> |
| 12:30 PM | <u>Commissioners & Public Comments</u> |
| 12:45 PM | <u>Adjourn</u> |

July 5, 2016
Franklin County Road Department
Detail of Work Performed and Material Hauled by District
Detail from 6/16/2016 - 6/29/2016

District 1

Work Performed:

<u>Work Performed:</u>	<u>Date</u>	<u>Road</u>
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Litter Pickup	6/16/2016	Daisy Drive
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Litter Pickup	6/16/2016	David Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	W 1st Street
Pot hole Repair (Fill)	6/20/2016	Avenue A
Flagged	6/20/2016	W Gulf Beach Drive
Pot hole Repair (Fill)	6/20/2016	Avenue A
Flagged	6/20/2016	County Roads, St. George Island
Sign Maintenance	6/20/2016	W Gulf Beach Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	W Gorrie Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	W Pine Avenue
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	W 2nd Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	W Bay Shore Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	Franklin Blvd
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Blowed off road/parking lot/intersection, Litter Pickup, Trim Trees	6/20/2016	W 3rd Street
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	E Pine Avenue
Flagged	6/21/2016	W Gulf Beach Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/21/2016	E Bay Shore Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/21/2016	E 11th Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/21/2016	W Bay Shore Drive
Cut grass along shoulders of road on county right of way	6/21/2016	Bike Path (St. George Island)
Sign Maintenance	6/21/2016	E Gulf Beach Drive
Sign Maintenance	6/21/2016	W Gulf Beach Drive
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	E Gulf Beach Drive
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	E Gorrie Drive
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	Franklin Blvd
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	E 1st Street
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	E 3rd Street

District 1**Work Performed:**

	<u>Date</u>	<u>Road</u>
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/21/2016	E 2nd Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/23/2016	South Bay Shore Drive
Cut grass along shoulders of road on county right of way	6/29/2016	Sailfish Drive

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Debris	6/16/2016	Daisy Drive	0.1000000014	0
Debris	6/16/2016	David Street	0.1000000014	0
Debris	6/20/2016	W Bay Shore Drive	0.1000000014	0
Debris	6/20/2016	W 1st Street	0.1000000014	0
Debris	6/20/2016	W 2nd Street	0.1000000014	0
Debris	6/20/2016	W 3rd Street	0.1000000014	0
Debris	6/20/2016	W Gorrie Drive	0.1000000014	0
Debris	6/20/2016	W Pine Avenue	0.1000000014	0
Debris	6/20/2016	Franklin Blvd	0.1000000014	0
Debris	6/21/2016	E 1st Street	0.1000000014	0
Debris	6/21/2016	W Bay Shore Drive	2	0
Debris	6/21/2016	E Pine Avenue	0.1000000014	0
Debris	6/21/2016	E Gulf Beach Drive	0.1000000014	0
Debris	6/21/2016	E 3rd Street	0.1000000014	0
Debris	6/21/2016	E Gorrie Drive	0.1000000014	0
Debris	6/21/2016	E 2nd Street	0.1000000014	0
Debris	6/21/2016	Franklin Blvd	0.1000000014	0
Debris	6/28/2016	South Bay Shore Drive	2	0
Debris		TOTAL	5.6000000238	0

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
50# Bagged Asphalt	6/20/2016	Avenue A	4	0
50# Bagged Asphalt		TOTAL	4	0

District 2**Work Performed:**

	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way	6/16/2016	Jeff Sanders Road
Litter Pickup	6/16/2016	CR67
Cut grass along shoulders of road on county right of way, Litter Pickup	6/17/2016	CR67
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/20/2016	Baywood Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/20/2016	Sanborn Road
Cut grass along shoulders of road on county right of way, Litter Pickup	6/20/2016	CR67
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/20/2016	Carlton Millender Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/20/2016	Sanborn Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/20/2016	Baywood Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/20/2016	Carlton Millender Road
Cut grass along shoulders of road on county right of way	6/21/2016	Florida Street
Cut grass along shoulders of road on county right of way	6/21/2016	Idaho Street

District 2**Work Performed:**

	<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way	6/21/2016	Delaware Street
Cut grass along shoulders of road on county right of way	6/21/2016	Connecticut Street
Cut grass along shoulders of road on county right of way	6/21/2016	Illinois Street
Cut grass along shoulders of road on county right of way	6/21/2016	Iowa Street
Cut grass along shoulders of road on county right of way	6/21/2016	Colorado Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/21/2016	Maxine Road
Cut grass along shoulders of road on county right of way	6/21/2016	Indiana Street
Cut grass along shoulders of road on county right of way	6/21/2016	California Street
Cut grass along shoulders of road on county right of way	6/21/2016	Arizona Street
Cut grass along shoulders of road on county right of way	6/21/2016	CR30A
Cut grass along shoulders of road on county right of way	6/21/2016	Lake Morality Road
Shoulder Work	6/21/2016	CR67
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/21/2016	Kendrick Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/21/2016	West Drive
Shoulder Work	6/21/2016	Avenue J NE
Cut grass along shoulders of road on county right of way	6/21/2016	Carolina Street
Cut grass along shoulders of road on county right of way	6/22/2016	Elder Street
Cut grass along shoulders of road on county right of way	6/22/2016	Elm Street
Cut grass along shoulders of road on county right of way	6/22/2016	Carl King Avenue
Cut grass along shoulders of road on county right of way	6/22/2016	Oak Street
Cut grass along shoulders of road on county right of way	6/22/2016	Carolina Street
Cut grass along shoulders of road on county right of way	6/22/2016	Maryland Avenue
Cut grass along shoulders of road on county right of way	6/22/2016	Alabama Street
Cut grass along shoulders of road on county right of way	6/22/2016	Jubilee Street
Cut grass along shoulders of road on county right of way	6/22/2016	Oak Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/22/2016	Oak Street
Cut grass along shoulders of road on county right of way	6/22/2016	Bluewater Beach Circle
Cut grass along shoulders of road on county right of way	6/22/2016	BlueWater Ridge Way
Cut grass along shoulders of road on county right of way	6/22/2016	Massachusetts Avenue
Cut grass along shoulders of road on county right of way	6/22/2016	Spring Drive
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	California Street
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Oak Street
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Lake Morality Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/22/2016	Apalachee Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/22/2016	Florida Avenue
Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way	6/22/2016	Gulf Court
Shoulder Work	6/22/2016	Lake Morality Road
Pot hole Repair (Fill)	6/22/2016	Ruth's Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Oleander Terrace
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Franklin Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Hinton Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Putnal Street

District 2**Work Performed:**

<u>Date</u>	<u>Road</u>
Cut grass along shoulders of road on county right of way	6/22/2016 Kentucky Ave
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016 Apalachee Street
Cut grass along shoulders of road on county right of way	6/22/2016 Newman Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 E Pine Street
VMS Work, Cut Grass, Blowed Sidewalks, Cleaned ditches, Litter pickup	6/23/2016 US HWY 98 (Lanark)
Shoulder Work	6/23/2016 Lake Morality Road
Graded Road(s)	6/23/2016 Jeff Sanders Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Heffernan Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 W Pine Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Parker Avenue
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Carlton Avenue
Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Oak Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Newman Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Holland Avenue
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Arizona Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 California Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Indiana Street
Graded Road(s)	6/23/2016 McIntyre Road
Cut grass along shoulders of road on county right of way	6/23/2016 Hinton Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016 Warren Avenue
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Carolina Street
Cut grass along shoulders of road on county right of way	6/23/2016 Lanark Fire Station
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Oak Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Illinois Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Idaho Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Florida Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Delaware Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Connecticut Street
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/23/2016 Colorado Street
Sidewalk Maintenance (Build, Take Out, etc)	6/23/2016 Oak Street
Cut grass along shoulders of road on county right of way, Sidewalk Maintenance (Build, Take Out, etc), Weed Eat & Cut Grass around signs & Culverts, Litter Pickup, Cut grass in ditches	6/27/2016 Holland Avenue
Cut grass along shoulders of road on county right of way	6/27/2016 Alligator Drive
Pot hole Repair (Fill)	6/27/2016 Spring Drive
Cut bushes back	6/27/2016 CR67
Sign Maintenance	6/27/2016 CR67
Weed Eat & Cut Grass around signs & Culverts	6/27/2016 Oak Street
Weed Eat & Cut Grass around signs & Culverts	6/27/2016 Newman Drive
Cut grass along shoulders of road on county right of way, Sidewalk Maintenance (Build, Take Out, etc), Weed Eat & Cut Grass around signs & Culverts, Litter Pickup, Cut grass in ditches	6/27/2016 Oak Street
Driveway repair	6/28/2016 Idaho Street
Washout Repair	6/28/2016 Heffernan Drive
Pot hole Repair (Fill)	6/28/2016 Enabob Street

District 2**Work Performed:**

	<u>Date</u>	<u>Road</u>
Shoulder Work	6/28/2016	Spring Drive
Sign Maintenance	6/28/2016	CR67
Litter Pickup	6/28/2016	CR 370
Weed Eat & Cut Grass around signs & Culverts	6/28/2016	CR 370
Removed Items **See Notes**	6/28/2016	Gulf Shore BLVD
Remove Trees	6/28/2016	Gulf Shore BLVD
Picked up roots	6/28/2016	Gulf Shore BLVD
Cut grass along shoulders of road on county right of way	6/28/2016	Sun N Sands Blvd
Cut grass along shoulders of road on county right of way	6/28/2016	Surf Drive
Cut grass along shoulders of road on county right of way	6/28/2016	Magnolia Street
Cut grass along shoulders of road on county right of way	6/28/2016	Mariner Circle
Cut grass along shoulders of road on county right of way	6/28/2016	Maple Street
Cut grass along shoulders of road on county right of way	6/28/2016	Oak Street
Cut grass along shoulders of road on county right of way	6/28/2016	Pine Street
Cut grass along shoulders of road on county right of way	6/29/2016	Bald Point Road
Weed Eat & Cut Grass around signs & Culverts	6/29/2016	Massachusetts Avenue
Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/29/2016	CR 370
Cut grass along shoulders of road on county right of way	6/29/2016	Bass Street
Cut grass along shoulders of road on county right of way	6/29/2016	Cobia Street
Cut grass along shoulders of road on county right of way	6/29/2016	Trout Street
Cut grass along shoulders of road on county right of way	6/29/2016	Grouper Street
Cut grass along shoulders of road on county right of way	6/29/2016	Marlin Street
Cut grass along shoulders of road on county right of way	6/29/2016	Apalachee Street
Blowed off road/parking lot/intersection	6/29/2016	Connecticut Street
Cut grass along shoulders of road on county right of way	6/29/2016	Dunes Boulevard
Blowed off road/parking lot/intersection	6/29/2016	Illinois Street
Cut grass along shoulders of road on county right of way	6/29/2016	Gulf Shore BLVD
Weed Eat & Cut Grass around signs & Culverts	6/29/2016	Gulf Court
Cut grass along shoulders of road on county right of way	6/29/2016	Kingfish Street
Cut grass along shoulders of road on county right of way	6/29/2016	Tarpon Street
Cut grass along shoulders of road on county right of way	6/29/2016	Alligator Drive
Cut grass along shoulders of road on county right of way	6/29/2016	Harbor Circle
Blowed off road/parking lot/intersection	6/29/2016	Indiana Street
Travel	6/29/2016	Bald Point Road
Pot hole Repair (Fill)	6/29/2016	Miller Street
Cut grass along shoulders of road on county right of way	6/29/2016	George Vause Road
Cut grass along shoulders of road on county right of way	6/29/2016	Angus Morrison
Blowed off road/parking lot/intersection	6/29/2016	Florida Street

