

BEFORE THE SPECIAL MASTER  
IN AND FOR HERNANDO COUNTY, FLORIDA

HERNANDO COUNTY, a political  
subdivision of the State of Florida,  
Plaintiff,

INSTR #2021012291 BK: 3956 PG: 674 Page 1 of 4  
FILED & RECORDED 2/24/2021 8:58 AM CVW Deputy Clk  
Doug Chorvat, Jr., HERNANDO County Clerk of the Circuit Court  
Rec Fees: \$35.50

vs.

Case No. 2020-21620

MARK PIOTROWSKI,  
Defendant.

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SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on November 2, 2020, after notice to the Defendant, on Citations #21620-H, and #21620-H1, and #21620-HV issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendant, MARK PIOTROWSKI, 5489 Alderwood St., Spring Hill, FL 34606. The citations, with the date and time of the hearing inscribed thereon, were signed for by the Defendant. The Defendant, being duly informed and advised, failed to appear for the hearing. The Plaintiff was represented by GARTH C. COLLER, ESQ., Hernando County Attorney. Proceedings were had in the absence of the Defendant.

The Special Master heard the testimony of Hernando County Animal Services Officer, MANDY ROWE and Plaintiff's witness, DONNA OSHEA.

Upon **CONSIDERATION**, the Special Master finds as follows:

A. Upon testimony and evidence presented, the Plaintiff established that on July 17, 2020 Officer Rowe responded to 5484 Alderwood St., Spring Hill, Hernando County, Florida regarding a dog bite. She contacted Donna Oshea who stated that on July 20, 2020 she had her small dog on a leash in her yard and dogs from across the street ran over to her yard and attacked her dog. She identified the dog as a small black dog and blue and gray Pit Bulldog from the Defendant's address. Photographs taken by Officer Rowe of injuries to the complainant's dog's neck were identified by Officer Rowe, admitted into evidence, and viewed by the Special Master. The Complainant took her dog to a veterinarian. She wanted the Defendant cited. Officer Rowe then went to the Defendant's residence and as she walked to the door an adult female Pit Bulldog ran from the house when the door was opened and jumped on Officer Rowe. The Defendant came to speak and retrieved the dog. The Defendant stated he was aware of the attack but did not think it was bad until Officer Rowe showed him pictures. The Defendant did not think his dogs were current on rabies vaccinations and did not have County licenses. The Defendant was issued a Dangerous Dog letter.

B. The Special Master heard the testimony of the Complainant, Donna Oshea who testified that she was outside her house with her dog on a leash and the Defendant's dogs came from the Defendant's house,

ran, and attacked her dog. The Complainant stated she was knocked to the ground in the process. Ms. Oshea stated she has had problems with these dogs before and the Defendant has stated to just let the dogs play. The Defendant came to her house and complained because he was facing fines. Donna called the Defendant irresponsible for allowing his dog to roam. The Defendant has paid all but \$70 of the victims vet bills. Photographs taken by the Complainant were identified, admitted into evidence, and viewed by the Special Master.

**UPON THESE FINDINGS, it is therefore ORDERED:**

1. Regarding citation #21620-H and the charge of having two unrestrained dogs, the Defendant, MARK PIOTROWSKI, is found GUILTY of having two unrestrained dogs in violation of Hernando County Code of Ordinances Section 6-24a.

a) The Defendant shall pay a civil penalty in the amount of \$300.00 per dog (\$600.00 total) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

2. Regarding citation #21620-H1 and the charge of having two public nuisance dogs that attacked and bit another dog the Defendant, MARK PIOTROWSKI, is found GUILTY of having two public nuisance dogs in violation of Hernando County Code of Ordinances Section 6-26a.

a) The Defendant shall pay a civil penalty in the amount of \$300.00 per dog (\$600.00 total) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

3. Regarding citation #21620-HV and the charge of having two dogs unvaccinated for rabies the Defendant, MARK PIOTROWSKI, is found GUILTY of having two dogs unvaccinated for rabies in violation of Hernando County Code of Ordinances Section 6-21a.

