
ORDINANCE NO. 15-2026

**AN ORDINANCE OF THE CITY OF DELTONA,
FLORIDA, AMENDING THE CITY OF DELTONA CODE
OF ORDINANCES, CHAPTER 14, "ANIMALS," TO
PROVIDE REGULATIONS RELATED TO THE
ABANDONMENT OF ANIMALS AND ENHANCED
PENALTIES FOR SAME IN ACCORDANCE WITH
FLORIDA STATUTES; PROVIDING FOR CONFLICTS,
CODIFICATION, SEVERABILITY, AND AN EFFECTIVE
DATE.**

WHEREAS, under Art. VIII, §2(b), of the Florida Constitution and Florida Statute §166.021, municipalities have broad home rule authority to conduct municipal government, perform municipal functions, and exercise any power for municipal purposes, except as otherwise provided by law; and

WHEREAS, the City of Deltona, Florida (the "City"), has adopted Chapter 14, "Animals," within its Code of Ordinances to regulate the care, custody, and treatment of animals and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, HB 559 (2026), codified as Chapter 2026-78, Laws of Florida, authorizes the governing body of a municipality to enact ordinances relating to animal control or cruelty and increases the maximum available civil penalty effective October 1, 2026; and

WHEREAS, the City Commission finds that the abandonment of animals constitutes a serious threat to animal welfare and creates public health and safety concerns, including the risk of injury, disease, and nuisance conditions within the community; and

WHEREAS, the City Commission finds that stronger enforcement measures are necessary to deter the abandonment of animals and to promote responsible ownership and proper care; and

WHEREAS, the City Commission finds and determines that these amendments to Chapter 14 addressing the abandonment of animals are in the best interest of the public health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

Section 2. Amendment to the Code of Ordinances. The City Commission hereby approves and adopts amendments to Part II of the Code of Ordinances of the City of Deltona, Florida, Chapter 14, "Animals," as set forth in "Exhibit A," attached hereto and incorporated herein by reference.

Section 3. Conflicts. Any and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Codification. The provisions of this Ordinance shall be codified as and be made part of the Code of Ordinances of the City of Deltona. The sections of this Ordinance may be renumbered to accomplish such intention.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application.

Section 6. Effective Date. This Ordinance shall take effect on October 1, 2026.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DELTONA, FLORIDA THIS _____ DAY OF _____, 2026.

First Reading: _____

Advertised: _____

Second Reading: _____

CITY OF DELTONA, FLORIDA

BY: _____

SANTIAGO AVILA, JR., MAYOR

ATTEST:

JOYCE RAFTERY, CMC, MMC, CITY CLERK

Name	Yes	No
Avila-Vazquez		
Colwell		
Heriot		
Howington		
Nabicht		
Santiago		
Avila		

Approved as to form and legality
for use and reliance of the City of
Deltona, Florida

TG LAW PLLC, CITY ATTORNEY

EXHIBIT A

PART II - CODE OF ORDINANCES
Chapter 14 - ANIMALS

ARTICLE I. IN GENERAL

Sec. 14-1. Definitions.

...

Abandon means to forsake an animal entirely or to neglect or refuse to provide or perform the legal obligations for care and support of an animal by its owner.

Animal safety and welfare violations means violations of the following provisions of this Code: abandonment; public nuisance; excessive noise; and humane treatment (cruelty.)

Natural disaster means a situation in which a hurricane, tropical storm, or tornado warning has been issued by the City of Deltona, Volusia County or by the National Weather Service for the City of Deltona or Volusia County for which it is under a mandatory or voluntary evacuation order.

Officer means any legally sworn law enforcement officers with jurisdiction within the City of Deltona; City of Deltona code enforcement officers, and City of Deltona animal control officers.

Owner means owner, custodian, entity or other person in charge of an animal, whether directly or implied. Presence on the property is prima facie evidence of being in charge of an animal.

...

Sec. 14-6. Fine schedule

(a) PENALTIES/ENFORCEMENT.

Any person who violates any provision of this Chapter shall be subject to enforcement as a civil infraction as provided in this section and other applicable provisions of this Code, including Chapter 1, Section 1-15; Chapter 2, Section 2-141; and Chapter 14, Section 14-6(c).