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Debris	6/20/2016	Carlton Millender Road	0.1000000014	0
Debris	6/20/2016	Baywood Drive	0.1000000014	0
Debris	6/20/2016	Sanborn Road	0.1000000014	0
Debris	6/27/2016	Holland Avenue	0.2000000029	0
Debris	6/27/2016	Oak Street	0.1000000014	0
Debris	6/28/2016	CR 370	2	0
Debris	6/29/2016	CR 370	3	0
Debris		TOTAL	5.6000000089	0

District 2**Material HAUL From:**

Milled Asphalt

Date
6/28/2016Road
Gulf Shore BLVDCubic Yards Tons
36 0**Milled Asphalt****TOTAL****36 0****Material HAUL To:**

#57 rock

Date
6/28/2016Road
Heffernan DriveCubic Yards Tons
9 0**#57 rock****TOTAL****9 0**

50# Bagged Asphalt

6/27/2016

Spring Drive

2 0

50# Bagged Asphalt**TOTAL****2 0**

Black Dirt

6/22/2016

Ruth's Drive

9 0

Black Dirt**TOTAL****9 0**

Dirty 89 Lime Rock

6/28/2016

Idaho Street

9 0

Dirty 89 Lime Rock

6/29/2016

Maple Street

18 0

Dirty 89 Lime Rock**TOTAL****27 0**

Milled Asphalt

6/21/2016

CR67

2 0

Milled Asphalt

6/21/2016

Avenue J NE

2 0

Milled Asphalt

6/22/2016

Lake Morality Road

9 0

Milled Asphalt

6/23/2016

Lake Morality Road

9 0

Milled Asphalt

6/29/2016

Kentucky Ave

9 0

Milled Asphalt

6/29/2016

Miller Street

9 0

Milled Asphalt**TOTAL****40 0****District 3****Work Performed:**

Litter Pickup

Date
6/22/2016Road
12th Street

Box drag

6/22/2016

Earl King Street

Cut grass along shoulders of road on county right of way, Weed Eat & Cut
Grass around signs & Culverts

6/23/2016

Timberwood Court

Driveway repair

6/28/2016

6th Street

Driveway repair

6/29/2016

6th Street

Driveway repair

6/29/2016

12th Street

0**Material HAUL From:**

Debris

Date
6/22/2016Road
12th StreetCubic Yards Tons
0.1000000014 0**Debris****TOTAL****0.1000000014 0****Material HAUL To:**

#57 rock

Date
6/28/2016Road
13th StreetCubic Yards Tons
7 0

#57 rock

6/28/2016

6th Street

2 0

#57 rock

6/29/2016

6th Street

1 0

#57 rock

6/29/2016

13th Street

9 0

#57 rock

6/29/2016

12th Street

1 0

#57 rock**TOTAL****20 0**

Dirty 89 Lime Rock

6/22/2016

Earl King Street

18 0

Dirty 89 Lime Rock**TOTAL****18 0****District 4****Work Performed:**Cut grass along shoulders of road on county right of way, Weed Eat & Cut
Grass around signs & CulvertsDate
6/16/2016Road
Hathcock Road

District 4**Work Performed:**

	<u>Date</u>	<u>Road</u>
Remove Trees	6/16/2016	Apalachicola Air Port
Cut grass along shoulders of road on county right of way, Litter Pickup	6/16/2016	US HWY 98 (Apalachicola, Smokey)
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/16/2016	Squire Road
Cut grass in ditches	6/20/2016	Apalachicola Air Port
Remove Trees	6/20/2016	Apalachicola Air Port
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/21/2016	Oyster Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/21/2016	Pine Drive
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/21/2016	Jakie Whitehurst Street
Cut grass along shoulders of road on county right of way, Litter Pickup	6/21/2016	Bluff Road
Cut grass along shoulders of road on county right of way, Litter Pickup	6/21/2016	Health Department (Apalachicola)
Cut grass along shoulders of road on county right of way, Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Pine Drive
Flagged	6/22/2016	Paradise Lane
Flagged	6/22/2016	Peachtree Road
Litter Pickup	6/22/2016	Highland Park Road
Litter Pickup	6/22/2016	Pal Rivers Road
Cut bushes back	6/22/2016	Paradise Lane
Cut bushes back	6/22/2016	Peachtree Road
Box drag	6/22/2016	Teat Road
Cut grass along shoulders of road on county right of way, Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Oyster Road
Cut grass along shoulders of road on county right of way, Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	US HWY 98 (Apalachicola, Smokey)
Cut grass along shoulders of road on county right of way, Litter Pickup, Weed Eat & Cut Grass around signs & Culverts	6/22/2016	Jakie Whitehurst Street
Cut grass along shoulders of road on county right of way	6/23/2016	Pine Log Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/23/2016	Bluff Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/23/2016	Pal Rivers Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/23/2016	Peachtree Road
Driveway repair	6/23/2016	Brownsville Road
Cut grass along shoulders of road on county right of way	6/23/2016	Bluff Road
Cut grass along shoulders of road on county right of way	6/23/2016	Pal Rivers Road
Cut grass along shoulders of road on county right of way	6/23/2016	US HWY 98 (Apalachicola, Smokey)
Litter Pickup	6/27/2016	Bluff Road
Sign Maintenance	6/27/2016	Bluff Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/27/2016	Linden Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/27/2016	Pal Rivers Road
Cut grass along shoulders of road on county right of way, Cut grass in ditches	6/27/2016	Rosemont Street
Cut grass along shoulders of road on county right of way, Cut grass in ditches	6/27/2016	Bluff Road
Cut grass along shoulders of road on county right of way, Cut grass in ditches	6/27/2016	Highland Park Road
Flagged	6/27/2016	Bluff Road
Flagged	6/27/2016	Teat Road
Remove Trees	6/27/2016	Bluff Road

District 4

Work Performed:

	<u>Date</u>	<u>Road</u>
Cut bushes back	6/27/2016	Teat Road
Flagged	6/27/2016	Teat Road
Flagged	6/27/2016	Bluff Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/28/2016	CR30A
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/28/2016	Linden Road
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/28/2016	Pinewood Street
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/28/2016	Cypress Street
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/28/2016	Johnson Lane
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts	6/28/2016	Connector Road
Cut grass along shoulders of road on county right of way	6/29/2016	Thomas Drive
Cut grass along shoulders of road on county right of way	6/29/2016	Bayshore Drive
Cut grass along shoulders of road on county right of way	6/29/2016	Bay City Work Camp
Box drag	6/29/2016	8 Mile
Cut grass along shoulders of road on county right of way	6/29/2016	Chapman Road
Cut grass along shoulders of road on county right of way	6/29/2016	Alan Drive
Box drag	6/29/2016	10 Mile
Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/29/2016	Hathcock Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/29/2016	Linden Road
Weed Eat & Cut Grass around signs & Culverts, Cut grass in ditches	6/29/2016	Peachtree Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/29/2016	Linden Road
Box drag	6/29/2016	Teat Road
Box drag	6/29/2016	13 Mile
Cut grass along shoulders of road on county right of way	6/29/2016	Brownsville Road
Cut grass along shoulders of road on county right of way	6/29/2016	Kevin Road
Weed Eat & Cut Grass around signs & Culverts, Litter Pickup	6/29/2016	Peachtree Road
Box drag	6/29/2016	Lombardi Project
Box drag	6/29/2016	Magnolia Circle

0

Material HAUL From:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
Debris	6/22/2016	Pal Rivers Road	0.1000000014	0
Debris	6/22/2016	Highland Park Road	0.1000000014	0
Debris	6/23/2016	Peachtree Road	0.1000000014	0
Debris	6/23/2016	Pal Rivers Road	0.1000000014	0
Debris	6/27/2016	Linden Road	0.2000000029	0
Debris	6/27/2016	Pal Rivers Road	0.2000000029	0
Debris	6/27/2016	Bluff Road	0.2000000029	0
Debris	6/28/2016	Johnson Lane	1	0
Debris	6/28/2016	Linden Road	1	0
Debris	6/29/2016	Linden Road	1	0
Debris	6/29/2016	Peachtree Road	1	0
Debris		TOTAL	5.0000000149	0

Material HAUL To:

	<u>Date</u>	<u>Road</u>	<u>Cubic Yards</u>	<u>Tons</u>
#57 rock	6/23/2016	Brownsville Road	4	0
#57 rock		TOTAL	4	0

District 4**Material HAUL To:**

Dirty 89 Lime Rock

Date
6/22/2016Road
Teat RoadCubic Yards Tons
18 0**Dirty 89 Lime Rock****TOTAL****18 0****District 5****Work Performed:**

Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Litter Pickup

Date
6/16/2016Road
Moore Street

Cut grass along shoulders of road on county right of way, Weed Eat & Cut Grass around signs & Culverts

6/16/2016

Moore Street

Litter Pickup

6/16/2016

Quail Run Drive

Litter Pickup

6/16/2016

Woodill Road

Flagged

6/16/2016

Quail Run Drive

Cut bushes back

6/16/2016

Quail Run Drive

Weed Eat & Cut Grass around signs & Culverts, Cut grass along shoulders of road on county right of way, Litter Pickup

