

PART II CHAPTER 4

ST. PETE CODE OF CITY ORDINANCES

**St. Petersburg, Florida, Code of Ordinances >> PART II - ST. PETERSBURG CITY CODE >> Chapter 4
- ANIMALS >> ARTICLE I. - IN GENERAL >>**

ARTICLE I. - IN GENERAL

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Sec. 4-1.- Definition.

As used in this chapter the term "at large" means an animal which is off the premises of its owner and not under the control and in the immediate presence of its owner or the owner's agent.

(Code 1973, § 8-1)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 4-2.- Keeping wild or vicious animals and reptiles prohibited; exceptions.

- (a) It shall be unlawful for any person to keep, maintain or have in such person's possession or under such person's control within the City any poisonous reptile or any other dangerous or carnivorous wild animal or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.
- (b) It shall be unlawful for any person to keep, maintain or have in such person's possession or under such person's control within the City any of the following animals, the classifications of which shall be broadly construed:
- (1) All poisonous animals including rear-fang snakes.
 - (2) Apes: Chimpanzees (*Pan*); gibbons (*Hylobates*); gorillas (*Gorilla*); orangutans (*Pongo*); and siamangs (*Symphalangus*).
 - (3) Baboons (*Papoi*, *Mandrillus*).
 - (4) Bears (*Ursidae*).
 - (5) Bison (*Bison bison*).
 - (6) Cheetahs (*Acinonyx jubatus*).
 - (7) Crocodilians (*Crocodylia*), 30 inches in length or more.
 - (8) Constrictor snakes, six feet in length or more.
 - (9) Coyotes (*Canis latrans*).
 - (10) Deer (*Cervidae*); includes all members of the deer family, for example, white-tailed deer, elk, antelope, moose.
 - (11) Elephants (*Elephas* and *Loxodonta*).
 - (12) Game cocks and other fighting birds.
 - (13) Hippopotami (*Hippopotamidae*).
 - (14) Hyenas (*Hyaenidae*).
 - (15) Jaguars (*Panthera onca*).
 - (16) Leopards (*Panthera pardus*).
 - (17) Lions (*Panthera leo*).
 - (18) Lynxes (*Lynx*).
 - (19) Monkeys, old world (*Cercopithecidae*).
 - (20) Ostriches (*Struthio*).
 - (21) Piranha fish (*Characidae*).
 - (22) Pumas (*Felis concolor*); also known as cougars, mountain lions and panthers.

- (23) Rhinoceroses (*Rhinocero tidae*).
 - (24) Sharks (class *Chondrichthyes*).
 - (25) Snow leopards (*Panthera uncia*).
 - (26) Swine (*Suidae*).
 - (27) Tigers (*Panthera tigris*).
 - (28) Wolves (*Canis lupus*).
- (c) The provisions of subsections (a) and (b) of this section shall not apply to licensed pet shops, menageries, zoological gardens and circuses, if:
- (1) Their location conforms to the provisions of the zoning ordinance of the City.
 - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
 - (3) Animals are maintained in quarters so constructed as to prevent their escape.
 - (4) No person lives or resides within 100 feet of the quarters in which the animals are kept.

(Code 1973, § 8-8)

State law reference— *Dangerous dogs, F.S. § 767.10 et seq.*

Sec. 4-3.- Disposal of dead animals.

- (a) When any person shall find the body of a dead animal, the City shall be notified immediately.
 - (b) The City shall cause the removal of the body of any dead animal to the County incinerator.
- (Code 1973, § 8-13)

Sec. 4-4.- Acts tending to cause congregations of animals.

- (a) It shall be unlawful within the City for any person to directly or indirectly perform any act which is reasonably certain to cause the assembly of any animals or fowl on the streets, sidewalks or public thoroughfares of the City for any purpose, without first procuring a permit therefor from the City Manager; however, nothing in this subsection shall be construed to prohibit any person from feeding any animals or fowl or performing any humanitarian act or kindness with respect to animals or fowl so long as such act is performed within the boundaries and limitations of any City parks, the municipal pier or other place which is consistent with or which has been set aside for the propagation and care of animals or fowl. Nothing in this subsection shall be construed to prohibit or limit any person from assembling any animal or animals for draught, utility or work purposes which otherwise are consistent with the maintenance of good order and the provisions of this Code or other City ordinances and the laws of the State; and nothing in this subsection shall be construed to prohibit or limit any person from performing any such act on property which is leased or owned by such person so long as the act does not result in a public nuisance.
- (b) The City Manager shall not issue any permit required by subsection (a) without first having such facts as would indicate that the animals or fowl so intended to be assembled shall be regulated and controlled in such a manner as to assure the cleanliness, sanitation and beauty of the City streets, sidewalks and public thoroughfares, the free passage thereon of vehicular and pedestrian traffic and the maintenance always of the good health and welfare of this community. Such factors shall likewise be construed as the objects intended though the adoption of this section.

