

TAYLOR COUNTY ORDINANCE NO.: 2011-04

AN ORDINANCE AMENDING CHAPTER 30 OF THE TAYLOR COUNTY CODE , "ENVIRONMENT", CREATING A SECTION TO PROHIBIT THE DUMPING OF ANIMAL CARCASSES OR PARTS OF ANIMALS, WHETHER WILD OR DOMESTIC, ON STREETS, ROADS, RIGHT OF WAYS OR HIGHWAYS OF THE UNINCORPORATED AREAS OF TAYLOR COUNTY; PROHIBITING SAID DUMPING AT THE COUNTY'S ROLL OFF SITES OR PUBLIC LANDS; ESTABLISHING GUIDELINES FOR PICK UP OF ANIMAL CARCASSES ON SUCH; PROVIDING FOR PENALTIES FOR VIOLATION WHICH INCLUDE FINES; PROVIDING FOR ENFORCEMENT, SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners' of Taylor County, Florida have been informed that there is a problem in the unincorporated areas of the county where animal carcasses and parts are being dumped on the streets, roads, right-of-ways, highways, roll off sites and public lands of the County, and

WHEREAS, the Board has determined that for the general welfare of the citizens of Taylor County an Ordinance should be passed to prohibit the said dumping, and

WHEREAS, the Board has determined that the Ordinance should provide for the punishment for violators of said Ordinance, and

WHEREAS, pursuant to Chapter 125 of the Florida Statutes the Board can amend Chapter 30 of its Code of Ordinances.

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Taylor County, Florida, as follows:

Section 1. Section 30-75 (c) of the Taylor County Code, Environment, Article III, Junk, Debris and Abandoned Property is amended:

(c) It is prohibited for anyone to put, throw, dump or leave an animal (including marine life) carcasses or residue, on the County's streets, roads, right of ways, highways or public lands within or belonging to the County.

(d) Any owner, custodian, or person in charge of domestic animals, or upon the death of such animals due to disease, shall dispose of the carcasses and parts of said animals by burning or burying at least 2 feet below the surface of the ground on their property.

Section 2. Chapter 30 of the Taylor County Code – Environment, Article III Junk, Debris and Abandoned Property Section 30-82 – Adoption of rules, expenditures of funds, and declaration of County purpose to include.

(a) The County Road Department is authorized to erect warning signs along such areas as listed above advising the public of the existence of this ordinance and of the penalty for the violation thereof on County streets, roads, right of ways, highways or public lands in the unincorporated area of the County or belonging to the County.

(b) The County Animal Control section of Public Safety is authorized to pick up animal carcasses off of County streets, roads, right of ways, highways or public lands in the unincorporated area of the County or belonging to the County.

(c) The County Administrator is empowered to task on a case-by-case basis other County employees to pick up animal carcasses off of County streets, roads, right of ways, highways or public lands in the unincorporated area of the County or belonging to the County.

Section 3. Chapter 30 of the Taylor County Code, Environment, Article III Junk Debris and Abandoned Property, Sec. 30-83 Penalties to Article V. is amended as follows:

(a) Persons convicted of violating this article shall be guilty of a misdemeanor of the second degree and shall be punished as provided by Florida Statute. Any person found guilty of a violation of this ordinance is guilty of a misdemeanor and shall upon conviction be fined up to a maximum of \$500 and/or be sentenced up to sixty days in jail per occurrence. In no instance shall the penalty be less than the cost of enforcement plus a minimum fine of \$50. The proceeds of such fines shall be expended for the purpose of funding litter prevention programs or projects.

(b) Cost of enforcement shall include but not be limited to: investigative fees, court costs, attorney's fees, administrative fines, travel expenses, clean-up expenses, restoration of property damaged or payment for damages, storage expenses, tipping fees that would have normally been paid if the violator had property disposed of or caused to be disposed any junk, debris, unserviceable vehicles, litter or abandoned property.

(c) The Board of County Commissioners at its sole discretion may award up to \$1,000.00 to any person who gives information that leads to the arrest and conviction of any person or entity that violates this Ordinance.

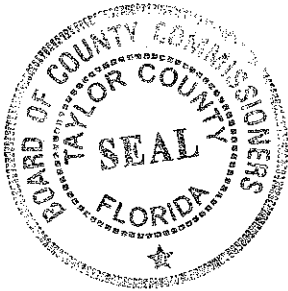
Section 4. SEVERABILITY.

If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion.

Section 5. EFFECTIVE DATE.

This Ordinance shall be effective as provided by law. The costs imposed herein shall be effective on the effective date of this Ordinance.

PASSED and ADOPTED in regular session by the Board of County Commissioners of Taylor County, Florida, on this 18th day of January, 2010 11.

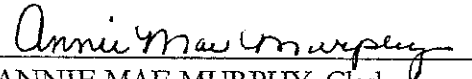


BOARD OF COUNTY COMMISSIONERS
TAYLOR COUNTY, FLORIDA

BY:


LONNIE A. HOUCK, Chairperson

ATTEST:


ANNIE MAE MURPHY, Clerk