6/16/2016

Varnes Street

Box drag

6/20/2016

Mill Road

Driveway repair

6/21/2016

Wellborn Avenue

Shoulder Work

6/21/2016

1st Street E

Cut grass along shoulders of road on county right of way

6/21/2016

Maine Street

Cut grass along shoulders of road on county right of way

6/21/2016

Georgia Avenue

Flagged

6/22/2016

Waddell Road

Cut bushes back

6/22/2016

Waddell Road

Dig out ditches

6/22/2016

Gulf View Road

Shoulder Work

6/22/2016

1st Street E

Box drag

6/23/2016

Mill Road

Beaver Dam - Take Out

6/23/2016

Lighthouse Road

Cut grass along shoulders of road on county right of way

6/23/2016

Palmetto Drive

Graded Road(s)

6/23/2016

Sybil Court

Graded Road(s)

6/23/2016

Cape Street

Graded Road(s)

6/23/2016

Lighthouse Road

Graded Road(s)

6/23/2016

St Teresa Ave

Litter Pickup

6/27/2016

CC Land

Washout Repair

6/29/2016

Avenue D NW

0**Material HAUL From:**

Debris

Date
6/16/2016Road
Woodill RoadCubic Yards Tons
0.1000000014 0

Debris

6/16/2016

Moore Street

0.1000000014 0

Debris

6/16/2016

Moore Street

0.3000000119 0

Debris

6/16/2016

Varnes Street

0.1000000014 0

Debris

6/27/2016

CC Land

0.3000000119 0

Debris**TOTAL****0.9000000283 0**

Ditch Dirt

6/22/2016

Gulf View Road

18 0

Ditch Dirt**TOTAL****18 0****Material HAUL To:**

#57 rock

Date
6/29/2016Road
Avenue D NWCubic Yards Tons
9 0**#57 rock****TOTAL****9 0**

Dirty 89 Lime Rock

6/20/2016

Mill Road

36 0

Dirty 89 Lime Rock

6/21/2016

1st Street E

3 0

Dirty 89 Lime Rock

6/22/2016

1st Street E

9 0

District 5

Material HAUL To:

Dirty 89 Lime Rock

Date
6/29/2016

Road
10th Street E

Cubic Yards Tons
18 0

Dirty 89 Lime Rock

TOTAL

66 0

Milled Asphalt

6/21/2016

Wellborn Avenue

3 0

Milled Asphalt

TOTAL

3 0



FRANKLIN COUNTY DEPARTMENT OF

Solid Waste & Recycling ❖ Animal Control ❖ Parks & Recreation
 210 State Road 65
 Eastpoint, Florida 32328
 Tel.: 850-670-8167
 Fax: 850-670-5716
 Email: fcswd@fairpoint.net

DIRECTOR'S REPORT

FOR: The Franklin County Board of County Commissioners

DATE: July 5, 2016

TIME: 9:00 A.M.

SUBJECT(S):

Right-of-Way Debris Pickup/Recycle Material Hauled June 16th – June 29th FOR BOARD INFORMATION:

June 16th – June 29th RIGHT-OF-WAY DEBRIS PICKUP

Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point
59.54 TONS	52.98 TONS	48.61 TONS	79.36 TONS	-0- TONS	11.20 TONS

RECYCLE MATERIAL HAULED

	Apalachicola	Eastpoint	St George Island	Carrabelle	Lanark	Alligator Point	St James
Cardboard	6.65 TONS	1.53 TONS	5.26 TONS	3.30 TONS	-0- TONS	-0- TONS	.27 TONS
Plastic, Paper, Glass, Aluminum	3.14 TONS	1.37 TONS	4.41 TONS	2.91 TONS	-0- TONS	.90 TONS	.71 TONS

REQUESTED ACTION: None



28 Airport Road
Apalachicola, Florida 32320
(850) 653-8977, Fax (850) 653-3643
Em3frank@gtcom.net

Report to Board of County Commissioners

Date: July 5, 2016

Action Items:

1. Approval of The Management Experts LLC & Signing of contract for the Homeland Security Grant Money for \$9,500.00.

Information Items:

1. Franklin County EOC Staff continue to promote our Re-Entry Tag program and encourage all residents to apply for their Re-Entry Tag.
2. Franklin County EOC Staff will be attending the FL-604 Procurement Training on June 30. An email was sent out to all Departments Heads encouraging them to send staff who handles purchasing. You can register for this class via SERTrac.
3. June 27th Jennifer Daniels assisted Fairpoint Communications with the Text 911 Validation Testing.
4. June 28 was the final inspection for the RCMP Grant.
5. June 28 EOC Staff attended the County Base Grant Webinar/Conference Call.
6. June 27th EOC Staff held our ESF 17 Meeting.
7. July 6 EOC Staff with participate in the Zika Exercise with Department of Health.
8. July 7 EOC Staff will attend the FMAP meeting at ANEER.

Pamela Brownell

Pamela Brownell
Director

IFAS Extension

Franklin County

Franklin County Extension Activities June 22 – July 5, 2016

UF/IFAS Extension Faculty have been involved in the following Extension activities this period.

General Extension Activities:

- Extension Staff assisted local clientele in the areas of tree health, soil testing procedures, sea turtle nests, 4-H summer camp registration, injured wildlife assistance, beekeeping, and turf grass issues.
- Extension Director and Office Manager/Program Assistant continue to take on-line training regarding UF Purchasing Card use.

Sea Grant Extension:

- Sea turtle lighting equipment continues to be distributed to beachfront property owners in the County.
- Extension Director met with Gulf and Bay County Extension Faculty regarding multi-county sea turtle lighting grant coordination with FWC. This grant will be executed between UF/IFAS and FWC/DEP. It will involve many structures in Franklin County that are located either on conservation lands in the County or within 1,000 feet of those conservation lands. This project is being done to improve habitat on turtle nesting beaches and also to increase the “dark sky” area around our conservation lands.
- Extension Director attended the biennial conference for the Association of Natural Resources Extension Professional in Burlington VT. Travel was funded through Florida Sea Grant, an ANREP scholarship, and the NW District Extension Director. The work being done in Franklin County on improving compliance with the County turtle lighting ordinance was recognized with first place award for the promotional materials developed during the first year of our turtle lighting grant.

4-H Youth Development:

- Franklin County’s Making Strides 4-H club continues to meet.
- Currently, we have 20 youth planning to attend 4-H summer camp and almost \$2,000 of committed donations from businesses and individuals to offset camp costs.

Family Consumer Sciences:

- Family Nutrition Program Assistant continuing to implement in-school curriculum in 2nd-4th grade Franklin County classrooms.

Agriculture/Horticulture:

- Wakulla County Extension Director provided another gardening program at Eastpoint library branch.
- Extension Director assisted local clientele with information on local lawns.
- Extension Staff provided information about restricted pesticide licensing to the Conservation Corps of the Forgotten Coast as a means of gaining a certification that can help these young people build job skills and improve opportunities for employment.

University of Florida's Institute of Food and Agricultural Sciences

Franklin County Educational Team

Erik Lovestrand, County Extension Director/Sea Grant Regional Specialized Agent

Michelle Huber, Office Manager/Program Assistant, Franklin County

Heather Henderson, Family Nutrition Program Assistant

Shelley Swenson, Family and Consumer Sciences

Eric Westbrook, 4-H Youth Development

Scott Jackson, Sea Grant/Agriculture/Technology, Regional Specialized Agent Bay County

Melanie G. Taylor, 4-H/Family and Consumer Sciences

Ray Bodrey, Gulf County CED/Agriculture/Horticulture/Sea Grant

Heather Kent, 4-H Regional Specialized Agent

Les Harrison, Wakulla County CED/Agriculture/Small Farms/Horticulture

John Wells, Northwest Extension District Information Technology Expert

Pete Vergot III, Ph.D., Northwest District Extension Director

The Foundation for The Gator Nation

An Equal Opportunity Institution

AN ORDINANCE REGULATING THE TIME FOR SALE OF ALCOHOLIC AND INTOXICATING BEVERAGES; REPEALING ORDINANCE 89-14; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

ORDINANCE 2016-_____

FRANKLIN COUNTY, FLORIDA

WHEREAS, the Board of County Commissioners of Franklin County, Florida is charged with the duty of regulating the time for sale of alcoholic and intoxicating beverages; and,

WHEREAS, tourism in Franklin County, Florida has become a substantial economic factor during the period generally beginning with Memorial Day and ending with Labor Day each year; and,

WHEREAS, the Board of County Commissioners of Franklin County have determined that it is in the best interest of the health, safety and welfare of the public to extend the hours of operation of any place holding a license under the Beverage Law of the State of Florida from midnight to 1:00 A.M. during the tourist season, but that hours of operation will generally return to midnight during off peak tourist season;

NOW THEREFORE BE IT ORDAINED that:

- A. During the off peak tourist season for the period each year beginning September 6th and ending May 29th, no alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the Beverage Law of the State of Florida for sale of alcoholic beverages between the hours of midnight and 7:00 A.M. of the following day, except that alcoholic beverages may be sold , consumed , served or permitted to be served or consumed between mid-night and 2:00 A.M. of the following day, on the below listed weekends and holidays:
- Friday night and Saturday night each weekend;
 - Christmas Eve and Christmas;
 - New Year's Eve;
 - Memorial Day Eve;
 - Fourth of July Eve;
 - Labor Day Eve; and
 - Thanksgiving Day Eve.
- B. During the peak tourist season for the period each year beginning May 30th and ending on September 5th, no alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the Beverage Law of the State of Florida for sale of alcoholic beverages between the hours of 1:00 A.M. and 7:00 A.M. of the following day, except that alcoholic beverages may be sold , consumed , served or permitted to be served or consumed between 1:00 A.M. and 2:00 A.M. of the following day, on the below listed weekends and holidays:
- Friday night and Saturday night each weekend;
 - Christmas Eve and Christmas;
 - New Year's Eve;
 - Memorial Day Eve;
 - Fourth of July Eve;
 - Labor Day Eve; and
 - Thanksgiving Day Eve.

C. This ordinance shall only apply to the unincorporated area of Franklin County, Florida.

Repeal:

Ordinance 89-14, which regulated the time for sale of alcoholic and intoxicating beverages before the passage of this Ordinance, is repealed.