(Code 1973, § 8-14)

Sec. 4-5.- Keeping cats.

- (a) It shall be unlawful for any person to own or keep any cat that becomes a nuisance in the community. Acts of nuisance shall include, but are expressly not restricted to, the following:
 - (1) The frequent raising of any disturbance at late or early hours or at long intervals or both.
 - (2) Viciousness. As used in this subsection "viciousness" means posing a threat to other animals or to human beings.
 - (3) Frequent digging into, breaking or otherwise injuring shrubbery, trees or lawns, or frequent prowling in and about premises or property not belonging to the owner of the cat.
 - (4) Frequent or habitual depositing of excreta on property not belonging to the owner of the cat.
- (b) Any person owning, keeping or harboring a cat which constitutes a nuisance under this section shall be guilty of an offense punishable as provided by Section 1-7.

(Code 1973, § 8-9)

Sec. 4-6.- Keeping rabbits.

- (a) [*Generally.*] It shall be unlawful for any person to allow any rabbit, kept or owned by that person, to run at large or upon any property other than property owned or leased by that person, provided however, a person owning or keeping a rabbit, may allow that rabbit to run upon property not owned or leased by that person where the owner of the property has given written permission for such activity.
- (b) *Running at large.* A rabbit, subject to this section, shall be presumed to be running at large, in violation of this ordinance, when the rabbit is not securely fenced, penned, or otherwise confined to the premises of the owner or keeper of the rabbit.

(Ord. No. 132-G, § 1, 4-7-94)

Secs. 4-7—4-25.- Reserved.

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ARTICLE II. - LIVESTOCK AND FOWL

Sec. 4-26. - Keeping fowl in the City.

Sec. 4-27. - Keeping horses and cattle.

Sec. 4-28. - Keeping goats.

Sec. 4-29. - Driving livestock over streets.

Sec. 4-30. - Keeping miniature pigs as household pets.

Secs. 4-31—4-50. - Reserved.

Sec. 4-26. - Keeping fowl in the City.

- (a) *Scope of section.* The provisions of this section shall apply to chickens, turkeys, ducks, geese and guinea fowl.
- (b) *Running at large.* Fowl subject to this section running at large within the City are hereby declared to be nuisances.
- (c) *Manner of keeping.* No person shall be allowed to keep any fowl subject to this section within the City unless the fowl are securely fenced and confined to the premises of the owner, and coops and runways are kept clean and free from offensive odors.
- (d) *Prohibited locations.* It shall be unlawful for any person to keep or maintain any fowl subject to this section or other fowl in any residence district in the City within 100 feet of any residence without the consent of the owner or occupant of such residence.
- (e) *Noisy fowl.* Crowing roosters or other noisy fowl are hereby declared to be nuisances and shall not be kept within the City after a complaint has been made to the Chief of Police that the complainant is disturbed thereby and the Chief of Police has notified the owner of the fowl to remove them from the City. Any person keeping or maintaining such fowl after having received notice to remove them shall be deemed guilty of maintaining a nuisance under this subsection.

(Code 1973, § 8-5)

Sec. 4-27. - Keeping horses and cattle.

- (a) *Animals subject to this section.* The provisions of this section shall apply to horses, mules and cattle.
- (b) *Location restrictions.* It shall be unlawful for any person to keep or maintain one or more animals subject to this section in any residence section of the City, within 100 feet of any residence, other than the residence of the owner or keeper of such animals.
- (c) *Cleanliness.* Places where any animals subject to this section are kept shall be kept clean and dry. All manure shall be picked up daily and kept in a bin or receptacle that will exclude flies and odors. The bin shall be located at a point more remote from any dwelling or other structure owned or occupied by others than from the owner of the premises on which the animals are kept, and shall be placed at a point which is the most remote on the premises from any street or avenue. It shall be unlawful for any person to hold manure on any premises in the bins after the manure shall have become a nuisance or unsanitary; however, any person may use his manure on his premises for the purpose of enriching his own soil or for any other use to which manure can properly be put when same is not offensive or unsanitary.

(Code 1973, § 8-6)

Sec. 4-28. - Keeping goats.

- (a) It shall be unlawful for any person to keep or maintain one or more goats in any residence district in the City, within 200 feet of any residence, other than the residence of the owner or keeper of the goats.
- (b) Places where goats are kept shall be kept clean and dry and in a sanitary condition. All manure shall be picked up daily and shall be kept in a bin or receptacle which shall be excluded from flies and constructed in such a manner as to prevent odors. The bin shall be located on the premises at a point more remote from any dwelling or other structure owned or occupied by others than from the owner of the premises upon which the goats are kept.

