

HILLSBOROUGH COUNTY DOG ORDINANCE

Animal Noise Ordinance FAQ

When was the dog barking ordinance (nuisance animal noise ordinance) passed?

The ordinance was passed on May 3, 2017.

When does the ordinance go into effect?

The ordinance is currently in effect, however, as is customary for major changes in ordinances there will be a 30-day education time, where only warnings will be issued.

The ordinance will go into effect on July 1, 2017 with full penalties.

Does this ordinance only cover dogs barking?

This ordinance covers any nuisance animal that barks, meows, whines or howls non-stop for 20 minutes or longer with less than 20 seconds of interruption during that 20-minute time period.

This does not apply to animal shelters, commercial boarding kennels or properties that are zoned for agricultural purposes. State law prohibits noise ordinances from applying to those agriculturally zoned properties.

How can I report a nuisance animal?

To report a nuisance animal under this ordinance (dog barking or cat meowing), you must have affidavits from two unrelated people at different locations within 1,000 feet of the noise source.

If there is only one person able to report, one affidavit must be accompanied by a non-stop, unedited time-stamped recording of the sound from a single incident and submitted with the affidavit.

What is an affidavit?

An affidavit is legal document that is a written statement signed by the resident filing the complaint. Prior to submitting the affidavit, it must be notarized to be processed.

The appropriate affidavit paperwork and how to file can be found at HCFLGov.net/Bark.

Is video evidence a requirement?

No, the preferred method of reporting is having two affidavits from two unrelated people living at different locations within 1,000 feet of the noise source.

But if only one person is filing an affidavit, a video must accompany the affidavit. The video must be a non-stop, time-stamped recording of the sound from a single incident.

What does the resident filing the complaint have to do?

Once the resident(s) has the appropriate affidavit(s) signed and notarized, the paperwork must be mailed or dropped off to [Pet Resource Center](#) at 440 N. Falkenburg Road, Tampa, FL 33619. If a video is obtained, that must be sent or dropped off with the affidavit(s).

Resident(s) filing the complaint must also be present in court when the complaint is brought forward to support the affidavit(s) filed.

Can the complaint be anonymous?

No. No complaint can be made anonymous. All complaints must have signed and notarized affidavit(s) that contains information from the resident(s) filing the complaint. These affidavits are used to establish probable cause for enforcement and are subject to public records requests. The resident(s) filing the complaint must also appear in court to support the affidavit(s) submitted.

What happens if I do not appear in court after filing an affidavit?

The case will be dismissed and it may affect future affidavits you may make and future prosecution with those affidavits. The County will also be charged a \$50 fee by the Court for the time wasted.

Who will be enforcing the nuisance animal noise ordinance, HSCO or Pet Resources?

Enforcement is handled by the State Attorney's Office and Hillsborough County Sherriff's Office. Pet Resources assists in processing the paperwork during regular hours of operation.

Will the County be issuing warnings for first-time offenders?

Warnings will be on a case-by-case basis and at the discretion of the State Attorney's Office.

If found in violation of the nuisance animal noise ordinance, what is the penalty?

Nuisance animal noise violations can be enforced as misdemeanors that include a fine of no more than \$500 or imprisoned up to 60 days in jail.

Each day a violation occurs or continues, is a separate offense and may be penalized separately.

Will the animal be confiscated if the owner is found in violation?

No, the animal will not be confiscated for a nuisance animal noise violation.

What if the owner can't afford the fine?

The court can order community service in lieu of the fine, if requested by the violator.

What if I can prove that someone knowingly and intentionally filed a false affidavit?

That information needs to be provided directly to the State Attorney's Office. If the State Attorney's Office believes there is sufficient evidence for prosecution, they could file perjury charges