

Village Clerk

From: Robert Oldakowski <oldakowski@adelphia.net>
To: Sam Kissinger <info@vkb.key-biscayne.fl.us>
Sent: Wednesday, February 07, 2001 1:57 PM
Subject: Attention: Conchita

Per your phone message:

Get the scoop on dog poop laws

Leaving doggie droppings on your neighbor's lawn could land you in deep doo-doo, thanks to the growing number of "pooper scooper" laws now on the books in cities in this country and abroad.

Do pick up the "doo"

"The main issue is that it's a public nuisance--people object to the unsightly, smelly presence of dog waste," says Don Malone, who works with the Sonoma County (California) Humane Society. Malone helps enforce various animal-control ordinances, including a local canine waste law that requires Pet Parents to clean up and dispose of their dogs' feces from any public or private property other than their own.

"It's really an issue of common courtesy--nobody wants to deal with dog waste on their property or in public areas," he says. "Most of the complaints I receive are from people who have stepped in dog feces or who have encountered it on their property or in a public space."

Related health issues

Although there are obvious aesthetic reasons for cleaning up after your dog, serious health and environmental issues also are at stake.

"Not knowing any better, a small child could pick up dog poop in a public park and eat it and get awfully sick," Malone says. Dog waste often contains a variety of organisms--including bacteria and internal parasites--which may be both communicable and harmful to humans, especially children. Fecal coliform bacteria, for example, can cause severe stomach illness and rashes.

In addition, various diseases and parasitic infestations also can be spread from dog to dog through uncollected feces. "Because many dogs have a propensity to eat another dog's waste, the threat of spreading disease this way should be a real concern to pet owners," Malone says, adding that the parvovirus and intestinal worms are just two of the many diseases a dog can catch from ingesting another dog's waste.

Animal waste may also pose an environmental hazard in some locations, especially in dog parks and other canine byways, where uncollected waste may

contaminate streams and other sources of water.

Enforcing the law

Many major cities--including Dallas, Boston, Chicago, New York, Kansas City, and San Francisco--now have pooper scooper laws, as do an increasing number of smaller communities. These ordinances and the fines for breaking them vary from city to city. Most laws usually target only those who leave doggie debris on property other than their own, although in Seattle, for instance, Pet Parents must remove any waste their pets deposit on their own property within 24 hours.

Most ordinances stipulate that an officer of the law must actually witness the offense to impose a fine, which means that few violators are caught. In some communities, however, citizens themselves can report a violation. Across the nation, fines for violating a dog waste ordinance often range anywhere from \$25 to \$100, the penalty rising for repeat offenders.

"Some pooper scooper laws also state that a dog owner out with his pet must be able to produce a waste-removal device," Malone adds. "So if an officer of the law asks to see your device and you're not carrying one--whether it's a newspaper or a plastic bag or a commercial scooper--you can be fined."

If you're unsure about the canine waste laws in your community, call your sanitation or parks and recreation department, or the local humane society.

When nature calls

The purpose of such laws isn't collecting fines but educating the public and increasing their awareness of the problem, Malone explains. "Rarely are these laws vigorously enforced. Rather, it's public pressure that's the most effective tool. For instance, when today's dog owners take their pets out for a walk, they're going to be booed if anyone sees they're not cleaning up after their pets. So they tend to change their behavior."

As far as how to remove dog waste, Malone believes that the simpler the device the better. "Just wad up a plastic grocery bag and stick it in your pocket every time you take your dog outside. It works as well as anything you can buy and it's free and easy to dispose of."

Although there remain those Pet Parents who fail to comply with pooper scooper laws, Malone believes the situation is improving. "I think more and more people everywhere are realizing that cleaning up after your dog is not only necessary for a better quality of life, it's also just the right thing to do."

Miami Beach: Code
Document -- 2 Hits

defecation

PREVIOUS HIT	PREVIOUS PAGE	NEXT PAGE	NEXT HIT
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PART II CODE

Chapter 10 ANIMALS*

Sec. 10-12. Committing nuisances prohibited.