Severability:

If any part of this ordinance is determined by the final judgment of a court of competent jurisdiction as being unenforceable; then that part shall be stricken and the remainder of the ordinance shall remain in full force and effect.

Penalty:

The first violation of this ordinance shall be a civil penalty of \$1,000.00, plus court costs;
The second violation of this ordinance shall be a civil penalty of \$2,500.00, plus court costs;
The third violation of this ordinance shall be prosecuted as a first degree misdemeanor, plus court costs.
All civil penalties shall be equally divided between Franklin County and the Clerk of the Court.

Effective Date:

This ordinance shall take effect as provided by law.

This Ordinance adopted in open session this ____ day of July, 2016.

FRANKLIN COUNTY, a political
Subdivision of the State of Florida

ATTEST:

By: _____
William Massey, Chairman

By: _____
Marcia Johnson, Clerk of Court

Approved as to form and substance:

By: _____
Thomas M. Shuler, County Attorney

ORDINANCE NO. 2016-_____
FRANKLIN COUNTY, FLORIDA

ORDINANCE PROHIBITING THE LITTERING, DUMPING, LEAVING, PLACING, OR DISPOSING OF TRASH, DEBRIS, OFFAL, CHEMICAL, HOUSE, CONSTRUCTION OR REPAIR MATERIALS OR PRODUCTS OF CLEAN-UP; THE WASTE, SPOILAGE OR BY-PRODUCTS OF SEAFOOD PROCESSING, OR ANY MANUFACTURING PROCESS; AND RELATED OFFENSES; ADDING AND CHANGING CURRENT DEFINITIONS; REPEALING ALL PRIOR FRANKLIN COUNTY ORDINANCES INCONSISTENT HEREWITH; PROVIDING PENALTIES; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Franklin County, Florida that:

SECTION 1. Purpose.

- a. It is hereby declared that the uncontrolled and unsanitary disposal of solid wastes in the incorporated and unincorporated areas of Franklin County and the failure to maintain clean and sanitary conditions on property in the county, threaten the health, safety and welfare of the citizens of this county because of the potential for breeding disease, blight of the landscape and waterways, degradation of the county's natural resources, and increased taxpayer burdens.
- b. It is the intent of this ordinance to keep Franklin County a clean, safe and beautiful place to live and visit; to provide direction to the people in Franklin County for the proper disposal of waste; and to provide county officials and law enforcement personnel and county personnel with the means to enforce the regulation of this ordinance.

SECTION 2. Definitions.

- a. Aircraft: means a motor vehicle or other vehicle that is used or designed to fly but does not include a parachute or any other device used primarily as safety equipment.
- b. Beach: means that area of unconsolidated material that extends landward from the mean low-water line of the shoreline of Franklin County to the frontal dune, or to where there is no frontal dune, to the line of permanent vegetation or construction, whichever is more seaward.

- c. Board: The Board of County Commissioners of Franklin County, Florida.
- c. Commercial purpose: means for the purpose of economic gain.
- d. Commercial vehicle: means a vehicle that is owned or used by a business, corporation, association, partnership, or sole proprietorship or any other entity conducting business for a commercial purpose.
- e. Dump: Means to dump, throw, discard, place, deposit or dispose of.
- f. Enforcement officer: means any employee of the county or municipal department designated by the department head as an enforcement officer.
- g. Law enforcement officer: means any officer of the Florida Highway Patrol, the Franklin County Sheriff's Department, the Florida Marine Patrol, a municipal law enforcement department, a law enforcement department of any other political subdivision, or the Fish and Wildlife Conservation Commission. In addition, and solely for the purposes of this section, "law enforcement officer" means any employee of a county or municipal park or recreation department designated by the department head as a litter enforcement officer.
- h. Litter: means any garbage, rubbish, trash, refuse, can, bottle, box, container, paper, tobacco product, tire, appliance, mechanical equipment or part, building or construction material, tool, machinery, wood, motor vehicle or motor vehicle part, electronics, televisions, tires, outboard motors, vessel, aircraft, farm machinery or equipment, sludge for a waste treatment facility, water supply treatment plant or air pollution control facility, or substance in any form resulting from domestic, industrial, commercial, mining, seafood, agricultural, or governmental operations, or any similar substance.
- i. Motor vehicle: means an automobile, motorcycle, truck, trailer, semitrailer, truck tractor, semitrailer combination or any other vehicle that is powered by a motor.

- j. Person: means any individual, firm, sole proprietorship, partnership, corporation, or unincorporated association.
- k. Solid Wastes: means trash, debris, offal, chemical, house, construction or repair materials or products of clean; the waste, spoilable or by-products of seafood processing or any manufacturing process and related similar offenses.
- l. Vessel: means a boat, barge, or airboat or any other vehicle used for transportation on water.
- m. Yard Trash and Yard Debris: tree trimmings, bushes, leaves, grass clippings, pine straw and similar yard debris on residential properties.

SECTION 3. Responsibility of Board of County Commissioners.

The Board of County Commissioners shall determine the training and qualifications of any employee of the county designated to enforce the provisions of this section if the designated employee is not a regular law enforcement officer. The governing body of a municipality shall determine the training and qualifications of any employee of the municipality designated to enforce the provisions of this section if the designated employee is not a regular law enforcement officer.

SECTION 4. Dumping Litter Prohibited.

Unless otherwise authorized by law or permit, it is prohibited for any person to dump litter or solid waste in any manner or amount; to wit:

- a. In or on any beach, public highway, road, street, alley, or thoroughfare, including any portion of the right-of-way thereof, or any other public lands: except in containers or areas lawfully provided therefor. When any litter is thrown or discarded from a motor vehicle, the operator or owner of the motor vehicle or both shall be deemed in violation of this section.
- b. In or on any freshwater lake, river or stream or tidal or coastal water of the county, including any bay or gulf contiguous to the shoreline of Franklin County, Florida.

When any litter is thrown or discarded from a vessel; the operator or owner of the vessel, or both, shall be deemed in violation of this section;

- c. In or on any private property, unless prior consent of the owner has been given and unless the dumping of such litter will not cause a public nuisance or health hazard or be in violation of any other state or local law, rule, or regulation.
- d. Yard Trash and Yard Debris are not litter within the meaning of this ordinance.

SECTION 5. Penalty and Enforcement.

- a. Any person responsible for enforcing this ordinance may, but is not required to, provide notification to the person responsible for dumping litter in violation of this ordinance to remove and legally dispose of said litter within three business days. If such litter has not been timely removed and legally disposed of within such three day period, such person(s) shall be deemed in violation of the ordinance and subject to its penalties under SECTION 5.
- b. Any person who violates any provision of this ordinance for the first time is guilty of a noncriminal infraction, punishable by a fine of \$100.00, plus court costs,
- c. Any person who violates any provision of this ordinance a second time is guilty of a noncriminal infraction, punishable by a fine of \$250.00, plus court costs,
- d. Any person who violates any provision of this ordinance a third time is guilty of a misdemeanor of the second degree, punishable as provided in F.S. §§ 775.082 or 775.083.
- e. Any person who violates any provision of this ordinance a fourth time is guilty of a misdemeanor of the first degree, punishable as provided in F.S. §§ 775.082 or 775.083.
- f. A person who violates any provision of this ordinance a fifth, or subsequent, time is guilty of a third degree felony, punishable as provided in F.S. §§ 775.082 or 775.083.

- g. In addition to any other penalty provided herein, or in lieu thereof, a person who violates any provision of this ordinance may, in addition to any other penalty, be required by the court to (1) remove or render harmless the litter that they dumped in violation of this ordinance and properly dispose of it at an approved land-fill, or other authorized repository; (2) repair or restore property damaged by, or pay damages for any damage arising out of his or her dumping litter in violation of this ordinance; (3) perform community service relating to the removal of litter dumped in violation of this ordinance or to the restoration of an area polluted by litter dumped in violation of this ordinance.
- h. A court may enjoin a violation of this ordinance.
- i. If a person, including a political subdivision or municipality, sustains damages arising out of a violation of this ordinance, a court, in a civil action for such damages, shall order the person causing such damage to pay the injured party three fold the actual damages or \$200, whichever amount is greater. In addition, the court shall order the person to pay the injured party's court costs and attorney fees.
- j. Notwithstanding any other provision of this ordinance, any person who dumps raw human waste from a commercial vehicle or who dumps litter weighing more than 500 pounds in weight or 200 cubic feet shall be guilty of a third degree felony, punishable as provided in F.S. §§ 775.082 or 775.083.
- k. In the criminal trial of a person charged with violating this section, the county does not have the burden of proving that the person did not have the right or authority to dump the litter or raw human waste or that litter or raw human waste dumped on private property causes a public nuisance or health hazard. The defendant has the burden of proving that he had authority to dump the litter or raw human waste and that the litter or raw human waste dumped does not cause a public nuisance or health hazard.

- l. It shall be the duty of all law enforcement officers to enforce the provisions of this section.
- m. The penalties provided by this ordinance are cumulative.
- n. All civil penalties shall be equally divided between Franklin County and the Clerk of Court.

SECTION 6. Enforcement of Other Regulations.

This section does not limit the authority of any state or local agency to enforce other laws, rules or ordinances relating to litter or solid waste management.

SECTION 7. Reference to Related Ordinances.

This ordinance shall repeal all prior Franklin County ordinances inconsistent herewith

SECTION 8. Severability

If any part of this ordinance is for any reason held invalid, such part shall be deemed a separate and distinct provision and shall not affect the validity of the remaining portion of this ordinance.

SECTION 9. Effective Date:

This ordinance shall take effect when notice of receipt of a certified copy of same is returned from the Secretary of State.

This ordinance adopted in open regular session this ____ day of _____, 2016, after notice of intent to consider the same has been made and kept in the Ordinance Book of the Clerk of the Board for at least 10 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law..

FRANKLIN COUNTY, a political subdivision
Of the State of Florida

By: _____
William Massey, Its Chairman

Attest:

Marcia M. Johnson, Clerk of Courts

Approved By:

Thomas M. Shuler, County Attorney

FRANKLIN COUNTY ORDINANCE 2016-01

AN ORDINANCE REGULATING ANIMALS IN FRANKLIN COUNTY, FLORIDA
AND REPEALING ALL OTHER ORDINANCES OF FRANKLIN COUNTY REGULATING
ANIMALS, PROVIDING FOR ENFORCEMENT, PENALTIES, APPEALS AND AN
EFFECTIVE DATE.