a) The Defendant shall pay a civil penalty in the amount of \$250.00 per dog (\$500.00 total) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

b) The Defendant is ordered to obtain rabies vaccinations for the dogs or provide exemptions by a licensed veterinarian on or before ten days after the date of service of this Order and to provide proof of the rabies vaccinations or exemptions to the Animal Services Department at 19450 Oliver St., Brooksville, FL 34601. In the event that the Defendant fails to provide proof of rabies vaccinations or exemptions within ten days after the date of service of this Order, the Sheriff's Office Animal Enforcement Unit or any other authorized Animal Services officer is directed to impound the Defendant's unvaccinated dogs pursuant to Hernando County Code of Ordinances Section 6-21 and hold them as prescribed in said section, due to public health and safety concerns for harboring animals unvaccinated for rabies.

4. Regarding citation #21620-HV and the charge of failing to license two dogs the Defendant,



MARK PIOTROWSKI, is found GUILTY of having two unlicensed dogs in violation of Hernando County Code of Ordinances Section 6-22a.

a) The Defendant shall pay a civil penalty in the amount of \$250.00 per dog (\$500.00 total) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

b) The Defendant is ordered to obtain Hernando County licenses for the dogs within ten days after the date of service of this Order and provide proof of the licenses to the Animal Services Department. In the event that the Defendant fails to license the dogs, Animal Services is authorized to re-cite the Defendant on this charge as a repeat offense.

5. That pursuant to authority granted by Chapter 2, Article III, Section 2-54(k) of the Hernando County Code of Ordinances and Section 162.09(2)(d), Florida Statutes, the Defendant is hereby ordered to pay administrative and investigative costs on behalf of the Animal Services Department in the amount of \$140.00, on behalf of the County Attorney in the amount of \$70.00, and certified mailing costs in the amount of \$7.50 payable to the Hernando County Animal Services Department.

**6. The total of penalties and costs due and payable to the Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$2,417.50. This order shall bear interest at the legal rate established pursuant to Section 55.01, Florida Statutes, beginning 30 days after the clerk signs this order, FOR WHICH LET EXECUTION NOW ISSUE. In the event that this Special Master's Order is recorded in the public records pursuant to paragraph 7, herein, Hernando County shall be entitled to collect for their actual costs of recording this Order and a Satisfaction, which additional costs shall be added to the total of penalties and costs stated herein.**

7. If the Defendant fails to comply with this Order within 30 days, pursuant to Section 10 of Ordinance 2004-09, Hernando County Code of Ordinances, a certified copy of this Order shall be recorded in the public records of Hernando County, Florida and wherever else the Defendant may live or own property and thereafter shall constitute a lien against real and personal property owned by the Defendant.

**REQUESTS FOR FURTHER REVIEW** shall be addressed as follows:

An aggrieved party, including the local governing body, may appeal a decision of the Special Master to the Circuit Court. Such appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Master. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

**YOU ARE FURTHER** advised that if you decide to seek further review of any decision made by the Special Master with respect to any matter considered at such hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the further review is to be based.


Production of verbatim transcripts shall be the responsibility and at the personal expense of the party seeking review of the Special Master's Order.

DONE AND ORDERED at Brooksville, Hernando County, Florida this 21<sup>st</sup> day of December, 2020.

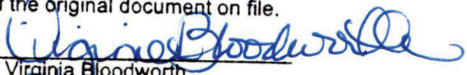
  
KENNETH L. WARNSTADT  
Special Master

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing Special Master's Order has been sent by Regular U.S. Mail and certified mail, return receipt requested, to MARK PIOTROWSKI, 5489 Alderwood St., Spring Hill, FL 34606 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on December 31, 2020.

  
Clerk to Special Master

Pursuant to Section 119.07, Florida Statutes as amended from time to time, as Record Custodian for this document, I hereby certify that this is a true and correct copy of the original document on file.

Record Custodian:   
Print Name: Virginia Bloodworth  
Date: 22-21  
Hernando County Government, Brooksville, FL  
Department/Office: County Attorney's Office