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BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, Florida

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

Instr #2013020929 BK:2994 Pages:721 - 723
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Don Barbee Jr, HERNANDO County Clerk of Court
PAG Deputy Clk

vs.

Case No. 2012-38622

WILL ROGER HONEA,
Defendant.

SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on February 6, 2013, after notice to the Defendant, on Citation #0201-HV issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendant, WILL ROGER HONEA, 20090 Ruth St., Brooksville, FL 34601. The citation, with the date and time of the hearing inscribed thereon, was 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. COLLIER, 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, LINDA CHRISTIAN.

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

A. Upon testimony and evidence presented, the Plaintiff established that on December 17, 2012 Officer Christian went to 20100 Ruth St., Brooksville, Hernando County, Florida regarding the complaint of the neighbor's dog being loose and chasing the Complainant's cat. The cat was unrestrained and the neighbor's dog was unrestrained. Officer Christian testified that she educated both parties on the Hernando County leash law. Neither party was able to provide proof of rabies vaccination or County license for their animals and citations were issued to both parties. Officer Christian stated that the Defendant was the owner of four dogs, including the loose dog, for which none were vaccinated or licensed.

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

1. Regarding citation #0201-HV and the charge of failing to vaccinate four dogs for rabies, the Defendant, WILL ROGER HONEA, is found **GUILTY** of having four dogs unvaccinated for rabies, in violation of Hernando County Code of Ordinances Section 6-3.

a) The Defendant shall pay a civil penalty in the amount of \$250.00 per dog (\$1,000.00 total), payable to the Hernando County 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, Animal Services 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.

2. Regarding citation #0201-HV and the charge of failing to license four dogs, the Defendant, WILL ROGER HONEA, is found GUILTY of having four unlicensed dogs in violation of Hernando County Code of Ordinances Section 6-4.

a) The Defendant shall pay a civil penalty in the amount of \$250.00 per dog (\$1,000.00 total), payable to the Hernando County 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 a 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 so license the dogs, Animal Services is authorized to re-cite the Defendant on this charge as a repeat offense.

3. 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 Department in the amount of \$70.00, on behalf of the County Attorney in the amount of \$60.00, and certified mailing costs in the amount of \$6.57 payable to the Hernando County Animal Services Department.

4. **The total of penalties and costs due and payable to the Plaintiff, Hernando County Code Enforcement Department, 19450 Oliver St., Brooksville, Florida 34601 is \$2,136.57. In the event that this Special Master's Order is recorded in the public records pursuant to paragraph 5, 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.**

5. 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.

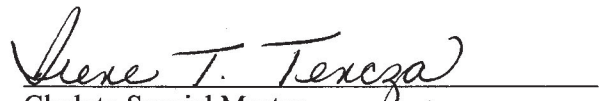
DONE AND ORDERED at Brooksville, Hernando County, Florida this 14th day of February, 2013.


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 WILL ROGER HONEA, 20090 Ruth St., Brooksville, FL 34601 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on February 21, 2013.

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.


Clerk to Special Master

Record Custodian: Irene T. Tencza
Print Name: Irene T. Tencza Date: 4-10-2013
Hernando County Government, Brooksville, FL
Department/Office: County Attorney's Office