Section 1 - Title.

This article shall be known as the "Animal Control Ordinance of Franklin

County, Florida."

Section 2 - Authority.

This article is enacted in the interest of the public health and safety and general welfare of the citizens and inhabitants of the county, pursuant to F.S. §§ 125.01, 705.19, 828.13, 767.01 et seq., 828.01 et seq., and Laws of Fla. Ch. 90-180, as amended, and under the authority of the county to regulate animals located within the county, including all municipal corporations, except to the extent that this ordinance may be in conflict with a valid municipal ordinance.

Section 3. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandon means to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner.

Animal means any domesticated animal or any captive wild animal, excluding alligators, crocodiles, panthers, bears, and mountain lions.

Animal control officer means any individual employed, contracted with, or appointed by the animal control authority for the purpose of aiding in the enforcement of this act or any other law or ordinance relating to the licensure of animals, control of animals, or seizure and impoundment of animals and includes any state or local law enforcement officer or other employee whose duties in whole or in part include

assignments that involve the seizure and impoundment of any animal.

Animal shelter means any facility, designated by the county, for the purpose of housing and caring for animals held by the authority of this article or state law.

At large means any animal, other than a dog, that is off of the premises of the owner while not under the supervision of the owner, or, in the case of dogs, when any dog is off of the premises of the owner while not under the direct control of the owner.

Attack means the act by any animal of approaching a domestic animal or a person in such a manner that hostile contact with the other animal or person occurs.

Baiting means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, the term "baiting" means the use of live animals in the training of racing greyhounds.

Board means the Board of County Commissioners of Franklin County, Florida.

Citation means a written notice issued to a person by an animal control officer or designee, stating that the officer has probable cause to believe that the person has committed a civil infraction in violation of a duly-enacted ordinance and that the county court will hear the charge.

Code enforcement officer means any designated employee or agent of a county or municipality whose duty it is to enforce codes and ordinances enacted by the county or municipality, according to F.S. 166.0415.

County health officer means the person designated by the Board pursuant to the definitions in F.S. Ch. 154 and F.A.C. Ch. 64D-3.

Current rabies vaccination means a rabies vaccination administered by a licensed veterinarian which is valid for not less than one year and not more than three years.

Dangerous animal means an animal that has, when unprovoked:

- (1) Bitten, attacked, or endangered or has inflicted severe injury on a human being on public or private property; or
- (2) Has more than once severely injured or killed a domestic animal while off the owner's property;

provided that such actions as set forth and described in subsection (1) and (2) of this definition are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

Dangerous dogs means any domestic dog, *Canis familiaris*, and any genetic hybridization thereof, whether alone or in member of a pack, that according to the records of the appropriate authority has:

- (1) Aggressively bitten, attacked or endangered, or has inflicted severe injury on a human being on public or private property;
- (2) Has more than once severely injured or killed a domestic animal while off the owner's property;
- (3) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion, or an apparent attitude of attack, provided that such actions are attested to in a sworn statement by one or more persons and dutifully investigated by the appropriate authority.

A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person who at the time, was unlawfully on the property or while lawfully on the property ~~and~~ was tormenting, abusing or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

Direct control means immediate, continuous physical control of a dog at all times such as by means of a leash, cord, or chain of such strength to humanely restrain the dog, and controlled by a person capable of restraining the dog, or humane safe and secure restraint within a vehicle. If the controlling person is at all times fully and clearly within unobstructed sight and hearing of the dog, voice control shall be considered direct control only when the dog is actually participating in training or in official showing, obedience, or field event. Direct control shall not be required of dogs actually participating in a legal sport in an authorized area or to government police dogs.

Director of animal control means the person designated by the board to enforce this chapter as Director of Franklin County Animal Control.

Division of animal control means the agency designated by the board to enforce the ordinances and law pertaining to animal control and cruelty.

Domestic animal means any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, emus, rhea, or other domesticated beast or bird.

Exotic Animals means any animal not identified in the definition of "animal" provided in this part that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. This term specifically includes animals such as, but not limited to, lions, tigers, leopards, elephants, camels, antelope, anteaters, kangaroos, and water buffalo, and species of foreign domestic cattle, such as Ankole, Gayal, and Yak

Exposure to rabies means any person or domestic or captive wild animal which has been bitten by or otherwise exposed to the saliva, brain tissue, or body fluids of a rabid animal or of an animal suspected to be rabid due to its apparent ill health, or which is of a species commonly recognized to be a carrier of rabies, such as, but not limited to, raccoons, foxes, bats, skunks, and bobcats.

Feral animal means any wild dog or cat, whether it was born in the wild or has reverted to a wild state due to abandonment or lack of domestication.

Fighting means any fighting between roosters or other birds, or between dogs, bears, or other animals.

Horse means any animal of any registered breed of the genus Equus, or any recognized hybrid thereof

Humane or humanely means marked by compassion, sympathy, or consideration for animals.

Impoundment means the taking up and confining of an animal by the division of animal control in a manner consistent with professionally recognized standards of humane treatment.

Kennel means any site used for the owning, breeding or boarding of six or more dogs, cats, or combination thereof, of six months or older, for a commercial purpose.

Livestock means grazing animals, such as cattle, horse, sheep, swine, goats, other hoofed animals, ostriches, emus, and rheas which are raised for private use or commercial purposes.

Neutered or spayed means rendered permanently incapable of reproduction or permanently incapable of reproduction because of physiological sterility, but only where the neutered or spayed condition has been certified by a veterinarian licensed in any state.

Owner.

- (1) The term "owner" means any person or corporation owning, harboring or keeping any animal, or in the case of a person under the age of 18 years of age, that person's parent or legal guardian. The term owner includes, but is not limited to, a custodian, or other person in charge of an animal
- (2) The term "owner" does not apply to any veterinary clinic or boarding kennel.

Person means any individual, firm, corporation, partnership, organization, or association.

Potential rabies carriers means any species commonly recognized to be a carrier of rabies, such as, but not limited to raccoons, foxes, bats, bobcats, and skunks.

Proper enclosure of a dangerous dog means, while on the owner's property, a dangerous dog is securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure and shall also provide protection from the elements

Public nuisance means any animal which damages property, chases vehicles or molests passersby; or, any animal, which soils, defiles, or defecates on public or private property, other than the property of the owner unless the owner immediately removes and properly disposes it; or, any animal which causes unsanitary or dangerous conditions to exist; or any feral animal. The term "public nuisance" includes any dog causing aggravation or misery by continuously barking, howling or otherwise disturbing the peace.

Severe injury means any physical injury that results in broken bones, multiple bites or disfiguring lacerations requiring sutures or reconstructive surgery.

Shelter means provision of access to a three-dimensional structure having a roof,

walls and a floor, which is dry, sanitary, clean, weatherproof and made of durable material. At a minimum, the structure must be:

- (1) Sufficient in size to allow each sheltered animal to stand up, turn around, lie down and stretch comfortably;
- (2) Designed to protect the animal from adverse effects of the weather and provides access to shade from direct sunlight and regress from exposure to inclement weather conditions;
- (3) Free of standing water and accumulated wastewater and debris. Structures with wire, grid or slat floors which permit the animal's feet to pass through the openings, sag under the animal's weight or which otherwise do not protect the animal's feet or toes from injury are prohibited except for birds where perches are provided.

Tethering means a rope, leash, pulley run or other means of constraint which must be attached to the animal by a properly applied collar, halter or harness and configured where as to protect the animal from injury and prevent entanglement with other objects and/or animals.

Unprovoked means that the victim who has been conducting himself or herself peacefully and lawfully has been bitten or chased in a menacing fashion or attacked by a dog.

Veterinarian means a person who is licensed to engage in the practice of veterinary medicine as provided for in F.S. Ch. 474.

Veterinary hospital or clinic means any place or facility owned or operated by a licensed veterinarian and used for the practice of veterinary medicine in the diagnosis, treatment, and care of diseases of and injuries to animals, or used for the boarding of animals during such diagnosis, treatment, or care, or used for the temporary boarding of animals belonging to the veterinarian clients.

Section 4 - Enforcement and penalties.

- (a) In addition to or in lieu of impounding an animal which any animal control officer or any law enforcement officer has probable cause to believe is in violation of this article the officer shall either:
 - (1) Issue a warning notice of violation to the owner or keeper of the animal; or
 - (2) Issue a citation to the owner or keeper of the animal; provided, however, that upon

a second conviction within the same household of a violation of sections 8 through 13, the animal shall be confined to the owner's premises by means of an enclosure approved by the division of animal control for restraining the animal and for preventing its escape.

- (b) Any person to whom a citation is issued shall pay the fine by the designated date or appear in county court at the time, date and location designated in the citation.
- (c) Any person electing to appear or required so to appear waives the right to pay the minimum civil penalties.
- (d) Penalties shall be in addition to court costs as established by the county court.
- (e) The maximum civil penalty for each violation shall be \$500.00.
- (f) A mandatory court appearance to determine if the animal owner is able to provide adequately for, and have custody of, the animal shall be required for any of the following:
 - (1) Third and subsequent violations of this ordinance.
 - (2) Third and subsequent violations which result in the destruction or loss of personal property.
 - (3) Violations which involve more than two animals owned or kept by the person to whom the citation is issued.
 - (4) Violations in which the owner or keeper of the animal in violation has previously evaded or attempted to evade the division of animal control in an effort to circumvent the provisions of this chapter or state law;
 - (5) Second and subsequent violations of section 10, humane care required;
 - (6) Second and subsequent violations which result in the unprovoked biting, wounding, or attacking of a domestic animal or person; and
 - (7) Second and subsequent violation of any provision pertaining to dangerous or vicious animals which does not result in injury to a person or domestic animal.
 - (8) Violation of any provision pertaining to dangerous or vicious animals which results in injury to a person or domestic animal.
- (g) Minimum civil penalties for violations of the article not otherwise listed in subsection (f) of this section are as follows:

Code Section	Description of Violation		1st Violation	2nd Violation	3rd Violation and Thereafter
15	Interference with Control	animal	\$50.00	\$75.00	\$250.00
8	Running at large		\$30.00	\$75.00	\$250.00
9	Public nuisance prohibited		\$30.00	\$75.00	\$250.00
10	Humane care required		\$250.00	Mandatory court appearance	
11	Abandonment of an animal		\$100.00	\$250.00	
	Violations which result in the destruction or loss of personal property		\$100.00	\$250.00	Mandatory court appearance

				Mandatory court appearance
		Violations which result in the unprovoked, biting, wounding or attacking of a domestic animal or person	\$450.00 (person) \$250.00 (animal)	
		Violations of any provision pertaining to a dangerous or vicious animal which does not result in injury to a person or domestic animal.	\$250.00	Mandatory court appearance

		Violations of any provision pertaining to dangerous or vicious animals which does result in injury to a person or domestic animal		Mandatory court appearance

- (h) 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 \$5.00 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 the county animal control officers as required by F.S. § 828.27(4)(b).
- (i) Notwithstanding any provision to the contrary, violations of Section 10(c)(1) involving animal cruelty shall be punished as a first degree misdemeanor as provided by s. 775.082, Florida Statutes.
- (j) Notwithstanding any provision to the contrary, violations of Section 10(c)(2) involving the tripping of horses shall be punished as a third degree felony as provided by ss. 775.082, s. 775.083, or s. 775.084, Florida Statutes.
- (k) Notwithstanding any provision to the contrary, violations of Section 13 involving the fighting or baiting of animals shall be punished as a third degree felony.