(Use Reference links above move to Document Titles. Use scroll bar to read bottom of page.)

It shall be unlawful for an owner or a responsible party to permit any animal to commit a nuisance of any kind or character upon any public property within the city or any private property other than the property of the owner or responsible party of the animal. "Nuisance" for the purposes of this section shall include but not be limited to *defecation* and/or urination.

(Code 1964, § 4-6.14)

Sec. 10-13. Removal of animal *defecation*.

(a) Any person owning, possessing, harboring or having the care, charge, control or custody of any animal shall immediately remove and thereafter dispose of any fecal matter deposited by the animal on public or private property (other than the property of the owner or responsible party of the animal) unless the owner or person in lawful possession of the property has consented to such deposit. For the purpose of this section, animal fecal matter shall be immediately removed by placing the matter in a closed or sealed container and thereafter disposing of it by depositing the matter in a trash receptacle, sanitary disposal unit, or other closed or sealed container.

(b) This section shall not apply to blind persons accompanied by a dog used for their assistance.

(Ord. No. 94-2906, § 1(4-6.14.1), 2-16-94)

Sec. 10-14. Certain noises prohibited.

(a) It shall be prohibited to keep any animal or bird that, by causing frequent or prolonged noises of a continuing nature, shall disturb the comfort, repose or peace of any person in the vicinity. "Noises" shall be defined as intense, annoying or disagreeable sounds and shall include barking, crying, meowing, neighing, whinnying, yelping, whining and crowing.

(b) Under this section, it shall also be prohibited to create or maintain or cause or permit to be maintained a nuisance. A nuisance is hereby declared to be anything which tends to annoy the community, disturb the peace, and injure the health of the citizens.

(Code 1964, § 4-6.15)

Chapters 11--13 RESERVED

Chapter 14 BUILDING REGULATIONS*

*County Code cross reference--Building code, ch. 8.

Aventura: Code of Ordinances
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PREVIOUS HIT	PREVIOUS PAGE	NEXT PAGE	NEXT HIT
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PART II CODE OF ORDINANCES

Chapter 10 ANIMALS*

Sec. 10-1. Removal of canine fecal matter; canines to be leashed.

(Use Reference links above move to Document Titles. Use scroll bar to read bottom of page.)

Sec. 10-1. Removal of canine fecal matter; canines to be leashed.

(a) *Removal of fecal matter required.* It shall be unlawful for any owner or person in control or having custody of any canine to fail to remove the fecal matter of such animal from:

- (1) The street, sidewalk, swale, bikepath, park area or any other public property; or
- (2) Any private property not belonging to the owner or person having custody of the canine.

(b) *Disposal of fecal matter.* For the purpose of this section, all fecal matter shall be immediately removed by placing such matter in a bag, wrapper, or closed or sealed container and thereafter disposing of it in a trash receptacle, sanitary disposal unit or other closed or sealed container.

(c) *Responsibility of property owners.* Any person owning or leasing any private property in the City is responsible for maintaining such property in an odor-free and sanitary condition in accordance with this section.

(d) *Canines to be leashed.* It shall be unlawful to take an unleashed canine into, or to keep any unleashed canine in or upon, any public property in the City. All canines, when not on the premises of the owner or the person in control thereof, must be on a leash under control of a competent person.

(e) *Penalty.* Except as otherwise provided, a violation of this section shall be subject to the issuance of a citation, and shall be subject to:

- (1) A fine not exceeding \$25.00 for a first violation;
- (2) A fine not exceeding \$50.00 for a second violation within one year of the first violation; and
- (3) A fine not exceeding \$100.00 for each additional violation within one year of the second or subsequent violation.

(f) *Exceptions.* This section shall not apply to blind persons accompanied by a guide dog used for their assistance.

(Ord. No. 97-01, § 1, 1-7-97)

Cross reference(s)--Solid waste, ch. 38.

Chapters 11--13 RESERVED

RETURN TO TOP OF PAGE	NEXT PAGE	NEXT HIT
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