Nothing in this Chapter shall be construed to limit, restrict, or preclude enforcement under Chapter 828, Florida Statutes, Chapter 162, Florida Statutes, or any other applicable federal, state, or local law, including criminal proceedings where authorized by law.

(b) CONTINUING VIOLATIONS.

Each day a violation continues shall constitute a separate offense.

(c) FINE SCHEDULE.

DELTONA CHAPTER 14 VIOLATIONS

ANIMAL SERVICES FINES ***ALL REVENUE GENERATED WILL BE PLACED IN A SPECIAL FUND TO DEAL WITH ANIMAL ISSUES ~~AT THE WESTSIDE SHELTER~~

Chapter	Code	Description of Offense	Fine
Animals	<u>§14-7(a)(9)</u>	<u>Abandonment of Animal</u>	<u>\$2500 – 1st violation</u> <u>\$5000 – 2nd violation</u> <u>\$7500 -3rd and subsequent violations</u>

Sec. 14-7. Cruelty to animals; Proper care; custody; penalties.

- (a) ~~The provisions of F.S. § 828.073, their successors, are hereby adopted and incorporated herein by reference,~~

The provisions of Sections 828.073, 828.12, 828.13, and 828.24, Florida Statutes, as may be amended from time to time, are hereby adopted and incorporated herein by reference. Nothing herein shall be construed to limit enforcement of such statutes by any authorized governmental agency or law enforcement officer pursuant to Florida law.

...

- (9) It shall be unlawful for any owner or agent of an animal to abandon any animal in any public or private place.

~~a. If an animal control officer suspects that an animal has been abandoned, but such animal does not appear to be in immediate distress or danger the officer may leave notices posted in a conspicuous place informing the owner or agent to contact said officer within 24 hours. Failure to do so may result in the animal being removed by the animal control officer. The animal will become the property of the city if not redeemed within three days. The officer may issue citations if the owner or agent is subsequently located.~~

- a. If an officer suspects that an animal has been abandoned, but such animal does not appear to be in immediate distress or danger, the officer may leave notice posted in a conspicuous place informing the owner or agent to contact said officer within 24 hours.
 - b. Failure by the owner or agent to contact the officer may result in the animal being removed by the animal control officer.
 - c. The animal will become the property of the city if not redeemed within three days. The department shall cause written notice, bearing the address where the animal may be claimed by the owner thereof and the time by which the animal must be claimed, to be sent to the owner, if known, at the owner's last known address.
 - d. The officer may issue civil citations under this section if the owner or agent is subsequently located.
 - e. Any person who is the owner or possessor, or has charge or custody, of any animal and who abandons such animal to suffer injury or malnutrition or who abandons any animal in a street, road, private property or public place without providing for the care, sustenance, protection, and shelter of such animal, shall be in violation of this article.
 - f. Any person who releases within the county any non-native species to Florida without having obtained a permit to do so from the Florida Fish and Wildlife Conservation Commission, shall be in violation of this article.
 - g. Upon receipt of affidavits from two citizens who are not residents of the same household, or upon the report of a law enforcement officer, stating
-

that an animal appears to have been abandoned, or upon receipt of a report that a nonindigenous animal has been released, officers may investigate the matter and thereupon are authorized to impound the animal and disposition of the animal in the manner provided by this article or by law, with the assistance of a law enforcement officer, if necessary.

...

(13) Any person who violates any provisions of this section is subject to the civil infractions prescribed in [section] 14-6 of this chapter and all available remedies allowed by Florida law and the Code of Ordinances of the City of Deltona.

