

Marguerite Linke

From: Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>
Sent: Friday, December 09, 2016 3:33 PM
To: Marguerite Linke
Cc: County Ordinances
Attachments: Hernando20161209_Ordinance2016_21_Ack.pdf

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FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 9, 2016

Honorable Don Barbee Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 3621
Brooksville, Florida 34601

Attention: Marguerite Linke, Administrative Services

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2016-21, which was filed in this office on December 9, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

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ORDINANCE NO.: 2016 - 21

AN ORDINANCE AMENDING HERNANDO COUNTY CODE § 6-51(c)(5) TO COMPLY WITH CHAPTER 2016-16, § 2, LAWS OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Whereas, as the Florida Legislature, by enacting Chapter 2016-16, § 2, Laws of Florida, has amended the procedures by which the owner of a dog that has been declared dangerous may appeal that designation; and,

Whereas, the Board of County Commissioners now wishes to amend its Code of Ordinances to reflect this statutory change;

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

Section 1. Amendment of Dangerous Dog Appellate Procedures to Conform to Newly Enacted Statute. Hernando County Code § 6-51(c)(5) is amended to read as follows:

(5) Once a dog is classified as a dangerous dog, the animal control authority shall provide written notification to the owner by certified mail return receipt requested, certified hand-delivery or service pursuant to chapter 48, Florida Statutes. _____

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6 _____ The owner may appeal the classification,
7 penalty, or both, by filing a notice of appeal with the circuit court in accordance with
8 Rule 9.190(b)(3), Florida Rules of Appellate Procedure. If the dog is not held by the
9 animal control authority, the owner must confine the dog in a securely fenced or
10 enclosed area pending resolution of the appeal.

11 **Section 2. Severability.** It is declared to be the intent of the Board of County
12 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
13 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
14 validity of the remaining portions of this ordinance.

15 **Section 3. Inclusion in the Code.** It is the intention of the Board of County Commissioners
16 of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall
17 become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the
18 section of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that
19 the word “ordinance” may be changed to “section, “article,” or other appropriate designation.


1 **Section 4. Conflicting Provisions Repealed.** All ordinances or parts of ordinances in
2 conflict with the provisions of this ordinance are hereby repealed.

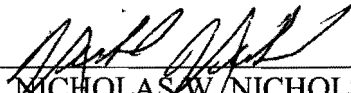
3 **Section 5. Effective Date.** This ordinance shall take effect immediately upon receipt of
4 official acknowledgment from the office of the Secretary of State of Florida that this ordinance has
5 been filed with said office.

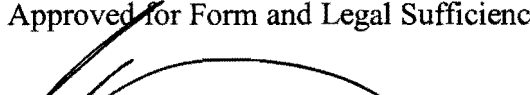
6 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
7 **HERNANDO COUNTY** in Regular Session this 6th day of December 2016.



**BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA**

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14 Attest: 
15 DONALD C. BARBÉE, JR.
16 Clerk

By: 
NICHOLAS W. NICHOLSON
Chairman

17
18 Approved for Form and Legal Sufficiency
19
20 
21 Deputy County Attorney