1 ORDINANCE NO. 2013-09 2 ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA. 3 PERTAINING **CARE** TO ANIMAL AND ADOPTION: CREATING SECTION 4-8.5 OF CHAPTER 4, 4 AND FOWL" OF THE BROWARD COUNTY **ORDINANCES** "CODE"); **ESTABLISHING** 5 REQUIREMENTS FOR THE TETHERING OF DOGS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE 6 CODE, AND AN EFFECTIVE DATE. 7 (Sponsored by Commissioner Martin David Kiar, Commissioner Chip LaMarca, and Commissioner Lois Wexler) 8 9 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF 10 **BROWARD COUNTY. FLORIDA:** 11 12 Chapter 4, Section 4-8.5, "Tethering of dogs," of the Broward Section 1. 13 County Code of Ordinances ("Code") is hereby created to read as follows: 14 Sec. 4-8.5. Tethering of dogs. 15 (a) This section shall be known and may be cited as "Nikki's Rule." 16 (b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog 17 to be tethered, fastened, chained, tied, or restrained, to a dog house, tree, fence, or any 18 other stationary object; rather, a tethered dog shall be tethered only on a running line, 19 pulley, trolley system, or spiral stake, whereby the tether is connected to the dog by a 20 buckle-type collar or a body harness constructed of nylon, leather, or similar material 21 specifically designed to be used for a dog. The tether shall be at least five (5) times the 22 length of the dog's body, as measured from the tip of the nose to the base of the tail; 23 shall terminate at both ends with a swivel; shall not weigh more than 1/8th of the dog's 24

Words in struck-through type are deletions from existing text. Words in

underscored type are additions.

Coding:

weight; and shall be maintained free of tangles. The running line, pulley, or trolley system shall be at least fifteen (15) feet in length and no higher than seven (7) feet above the ground. A tethered dog must have convenient access to food, visibly clean water, and shade. Adequate protection from the elements shall be provided at all times. A tethered dog shall be tethered in such a manner as to prevent injury, strangulation, or entanglement. No dog shall be tethered in a location in which the tether would allow such dog to reach a potentially dangerous object or area, including, but not limited to, a window sill, edge of a pool or canal, fence, porch, tree, post, terrace railing, or other object or area that poses a substantial risk of injury or strangulation to such dog if such dog jumps over, goes into, or goes around the object or area. No dog shall be tethered in an area where it may be approached by and attacked by other dogs or animals or people, without the chance to escape to a protected area such as a dog house. No dog shall be tethered outdoors during extreme temperatures or severe inclement weather, nor shall a dog be tethered unless the owner, caretaker, or other responsible party is located at all times within the area where the dog is located, so as to be able to observe and hear and attend to the dog if necessary. Choke-type collars or prong/pinch-type collars shall be permitted to be used only while a dog is under a handler's direct control on a leash. Heavy chains, cords, wires, or any other material not commonly intended to be used as a dog collar shall not be used as a restraint, a tether, or a substitute for a dog collar. Any tethering of a dog in violation of this section shall be deemed cruelty to animals pursuant to Section 4-17 of this chapter.

Section 2. SEVERABILITY.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

Coding:

If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the

Words in struck-through type are deletions from existing text. Words in underscored type are additions.

remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

Section 3. <u>INCLUSION IN CODE</u>.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Broward County Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. EFFECTIVE DATE.

This Ordinance shall become effective as provided by law.

13

15

16

2

4

5

6

7

8

10

11

12

14 ENACTED February 12, 2013

FILED WITH THE DEPARTMENT OF STATE February 19, 2013

EFFECTIVE February 19, 2013

17

18

19

20

21

22 NAR/gmb 02/13/13

23 Tethering Ordinance.doc

Coding:

#12-430

24

Words in struck-through type are deletions from existing text. Words in underscored type are additions.