(14) ~~To the extent not inconsistent with this chapter the following portions of the Florida Statutes, in their current form and as subsequently amended, are hereby adopted, and incorporated by reference except as to penalty, shall be part of this section as if they were set out in full and shall be punishable as civil infractions:~~

- ~~a. F.S. § 828.058;~~
 - ~~b. F.S. § 828.065;~~
 - ~~c. F.S. § 828.08;~~
 - ~~d. F.S. § 828.12;~~
 - ~~e. F.S. § 828.121;~~
 - ~~f. F.S. § 828.122;~~
 - ~~g. F.S. § 828.123;~~
 - ~~h. F.S. § 828. 1231;~~
 - ~~i. F.S. § 828.125;~~
 - ~~j. F.S. § 828.13;~~
 - ~~k. F.S. § 828.14;~~
 - ~~l. F.S. § 828.16;~~
 - ~~m. F.S. § 828.161;~~
 - ~~n. F.S. § 828.22;~~
 - ~~o. F.S. § 828.23;~~
 - ~~p. F.S. § 828.24; and~~
 - ~~q. F.S. § 828.252.~~
-

ARTICLE III. DOGS AND CATS

DIVISION 2. - LICENSE

Sec. 14-144. Irresponsible animal owners.

(a)

~~*Irresponsible pet owner class 1.* A person with two previous convictions for animal safety and welfare violations occurring on separate dates, who commits a third animal safety and welfare violation within 24 months of the date of the offense of the earliest of the three violations, may be charge with a violation of this section, punishable by a minimum fine of \$500.00. For purposes of this section, animal safety and welfare violations mean a violation of any of the following provisions of this Code public nuisance, excessive noise, and humane treatment (cruelty).~~

(b)

~~*Irresponsible pet owner class 2.* When a person meets the conditions for an irresponsible pet owner class 1 violation, and the circumstances of the most recent violation evidence a knowing refusal to comply with this Code or to take corrective actions, he or she may be charged as an irresponsible pet owner class 2 under this paragraph, punishable by a minimum fine of \$1,000.00 If a person has a conviction for an irresponsible pet owner class 2 then for a period of three years following that conviction—all owned dogs or cats shall be spayed/neutered and microchipped; the owner shall not become the owner of any new dogs or cats and no licenses will be issues for newly acquired dogs or cats.~~

(a) A person who has one (1) prior conviction or civil citation in any jurisdiction for an animal safety and welfare violation, and who commits a second animal safety and welfare violation within twelve (12) months of the date of the first violation, may be charged with a violation of this section.

(b) A violation of this section shall be punishable by a fine of five hundred dollars (\$500.00).

(c) Each day a violation continues shall constitute a separate offense.

(d) The maximum civil penalty for abandonment of an animal under Section 14-7(a)(9) shall be as follows:

1. Two thousand five hundred dollars (\$2,500.00) for a first violation;
 2. Five thousand dollars (\$5,000.00) for a second violation; and
 3. Seven thousand five hundred dollars (\$7,500.00) for a third or subsequent violation.
-

ARTICLE V. IMPOUNDMENT

Sec. 14-237. Redemption and disposition of impounded and unwanted domesticated animals.

- (a) Any ~~dog, cat or ferret impounded~~ animal impounded under the provision of this chapter and not redeemed by its owner after three consecutive business days shall become the property of the impoundment facility agency or its designee. The 3-day period does not apply to sick, injured, diseased or orphaned wild animals regulated by state wildlife agencies.
- (b) Litters of animals or individual members of a litter of animals, including the nursing mother and un-weaned animals that do not possess a valid license and/or microchip may be transferred immediately upon impoundment to a private sheltering agency, rescue group or individuals for the purpose of adoption. Individual members of litters of animals who are at least six weeks of age, including the mother, may be adopted immediately upon impoundment.
- (c) ~~(b)~~ Whenever despite a good-faith effort to locate the owner of an animal, the owner or custodian of an animal cannot be determined, after three days the animal shall become the property of the impoundment facility agency or its designee
- (d) ~~(e)~~ Any animal impounded and not redeemed as required in this section may be disposed of by, or at the discretion of, the impoundment facility agency or its designee.
- (e) ~~(d)~~ This time period may be extended or reduced at the discretion of the impoundment facility to relieve animal suffering or to limit disease contagious to humans and animals housed at the impoundment facility agency or its designee
- (f) ~~(e)~~ Any person seeking to redeem or reclaim an animal impounded under the provisions of this chapter shall pay the impoundment fees, boarding fees, license fees and all other fees resulting from impounding and caring for the animal. At release, the animal must have a rabies vaccination and license or a license and rabies vaccination must be subsequently obtained by the owner within a reasonable timeframe.