Section 5 - Rabies vaccination required.

- (a) Every dog and cat, four months of age or older, shall be vaccinated by a licensed veterinarian against rabies with a U.S. Government approved vaccine. Each animal shall be required to be vaccinated no more frequently than the effective period of the approved vaccine used. Such vaccination is excused only if a licensed veterinarian certifies in writing that vaccination would be injurious to the dog or cat's health. In such case, the dog or cat shall be confined in an enclosed building or kennel until the dog or cat can be safely vaccinated.
- (b) Proof of vaccination shall consist of a rabies vaccination certificate, a rabies vaccination tag and identification tag which shall specify the name and telephone number of the owner of the animal. Said certificate and rabies tag shall be approved by the director of animal control. The rabies vaccination tag issued for one dog or cat shall not be valid for any other dog or cat. Said tags must be placed on the dog or cat.

- (c) It is unlawful for any person to remove the rabies vaccination tag or identification tag of any currently vaccinated dog or cat unless:
 - (1) The dog or cat is participating in any organized exhibition or field trial, or is training for these events, or is engaged in a legal sport under competent supervision; or
 - (2) A licensed veterinarian directs in writing that the rabies vaccination tag be removed for reasons of the dog's or cat's health. In such event, the dog or cat shall be confined until the veterinarian permits the tag again to be placed on the dog or cat; or
 - (3) The animal is securely confined.
- (d) It is unlawful for the owner of a dog or cat to refuse to show proof of current vaccination of such dog or cat by the end of the next business day if such information is requested by the director of animal control or any animal control officer.
- (e) Compliance with state administrative code. When any animal bites or wounds a human or when a human or domestic or captive wild animal is bitten by or exposed to rabies by a suspected or known rabid animal, the owner shall comply fully with F.A.C. Ch. 10D-3, pertaining to communicable disease control.

Section 6 - Potential rabies carriers.

No person shall keep, own, possess, or harbor any rabies carriers as a personal pet within the county.

Owners of potential rabies carriers shall be allowed to keep, own, possess, or harbor said animal, provided that they are properly permitted through state or federal agencies. Adequate living quarters and confinement must be provided for the animal, which are consistent with the species' normal requirements for size, shelter, exercise area, heat, ventilation, light, and safety. All areas for the animal must be maintained in a sanitary manner. Carriers as defined in this chapter shall not apply to properly licensed or permitted museums, wildlife rehabilitators, zoological parks or research facilities. It shall be the responsibility of the owner of any potential rabies carrier animal to provide proof of the acquisition date and the animal's source if requested to do so by the division of animal control.

Section 7 - Rabies control.

It shall be the duty of any person having knowledge that an animal has bitten or otherwise exposed a person or domestic or captive wild animal to rabies, to report the incident immediately to the division of animal control for examination, or for supervised

quarantine of the animal at the expense of the owner.

- (a) Any animal which has bitten or exposed a human to rabies shall be quarantined for a period of not less than ten days.
- (b) The procedures for the investigation of animal bites inflicted by animals other than dogs and cats shall be followed in accordance with the provisions set forth in the FAC. Ch. 10D-3.
- (c) The location and conditions of examination or quarantine of animals which have bitten or otherwise exposed a person to rabies shall be established by the county health officer (FAC. Ch. 10D-3).
- (d) It shall be unlawful for any person to hide, conceal, or refuse to surrender any animal for examination or quarantine upon lawful demand to do so by the county health officer or by the division of animal control.
- (e) Any person having knowledge that a domestic animal has been bitten by or otherwise exposed to rabies by a wild animal of a species commonly recognized to be a carrier of rabies such as, but not limited to, raccoons, foxes, skunks, bats, and bobcats, shall immediately report such bite or exposure to the county health officer or to the division of animal control for the investigation of such bite or exposure.

Section 8 - Running at large prohibited.

- (a) It shall be unlawful for any animal to run or remain at large on any public street, road, park or other public place.
- (b) It shall be unlawful for any animal to run or remain at large upon any private property, whether under direct control or not, and posing a threat to public safety, without the consent of the owner of such private property.
- (c) It shall be a violation of this article for the owner or keeper of any animal to tie, chain or otherwise tether such animal in such a manner that it has access to public property or the property of another without consent of that property owner.
- (d) Dogs and cats in estrus. The owner of any female dog or cat in estrus shall keep such dog or cat confined in a building or secure enclosure, veterinary hospital, or boarding kennel in such a manner that such female dog or cat cannot come in contact with a male dog or cat, except for intentional breeding purposes.
- (e) Responsibility. The owner or keeper of any animal found running or remaining at large shall be responsible for any violation of this article.
- (f) Exceptions. This section shall not apply to:
 - (1) Any dog or cat being officially shown or trained; or

- (2) Any animal that is especially trained to assist or provide personal services for a disabled person, as defined under the American with Disabilities Act.
 - (3) Government police dogs.
 - (4) Any dog actually engaged in a legal sport, including supervised hunting within authorized areas.
- (g) All dogs and livestock shall be physically contained on the property of the owner by fence or other enclosure.

Section 9 - Public nuisances prohibited.

- (a) It shall be unlawful for any person to allow his animal to become a public nuisance, as defined in this chapter.
- (b) The owner of any domestic animal which is a public nuisance as defined in this chapter shall be subject to the procedures and penalties set forth in provided ordinances of the county.
- (c) Any animal which is feral as defined in this chapter shall be classified as a public nuisance, and shall be impounded and humanely euthanized. Feral animals shall not be required to be held for a minimum period of time as required for other stray animals, as specified in ordinances of the county.
- (d) Any nuisance complaint shall be investigated by either animal control, law enforcement or code enforcement. The owner shall first be given written notification by the county that the animal's behavior constitutes a public nuisance, that the owner is required to make reasonable effort to abate the nuisance within seven calendar days of the written notice of violation, and that subsequent violations may result in the issuance of a citation to the owner for allowing his animal to become a nuisance.
- (e) Subsequent violations, after warning, shall be based on the animal control, law enforcement or code enforcement officer having personal knowledge of the nuisance or at least two affidavits from different parties residing in close proximity to the alleged nuisance must be received. Close proximity shall mean residing within a radius of 200 feet from the residence or location of the offending animal but shall not preclude the consideration of evidence and testimony of persons living more than 200 feet from the residence or location of the offending animal. One affidavit may be sufficient to warrant an investigation where there is only one party in close proximity to the alleged nuisance.

Section 10 - Humane care required.

- (a) No owner shall fail to provide his animal with sufficient and wholesome food and water. The owner is responsible for providing water, shelter and protection from the weather at

all times, veterinary care when needed to prevent suffering or disease, and with humane care and treatment, including sufficient exercise space. The owner of an animal shall provide clean water for the animal in a sufficient quantity to maintain the animal in a healthy condition. Water shall be provided at all times in a stable container which is sized appropriately for the animal's species and breed.

- (b) No vehicle owner, passenger or operator shall place or confine an animal or allow it to be placed or confined or to remain in an unattended vehicle without sufficient ventilation or under conditions or for such a period of time as may reasonably be expected to endanger the health or well-being of such animal due to heat, lack of water, or such other circumstances as may be expected to cause suffering, disability or death.

- (1) Officers finding an animal under the conditions reference above may rescue such animal from the vehicle following the policy established by animal control.

- (c) Pursuant to F.S. § 828.12, no person shall:

- (1) Unnecessarily overload, overdrive, torment, deprive of necessary sustenance or shelter, unnecessarily mutilate, kill, or any animal or cause the same to be done, or carry upon any vehicle or otherwise, any animal in a cruel or inhumane manner, commits animal cruelty and shall be guilty of a first degree misdemeanor.

- (d) Any person who, as the operator of a motor vehicle, strikes a domesticated animal should immediately report such incident to any law enforcement agency or to the division of animal control.

- (e) No person shall under any circumstances tether or otherwise confine any animal in a manner that is injurious to the animal's health, safety and well-being. Proper and humane tethering includes, but is not limited to the following:

- (1) Collars used to attach an animal should be comfortable and properly fitted. The uses of choke chains are prohibited, except when an owner is walking or exercising their animal, or when the animal is participating in any organized exhibition or field trial, or is training for these events, or is engaged in a legal sport under competent supervision.

- (2) The tether shall not extend over an object or edge in such a manner that could result in strangulation of or injury to the animal. The length of the tether must be a minimum of ten feet or at least three times the length of the animal measured from the animal's nose to the base of its tail, whichever is greater, unless the tether is being used to secure the animal to the bed of an open vehicle or pick-up truck. Restraints should allow the animal to move about and lie down comfortably.

- (3) Tethering of an animal is prohibited during natural disasters such as flood, fires, tornadoes or hurricanes.

(4) No animal shall be confined to a vacant or abandoned structure.

Section 11- Abandonment of animals prohibited.

- (a) It shall be a violation of this article for a person to abandon or dispose of an animal on the property of another person or on public property.
- (b) It is a violation of this article to abandon an animal in a former residence when relocating to a new residence.
- (c) After posting a 24-hour notice of intent to impound and no attempt by the owner has been made to contact animal control, the animal shall be impounded by animal control.