(Code 1973, § 8-7)

Sec. 4-29. - Driving livestock over streets.

It shall be unlawful for any person to drive or herd, or to allow anyone in such person's employ to drive or herd any livestock over or upon any of the streets of the City unless such person shall first obtain from the City Manager a written permit therefor.

(Code 1973, § 8-11)

Sec. 4-30. - Keeping miniature pigs as household pets.

- (a) Definition. Miniature pigs, commonly known as Vietnamese Pot-bellied Pigs, are defined as being less than 18 inches high at the shoulder and no more than 100 pounds.
- (b) The number of such pigs shall be limited to one per any residence or premises.
- (c) The breeding of such pigs is specifically prohibited.
- (d) Male pigs four weeks of age or older shall be neutered.
- (e) Such pigs shall be controlled by a leash, tether, harness or adequate enclosure at any time said animals are outside the residence of the owner or other person harboring, keeping or maintaining said pig. Said leash, tether or harness shall not exceed six feet in length. An adequate enclosure for purposes of this section shall include, but is not expressly restricted to a fence or other similar structure surrounding the entire rear, side or front yard.
- (f) The owner should display, upon request from the City Manager or his or her representative, or any law enforcement officer, a current certification from a veterinarian licensed in the State of Florida that all necessary and appropriate vaccinations have been administered and that the pig has been tested and demonstrated free of parasitic disease. Such certification must be provided on a yearly basis.
- (g) It shall be unlawful for any miniature pig owner or person in charge of a miniature pig, to fail to remove deposits of miniature pig excreta made by a miniature pig in that person's charge when the deposit of the miniature pig's excreta occurred in the presence of the miniature pig's owner or person in charge of the miniature pigs on any public property, including, but not limited to, public parks and public rights-of-way; or on private property not belonging to the owner or a person in charge of the miniature pig. If such depositing of excreta occurs, the owner or person in charge of the miniature pig shall immediately cause its removal for disposal at the premises of the owner or person in charge of said miniature pig.
- (h) It shall be unlawful for any miniature pig owner or person in charge of a miniature pig to allow the area in which the pig is kept or allowed to roam to become the source of odors which are detectable on adjoining properties where such odors are the result of the pig being kept or allowed to roam on the subject property.

(Ord. No. 15-G, § 1, 5-7-92)

Secs. 4-31—4-50. - Reserved.

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ARTICLE III. - DOGS ⁽¹⁷⁾

Sec. 4-51. - Running at large, upon premises of another.

Sec. 4-52. - Removal of dog excreta from certain public and private property.

Sec. 4-53. - Dogs constituting a nuisance.

Sec. 4-51.- Running at large, upon premises of another.

- (a) *Prohibited.* No dog shall be allowed to run at large or upon the premises of one other than the owner.
- (b) *Limitation on prohibition.* Nothing in subsection (a) of this section shall be construed to prevent the walking of a dog under leash control in areas open to the public or to prevent dogs running loose within fenced areas on or off the premises of the owner.
- (c) *Dogs in parks.* Any dog in a City park shall be restricted by leash under the control of the owner or agent, and such leash shall not exceed the length of six feet. Nothing in this subsection shall prevent dogs from running at large in parks, or portions thereof, which are designated as "dog parks." Nothing in this subsection shall prevent dogs from being unleashed in parks, or portions thereof, which have been exempted from this requirement by resolution of the City Council for an event of limited duration provided that the Council finds that the dogs will be under voice control of the owners or their agents and the dogs will be confined to an enclosed or limited area.

(Code 1973, § 8-3; Ord. No. 467-G, § 1, 3-1-01; Ord. No. 977-G, § 2, 4-15-10)

Sec. 4-52.- Removal of dog excreta from certain public and private property.

It shall be unlawful for any dog owner or person in charge of a dog to fail to remove deposits of dog excreta made by a dog in that person's charge when the deposit of dog excreta occurred in the presence of the dog owner or person in charge of the dog on any public property, including, but not limited to, municipal parks and public rights-of-way; or on private property not belonging to the owner or person in charge of the dog. If such depositing of excreta occurs, the owner or person in charge of the dog shall immediately cause its removal for disposal at the premises of the owner or person in charge of such dog.

(Code 1973, § 8-3.1)

Sec. 4-53.- Dogs constituting a nuisance.

It shall be unlawful for any person to own or keep any dog that becomes a nuisance in the community. Acts of nuisance shall include, but are expressly not restricted to, the following:

- (1) Frequent barking between the hours of 11:00 p.m. and 6:00 a.m. or frequent barking for continuous periods of ten minutes or more at any time, or both.
- (2) Viciousness. As used in this subsection "viciousness" means posing a physical threat to other animals or to human beings.
- (3) Frequent digging into, breaking or otherwise injuring shrubbery, trees or lawns.

