



# Port St. Lucie Police Department

## MEMORANDUM

RICHARD R. DEL TORO, JR.  
ACTING CHIEF OF POLICE

**TO:** Carmine Izzo, Deputy Chief of Police

**FROM:** Bryan Lloyd, Animal Control Operations Manager

**DATE:** September 25, 2024

**SUBJECT:** Executive Summary of Chapter 92 revisions

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A thorough review of Chapter 92 of the City Code of Ordinances has been completed. The City Attorney's Office was instrumental in culminating the changes in preparation of obtaining approval through the chain of command. Attached you will find two versions of the Chapter 92: one with deletions and additions and the second a clean copy. I am providing the following executive summary of the substantive changes being proposed:

- **92.02 Dangerous Dogs.**
  - This entire ordinance was rewritten by the City Attorney's office and changed from Aggressive Animals to Dangerous Dogs.
  - The ordinance is also expanded into additional subordinances that cover the processes for declaring a dog dangerous.
    - 92.024 Administrative Hearings
    - 92.028 Additional regulations relating to dangerous dog
- **92.09 Noisy animals prohibited.**
  - Narrowed the scope for the times of day and length of barking to only apply to outdoor animals.
  - Cleaned up confusing language related to "continuous" periods of noise which was challenged in court.
  - Added language that noise must be repetitive and habitual and provided clarification in the ordinance on what noise meets the standards of being repetitive and habitual.

- Added a section regarding noises by animals kept indoors to mirror Chapter 94 – Noise, of the current code. It states that if a noise from an animal kept indoors can be heard from 100 feet or more away, it is a violation.
- **92.11 Disposition of unclaimed impounded animals.**
  - Changed the holding period for stray animals (no identification and found at large) from 5 days to 3 days.
    - In 2023, 265 stray animals without identification were returned to their owners. 77% (205 of 265) of those animals were returned within the first 3 days of impoundment.
  - Kept the holding period for animals with identification or impounded for something other than being at large to 5 days.
    - In 2023, 81 animals with identification were returned to their owners. 95% (77 of 81) of those animals were returned within the first 5 days of impoundment.
  - This change will not affect the possibility of animals staying more than the 3 or 5 days, it only allows us the ability to transfer animals without identification to the Humane Society sooner for the purposes of population control at our facility.
- **92.14 Animal care; manner of keeping.**
  - Added section regarding indoor standards which covers complaints we receive regarding animals kept in sheds or garages.
    - Concerns over temperatures in these structures is addressed and requires owners to provide ventilation to keep animals in appropriate temperatures.
  - Added health related grooming, cleaning and parasite control to the requirement for medical attention.
  - Cleaned up language in tethering section that became redundant when the new requirement was added for an owner to be present while an animal is tethered.

- **92.18 Number of animals.**

- Allows residents to own as many sterilized domestic pets as they can appropriately care for. (does not punish good pet owners by limiting their ability to adopt more)
- Limits the number of unsterilized pets a resident can own to three (reduces chances of breeding large numbers of dogs and cats).
  - There are exemptions to this for domestic pets being used in nationally or internationally recognized competitions. (breed standards do not allow sterilization)
- Limits the number of domestic pets a person found guilty of hoarding can legally own to three. Requires all three of those domestic pets to be sterilized.

- **92.19 Trap, neuter, vaccinate, release program.**

- Current ordinance created a 5-year pilot program which is set to expire at the end of September 2024.
- Revisions provide new definitions for community cat and community cat caregiver.
- Outlines responsibilities of caregivers, establishes cats must be returned to trapped location, and protects trappers by declaring the release of cats for TNVR is not deemed abandonment.

- **92.22 Responsible ownership.**

- New ordinance which requires all owners to take responsibility for the actions of their animals when they damage people, property, or other animals.

- **92.23 Evictions, incarcerations, hospitalizations, and other involuntary occurrences; effects on animals.**

- New ordinance which addresses how Animal Control deals with impounded animals from specific situations in which an owner is not immediately available to reclaim or care for their animals.
- Provides a timeframe for when Animal Control can transport that animal to the Humane Society.

- Provides a protocol for attempting to contact the owner or next of kin prior to transporting an animal to the Humane Society.
- **92.24 Animal hoarding prohibited.**
  - New ordinance that identifies what hoarding is and makes it a violation of ordinance.
  - This ties into the addition in 92.18 Number of animals whereby a person found guilty of hoarding is limited to no more than three sterilized domestic pets.
- **92.41 Application, issuance (Pet licenses)**
  - Removes the requirement for an owner to provide proof of rabies vaccination prior to obtaining a license.
    - The rabies vaccination requirement already exists in 92.14.
    - The requirement for rabies inhibits residents' ability to quickly obtain pet licenses.
    - The requirement for rabies inhibits Animal Controls ability to ensure all animals impounded and returned to owner leave licensed.
      - This was mentioned in the Staff inspection and this change addresses that concern.
  - Removes the requirement for owners of potbellied pigs to show proof of a false test for pseudorabies or brucellosis.
    - No test currently exists at local veterinary clinics.
- **92.44 Licensing fees**
  - Eliminated the one-time animal registration fees for certified seeing eye dogs and certified dogs for the hearing impaired.
    - These were challenged by a resident and the City Attorney's Office recommended a change to the ordinance.
    - Removed Aggressive Animal tag fees due to Aggressive Animals being removed from 92.02.