Section 12 - Dangerous dogs prohibited; state statute adopted by reference.

- (a) F.S. § 767.12 (2015), which reads as follows, and any subsequent amendments made by the state legislature, are adopted and by reference made a part of this article:
 - (1) Dangerous dog determination procedure is as follows:
 - a. An animal control authority shall investigate reported incidents involving any dog that may be dangerous and shall, if possible, interview the owner and require a sworn affidavit from any person, including any animal control officer or enforcement officer, desiring to have a dog classified as dangerous. Any animal that is the subject of a dangerous dog investigation that is not impounded with the animal control authority shall be humanely and safely confined by the owner in a securely fenced or enclosed area pending the outcome of the investigation and resolution of any hearings related to the dangerous dog classification. The address of where the animal resides shall be provided to the animal control authority. No dog that is the subject of a dangerous dog investigation may be relocated or ownership transferred pending the outcome of an investigation or any hearings related to the determination of a dangerous dog classification. In the event that a dog is to be destroyed, the dog shall not be relocated or ownership transferred.
 - b. A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person who, at the time, was unlawfully on the property or, while lawfully on the property, was tormenting, abusing, or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

- c. After the investigation, the animal control authority shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous and shall afford the owner an opportunity for a hearing prior to making a final determination. The animal control authority shall provide written notification of the sufficient cause finding, to the owner, by registered mail, certified hand delivery, or service in conformance with the provisions of F.S. Ch. 48, relating to service of process. The owner may file a written request for a hearing within seven calendar days from the date of receipt of the notification of the sufficient cause finding and, if requested, the hearing shall be held as soon as possible, but not more than 21 calendar days and no sooner than five days after receipt of the request from the owner. The board of county commissioners shall establish hearing procedures that conform to this subsection. If the owner fails to timely requests a hearing, the owner shall be deemed to have waived their rights to appeal the dangerous dog classification.
 - d. Once a dog is classified as a dangerous dog, the animal control authority shall provide written notification to the owner by registered mail, certified hand delivery, or service, and the owner may file a written request for a hearing in the county court to appeal the classification within 10 business days after receipt of a written determination of a dangerous dog classification and must confine the dog in a securely fenced or enclosed area pending a resolution of the appeal. The board of county commissioners shall establish hearing procedures that conform to this subsection.
- (2) Within 14 days after a dog has been classified as dangerous by the animal control authority or a dangerous dog classification is upheld by the county court on appeal, the owner of the dog must obtain a certificate of registration for the dog from the animal control authority serving the area in which he resides, and the certificate shall be renewed annually. Animal control authorities are authorized to issue such certificates of registration, and renewals thereof, only to persons who are at least 18 years of age and who present to the animal control authority sufficient evidence of:
- a. A current certificate of rabies vaccination for the dog.
 - b. A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign at all entry points that informs both children and adults of the presence of a dangerous dog on the property.
 - c. Permanent and visible identification of the dog, such as a tattoo on the inside thigh or electronic implantation.
 - d. Proof of spay or neutering.
 - e. Provision to the animal control authority of a photo of the dog that is no

older than 30 days old.

- f. Provision to the animal control authority of a photo of the owner that is no older than 30 days old.

The appropriate governmental unit may impose an annual fee for the issuance of certificates of registration required by this section.

- (3) The owner shall immediately notify the appropriate animal control authority when a dog that has been classified as dangerous:
 - a. Is loose or unconfined.
 - b. Has bitten a human being or attacked another animal.
 - c. Is sold, given away, or dies.
 - d. Is moved to another address.
 - e. Is stolen.

Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and telephone number of the new owner to the animal control authority. The new owner must comply with all of the requirements of this act and implementing local ordinances, even if the animal is moved from one local jurisdiction to another within the state. The animal control authority must be notified by the owner of a dog classified as dangerous that the dog is in its jurisdiction.

- (4) It is unlawful for the owner of a dangerous dog to permit the dog to be outside of a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under control of a competent person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person or animal. The owner may exercise the dog in a securely fenced or enclosed area that does not have a top, without a muzzle or leash, if the dog remains within his sight and only members of the immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present. When being transported, such dogs must be safely and securely restrained within a vehicle.
- (5) Dogs engaged in training or exhibiting in legal sports such as obedience trials, conformation shows, field trials, hunting/retrieving trials, and herding trials are exempt from the provisions of this section when engaged in any legal procedures. However, such dogs at all other times in all other respects shall be subject to this and local laws. Dogs that have been classified as dangerous shall not be used for hunting purposes.
- (6) This section does not apply to dogs used by law enforcement officials for law enforcement work.

- (7) Any person who violates any provision of this section is guilty of a noncriminal infraction, punishable by a fine not exceeding \$500.00, plus court costs.
- (b) F.S. § 767.13 (2015), which reads as follows, and any subsequent amendments made by the Florida legislature, are adopted and by reference made a part of this article:
 - (1) If a dog that has previously been declared dangerous attacks or bites a person or a domestic animal without provocation, the owner is guilty of a misdemeanor of the first degree, punishable as provided in F.S. §§ 775.082 or 775.083. In addition, the dangerous dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time, or impounded and held for 10 business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal during any appeal procedure.
 - (2) If a dog that has not been declared dangerous attacks and causes severe injury to or death of any human, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for 10 business days after the owner is given written notification under F.S. § 767.12, and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs, fines imposed and other fees as may be required to humanely and safely keep the animal during any appeal procedure. In addition, if the owner of the dog had prior knowledge of the dog's dangerous propensities, yet demonstrated a reckless disregard for such propensities under the circumstances, the owner of the dog is guilty of a misdemeanor of the second degree, punishable as provided in F.S. §§ 775.082 or 775.083.
 - (3) If a dog that has been previously declared dangerous, attacks and causes severe injury to or death of any human, the owner is guilty of a felony of the third degree, punishable as provided in Section 775.082, Section 775.083, or Section 775.084. In addition, the dog shall be immediately confiscated by an animal control authority, placed in quarantine, if necessary, for the proper length of time or held for 10 business days after the owner is given written notification under F.S. §

767.12, and thereafter destroyed in an expeditious and humane manner. This 10 day time period shall allow the owner to request a hearing under F.S. § 767.12. The owner shall be responsible for payment of all boarding costs, fines imposed and other fees as may be required to humanely and safely keep the animal during any appeal procedure.

- (4) If the owner files a written appeal under F.S. § 767.12 or this section, the dog must be held and may not be destroyed while the appeal is pending.
- (5) If a dog attacks or bites a person who is engaged in or attempting to engage in a criminal activity at the time of the attack, the owner is not guilty of any crime specified under this section.

Section 13 - Fighting or baiting of animals is prohibited.

Pursuant to F. S. §828.122, Fighting or Baiting Animals:

(1) As used in this section, the term:

(a) “Animal fighting” means fighting between roosters or other birds or between dogs, bears, or other animals.

(b) “Baiting” means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, “baiting” means the use of live animals in the training of racing greyhounds.

(c) “Person” means every natural person, firm, co-partnership, association, or corporation.

(2) Any person who knowingly commits any of the following acts commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

(a) Baiting, breeding, training, transporting, selling, owning, possessing, or using any wild or domestic animal for the purpose of animal fighting or baiting;

(b) Owning, possessing, or selling equipment for use in any activity described in paragraph (a);

(c) Owning, leasing, managing, operating, or having control of any property kept or used for any activity described in paragraph (a) or paragraph (b);

(d) Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals;

(e) Performing any service or act to facilitate animal fighting or baiting, including, but not

limited to, providing security, refereeing, or handling or transporting animals or being a stakeholder of any money wagered on animal fighting or baiting;

(f) Removing or facilitating the removal of any animal impounded under this section from an agency where the animal is impounded or from a location designated by the court under subsection (4), subsection (5), or subsection (7), without the prior authorization of the court;

(g) Betting or wagering any money or other valuable consideration on the fighting or baiting of animals; or

(h) Attending the fighting or baiting of animals.

Notwithstanding any provision of this subsection to the contrary, possession of the animal alone does not constitute a violation of this section.

(3) If a court finds probable cause to believe that a violation of this section or s. 828.12 has occurred, the court shall order the seizure of any animals and equipment used in committing the violation and shall provide for appropriate and humane care or disposition of the animals. This subsection is not a limitation on the power to seize animals as evidence at the time of arrest.

(4) If an animal shelter or other location is unavailable, a court may order the animal to be impounded on the property of its owner or possessor and shall order such person to provide all necessary care for the animal and to allow regular inspections of the animal by a person designated by the court.

(5) If a veterinarian finds that an animal kept or used in violation of this section is suffering from an injury or a disease severe enough that it is not possible to humanely house and care for the animal pending completion of a hearing held under s. 828.073(2), final disposition of the criminal charges, or court-ordered forfeiture, the veterinarian may euthanize the animal as specified in s. 828.058. A veterinarian licensed to practice in this state shall be held harmless from criminal or civil liability for any decisions made or services rendered under this subsection.

(6) If an animal can be housed in a humane manner, the provisions of s. 828.073 shall apply. For the purpose of a hearing provided pursuant to s. 828.073(2), any animal baited, bred, trained, transported, sold, owned, possessed, or used for the purpose of animal fighting or baiting shall be considered mistreated.

(7) In addition to other penalties prescribed by law, the court may issue an order prohibiting a person who is convicted of a violation of this section from owning, possessing, keeping, harboring, or having custody or control over any animals within the species that are the subject of the conviction, or any animals kept for the purpose of fighting or baiting, for a period of time determined by the court.

(8) This section shall not apply to:

(a) Any person simulating a fight for the purpose of using the simulated fight as part of a motion picture which will be used on television or in a motion picture, provided s. 828.12 is not violated.

(b) Any person using animals to pursue or take wildlife or to participate in any hunting regulated or subject to being regulated by the rules and regulations of the Fish and Wildlife Conservation Commission.

(c) Any person using animals to work livestock for agricultural purposes.

(d) Any person violating s. 828.121.

(e) Any person using dogs to hunt wild hogs or to retrieve domestic hogs pursuant to customary hunting or agricultural practices.

(9) This section shall not prohibit, impede, or otherwise interfere with recognized animal husbandry and training techniques or practices not otherwise specifically prohibited by law.

Section 14 - Animal control appeal board.