(Code 1973, § 8-4)

FOOTNOTE(S):

⁽¹⁷⁾ **State Law reference**— *Dangerous dogs, F.S. § 767.10 et seq. (Back)*

**St. Petersburg, Florida, Code of Ordinances >> PART II - ST. PETERSBURG CITY CODE >>
Chapter 4 - ANIMALS >> ARTICLE IV. - DRAFT ANIMALS PROTECTION >>**

ARTICLE IV. - DRAFT ANIMALS PROTECTION

Sec. 4-54. - Definitions.

Sec. 4-55. - Permit section.

Sec. 4-56. - Treatment and condition of draft animals.

Sec. 4-54. - Definitions.

The following definitions shall apply to this article:

Draft animal shall mean an animal such as a horse, mule, donkey or any other animal used for pulling or propelling a device, but not including saddle horses or animals which are ridden and do not pull or propel a device.

Vehicle shall mean a cart, carriage or other device that is capable of being drawn by a draft animal for transport of passengers.

(Ord. No. 105-G, § 1, 8-5-93; Ord. No. 110-G, § 2, 9-2-93)

Sec. 4-55. - Permit section.

The POD shall grant a permit to allow a draft animal to be on the public street for transport of passengers for hire under the following conditions:

- (1) *Application.* An application for a permit shall be made to the POD in such form as the POD shall prescribe, accompanied by such fee as may be prescribed by the POD in an amount necessary to cover the city's cost in processing the application and reimbursing the city for the city's cost of enforcing the conditions of the permit.
- (2) *Conditions for granting of permit.* The POD shall grant a permit if the following conditions are met:
 - a. The proper application with prescribed fee has been made.All drivers possess a public vehicle driver's permit as required by Section 28-6, City Code.
- (3) *Permit.* The permit shall authorize the use of the draft animal on the public streets and shall specify the area of the City where the permit is effective and such other conditions as the POD shall prescribe to meet the purpose and intent of this article. A violation of the conditions of the permit shall constitute a violation of this article.

(Ord. No. 105-G, § 1, 8-5-93; Ord. No. 110-G, § 2, 9-2-93; Ord. No. 574-G, § 1, 1-23-03)

Sec. 4-56. - Treatment and condition of draft animals.

- (a) Draft animal owners, operators and drivers shall ensure that appropriate and sufficient food and fresh, potable drinking water are available for each draft animal and that, while working, each draft animal is permitted to eat at reasonable intervals and have access to drinking water as necessary. Draft animal owners, operators and drivers shall further ensure that draft animals be given a minimum ten minute rest period between fares.
- (b) All draft animals used in animal-drawn carriage services must be at least three years old and not more than 20 years old. Horses must weigh a minimum of 1,200 pounds and are of such stamina and in such physical condition so as to be able to perform the required draft animal-drawn carriage tasks without any undue stress and/or effort in order to be eligible for use in such draft animal-drawn carriage service.
- (c) Draft animal-drawn vehicles shall be authentically styled passenger carriages. Carriages must not exceed 12 feet in length or six feet in width. Wagons which patently were designed for cargo instead of passengers are prohibited with exceptions provided for wagons for the seasonal transportation of passengers (examples: hay-rides, sleigh/wagon rides). All authentically styled passenger carriages and cargo wagons shall be required to be in good working condition at all times and all equipment shall be maintained on a regular basis.
- (d)

Occupancy of the draft-animal drawn carriage shall not exceed the rated seating capacity of the carriage. Exceeding the rated seating capacity by lap sitting or any other means and overloading cargo wagons is prohibited.

- (e) Draft animals drawing carriages or wagons shall not be on a public street in the city during the following conditions:
 - (1) During periods when the temperature is predicted to exceed 95 degrees Fahrenheit (35;deg; C), as determined and announced by St. Petersburg Whitted Airport Automated Weather Observation.
 - (2) During periods when the temperature is predicted to be below 26 degrees Fahrenheit (;minus;3.3;deg; C), as determined and announced by St. Petersburg Whitted Airport Automated Weather Observation.
 - (3) During periods when the weather is dangerous or unsuitable for the operation of draft animal-drawn vehicles for hire.
- (f) Each draft animal shall have its hooves properly trimmed and shod for appropriate surfaces.
- (g) Harnesses and other equipment shall be properly fitted, maintained and oiled so that no irritating material will come in direct contact with the draft animal.

(Ord. No. 105-G, § 1, 8-5-93; Ord. No. 574-G, § 1, 1-23-03)