An appeal board consisting of five persons who are residents of Franklin County shall be appointed by the board of county commissioners to review decisions of the division of animal control as required under the Franklin County Animal Control Ordinance, including, but not limited to, the initial classification of an animal as dangerous. The membership of the animal control appeal board shall include the following: one member knowledgeable in the area of animal behavior; one member with a law enforcement background; one member licensed to practice veterinary medicine in the State of Florida; one member knowledgeable in the area of public health; and one citizen member.

Section 15 - Impoundment.

(a) The director of animal control or any animal control officer shall have the authority to enforce this article, and shall pick up, catch, or confine any animal in violation of this article. Each person designated as an enforcement officer, pursuant to F.S. Ch. 828, may issue to the known owner or keeper of such animal a warning notice or citation as defined in section 3.

(b) No person shall:

(1) Refuse to surrender an animal upon lawful demand by the director of animal control or any animal protection officer;

(2) Interfere with any animal protection officer who is lawfully apprehending an animal;

or shall hold, hide, or conceal any animal which the director of animal control or an animal control officer has deemed to be in violation of this article; or

- (3) Take or attempt to take any animal from:
 - a. An animal control officer or from any vehicle used by him to transport animals in the legal performance of his duties; or
 - b. An animal control shelter, a humane live trap, or an animal carrier, without proper authority.
- (c) A property owner or tenant may restrain in a humane manner any animal found in violation of this article on his property. When such restraint is made, the property owner or tenant shall immediately notify the division of animal control. The property owner or tenant shall treat the animal humanely and shall exercise due care to ensure the animal's safety and well-being. The director of animal control or any animal protection officer shall impound any animal delivered by its owner, or shall pick up and impound any animal restrained by a property owner or tenant as described above, and shall dispose of the animal pursuant to this article.
- (d) Animals which are impounded and are not suffering from or suspected of having an infectious or contagious disease, shall be held for not less than five working days unless sooner redeemed by the owner. Ill or injured animals may be euthanized prior to the expiration of the five days holding period in accordance with F.S. § 828.05. In instances when the owner of an impounded animal can be determined, the director of animal control or any animal control officer shall make a reasonable attempt to contact the owner before disposition of the animal.
- (e) The owner shall be responsible for payment of all boarding costs, fines imposed and other fees as may be required to humanely and safely keep the dog during impoundment. No animal shall be redeemed to its owner until such costs, fines, and fees are paid or otherwise resolved with the animal control authority.

Section 16 - Right of entry.

- (a) Pursuant to F.S. §§ 828.27, 828.073 and 125.01, the director of animal control and/or any animal control officer may enter public or unfenced private property within the county to carry out the duties imposed by this article.
- (b) Pursuant to F.S. §§ 828.27, 828.073 and 125.01 the director of animal control and/or any animal protection officer may enter fenced private property when:
 - (1) The owner or keeper of an animal which has bitten or otherwise exposed a human or domestic or captive wild animal to rabies refuses to surrender such animal for rabies quarantine.

- (2) The animal being sought was at large immediately prior to the division of animal control receiving a filed complaint that the animal was at large chasing people or domestic animals or was causing the destruction or loss of personal property, but subsequently returned to its owner's fenced private property; provided, however, that the animal has the capability to leave the fenced property by climbing, jumping, or crawling under the fences and provided that an attempt to contact the owner, if known, was unsuccessful.
- (3) The division of animal control is investigating or taking possession of any animal found or suspected to be neglected or cruelly treated pursuant to F.S. §§ 828.27, 828.073 and 125.01.
- (4) Pursuant to F.S. §§ 767.12 and 125.01, the division of animal control is taking possession of any animal initially determined as dangerous or aggressive.

Section 17 - Disposal of impounded animals.

Feral or unweaned animals may be euthanized immediately upon impoundment. Other animals not claimed at the end of the fifth day or after the quarantine period for animals impounded pursuant to section 15, shall become the property of the county. Before any animal may be adopted from the animal shelter, provision shall be made for such animal to be neutered or spayed with the following exceptions:

- (1) A dog or cat claimed by the owner before the end of the fifth day or at the end of the quarantine period shall not be required to be neutered or spayed before its release to the owner.
- (2) If said county dog or cat is under the age of six months, if female; or eight months, if male, provisions shall be made to have said county dog or cat neutered or spayed between the ages of six and eight months, if female; or eight and ten months, if male.
- (3) Upon request of a licensed veterinarian, and for a valid medical reason, such as the relative immaturity of a particular animal or breed at the required age of sterilization or the presence of a medical problem or condition of a particular animal which makes surgery at the time inadvisable, the director of animal control shall extend the time limits within which the animal must be sterilized.
- (4) No animal from the incorporated area of the county which is dangerous within the meaning of Laws of Fla. Ch. 90-180, as amended, shall be placed for adoption from the animal shelter in the event that the owner does not redeem said animal.
- (5) Any animal not redeemed by its owner or adopted as a personal pet within 14

days of its arrival at the animal shelter shall become the property of the county animal shelter.

- (6) Any animal for which its owner is responsible to the animal control authority or animal shelter for boarding fees, costs, or fines shall not be redeemed to its owner until said fees, costs, and fines are paid or otherwise resolved with the animal control authority or animal shelter. If said fees are not paid or otherwise resolved the animal becomes the property of the county animal shelter.

Section 18 - Identification of ownership.

- (a) Except as otherwise provided, every owner of an animal over the age of four months residing within the geographical areas of the county must carry identification to identify the animal's ownership including:
 - (1) The owner's name;
 - (2) The owner's address;
 - (3) The owner's phone number.
- (b) Unless otherwise provided, all animals are required to wear a rabies tag at all times, unless said animal is implanted with an electronic animal identification device (microchip), provided the microchip identification code is recorded with the county animal shelter.

Section 19 - License fees for dangerous dogs.

Dogs classified as a dangerous dog shall pay a license fee as set by resolution by the board of county commissioners.

Section 20 - Kennel license.

Any person operating a kennel within the county shall obtain all necessary licenses and approvals from the county, and shall meet any and all requirements of state law.

Section 21- Fees.

The board of county commissioners may, by resolution, establish and subsequently amend a fee schedule for the animal shelter which shall be administered by the animal shelter. All fees collected under this section that are not expended in the current fiscal year shall be carried over to the succeeding fiscal year for expenditure for the animal shelter.

Section 22 - Rules and regulations.

The board of county commissioners may, by resolution, enact reasonable rules and

regulations to implement and carry out the provisions of this article.

Section 23 - Designation of enforcement officers.

- (a) The board of county commissioners is hereby authorized to designate certain of its employees in the animal control division as enforcement officers along with the county sheriff's department and division of code enforcement. The training and qualifications of the employees for such designation shall be determined by the board.
- (b) The director of animal control, any animal control officer, code enforcement and law enforcement shall have the authority to enforce this article. The director of animal control and each person designated as an animal control officer pursuant to F.S. Ch. 828, may issue to the known owner or keeper of such animal a warning notice or citation as defined in section 3.

Section 24 - Duties of officers.

It shall be the duty of any person designated as an enforcement officer to enforce the animal control ordinance as determined by the board in conjunction with the designation of the individual enforcement officer.

Section 25 - Officer's authority to issue citation.

Any enforcement officer is hereby authorized to issue a citation for the violation of this article when the officer has probable cause to believe that a violation of this article has occurred (Laws of Fla. chs. 82-319 and 90-180, as amended, and F.S. § 828.27(1)(f)).

Section 26 - Contents of citation.

A citation issued by an enforcement officer under the provisions of the act shall be in a form prescribed by the board and shall include:

- (1) The time and date of issuance;
- (2) The name and address of the person accused;
- (3) The date and time the civil infraction was committed;
- (4) The section and number of this article which was violated;
- (5) The name and authority of the issuing animal protection officer;
- (6) The facts constituting probable cause;
- (7) The time, date, and place at which the person accused shall appear in court;
- (8) The signature of the person accused;
- (9) The procedure for the person to follow in order to pay the specific civil penalty

- imposed or to contest the citation;
- (10) The maximum civil penalty if the person elects to contest the citation; and
 - (11) A conspicuous statement that if the person fails:
 - a. To pay the civil penalty within the time allowed; or
 - b. To appear in court to contest the citation, then he shall be deemed to have waived his right to contest the citation, and that in such case judgment may be entered against the person for an amount up to the maximum civil penalty.

Section 27 - Procedure upon issuance of citation.

- (a) Once a ticket is issued the person cited shall either:
 - (1) Pay the ticket in the amount required within ten days; or
 - (2) Contact the clerk's office within ten days and request a hearing.
- (b) If the ticket is not paid within ten days of issuance and delivery to the violator, and a hearing not required, it shall automatically be reduced to judgment and turned over to a collection agency in the amount set per schedule.
- (c) If a hearing is requested then, if the defendant:
 - (1) Is present, he shall plead guilty or not guilty and shall face a fine and court costs determined by the court;
 - (2) Fails to appear, a default will be entered and a fine shall be imposed and the defendant shall be deemed to have waived any objection to the amount payable.
- (d) Any person who willfully refuses to sign and accept a citation (ticket) shall be in violation of this article and shall be punished according to applicable state law.

Section 28 - Repeal.

All other ordinances of the county which are in conflict with this article, specifically Ordinance No. 2001-24, are hereby repealed.

Section 29 - Effective Date

This ordinance shall take effect upon filing with the State of Florida.

Section 30 – Remedies Cumulative

The remedies provided by this ordinance are cumulative and are in addition to State Law, except to the extent of conflict with or preemption by the State. In the event that State Law imposes a greater or lesser penalty than is provided by this ordinance, then the penalty

provided by State Law shall prevail.

Section 31 – Savings Clause

If any court of competent jurisdiction should enter a final order finding that any one, or more, parts of this ordinance are unlawful or unenforceable, then such part, or parts, shall be stricken and the remainder of the ordinance shall remain in full force and effect.

This ordinance adopted in open regular session this ____ day of _____, 2016, after notice of intent to consider the same has been made and kept in the Ordinance Book of the Clerk of the Board for at least 10 days exclusive of Sundays and legal holidays, and the title and substance hereof published according to law.

FRANKLIN COUNTY, a political subdivision
of the State of Florida

By: _____
William Massey, Its Chairman

Attest:

Marcia M. Johnson, Clerk of Courts

Approved By:

Thomas M. Shuler
Franklin County Attorney