

COUNTY COURT, LEON COUNTY, FLORIDA

ADMINISTRATIVE ORDER 83-4

FEB 1 10 21 AM 1983

RE: NOTICE TO APPEAR - VIOLATIONS OF CHAPTER 4, CODE OF LAWS OF LEON COUNTY, FLORIDA, ANIMAL CONTROL

THIS ADMINISTRATIVE ORDER establishes the procedural guidelines for the prosecution of violations of Chapter 4 of the Code of Laws of Leon County, Florida, (Animal Control) in accordance with Chapter 82-319, Laws of Florida, authorizing designated enforcement officers of Leon County to issue citations. The intent of this Administrative Order is to set forth approved citation forms and establish notice requirements to defendants,

IT IS CONSIDERED AND ORDERED as follows:

1. Effective immediately, the attached CITATION-NOTICE TO APPEAR form is hereby adopted to be used by all designated Leon County Enforcement Officers and all other law enforcement officers within Leon County who are charged with the enforcement of the Animal Control Ordinance of Leon County. The attached CITATION-NOTICE TO APPEAR will be printed on NCR paper, original and three (3) copies, which are color coded and will be distributed as follows: 1) green - officer/agency, 2) white (original) - office of Clerk of County Court, 3) blue - office of cashier for the Sheriff of Leon County, Florida and 4) yellow - violator/defendant.
2. The name of each designated enforcement officer authorized to issue a CITATION-NOTICE TO APPEAR shall be filed with the Clerk of the County Court, Misdemeanor Division. No citation will be accepted for filing without the signature of an authorized enforcement officer.
3. The approved CITATION-NOTICE TO APPEAR shall include instructions to the Violator that within ten (10) days they may enter a guilty or nolo contendere plea and pay the prescribed fine established by Chapter 82-319, Laws of Florida, which fine shall be in addition to existing court costs, fees imposed pursuant to §943.25, F. S., and the additional \$1.00 imposed pursuant to Leon County Ordinance No. 81-30 for Law Enforcement Education, a schedule of fines and costs shall be collected by the cashier of the Sheriff of Leon County at the same location where fines for misdemeanors are paid, at room 202, Leon County Courthouse. Such

citation shall also include a scheduled arraignment so that the Violator, if he should elect not to enter a guilty or nolo contendere plea, shall be required to appear in court at a time certain, enter an appropriate plea to the offense charged and receive a scheduled trial date. Violators shall appear at the second succeeding arraignment after issuance of the citation. Arraignments are held at 9:00 a.m. every Friday in Courtroom 4 of the Leon County Courthouse. Effective April 1, 1983, arraignments will be held every Wednesday at the same location.

4. Any trials or hearings relating to violations of Chapter 4 of the Code of Laws of Leon County, Florida (Animal Control) shall be held in the Leon County Courthouse and conducted under the procedural rules for the enforcement and hearing of traffic infractions as set forth in the Rules of Practice and Procedures for Traffic Courts.

5. Any person, either electing to appear or who is required so to appear, shall be deemed to have waived his right to the civil penalties set forth in Chapter 82-319, Laws of Florida, and upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00).

6. Any person who willfully refuses to post a bond or accept and sign the citation shall be in violation of this law and shall be punished in accordance with Section 125.69, F. S.

7. If the amount of the fine listed on the citation remains unpaid and the Violator does not enter a written plea of not guilty or appear the second succeeding arraignment after the issuance of the citation, the hearing judge may issue an Order to Show Cause to the Violator for non-compliance with the instructions on the citation, dismiss the case, or take any other action the hearing judge deems appropriate. Failure of the Violator to comply with the Order to Show Cause may be punished as contempt of court.

8. The Clerk of the County Court shall advise each issuing authority and the Violator as to the time and location of any trials, which trials shall take place on the same days as non-jury criminal misdemeanor trials. The responsibility and cost for securing the appearance of witnesses at the scheduled trial dates shall belong to the party requesting that witness' appearance.

The attached forms are hereby approved.

DONE AND ORDERED this 24 day of JANUARY,

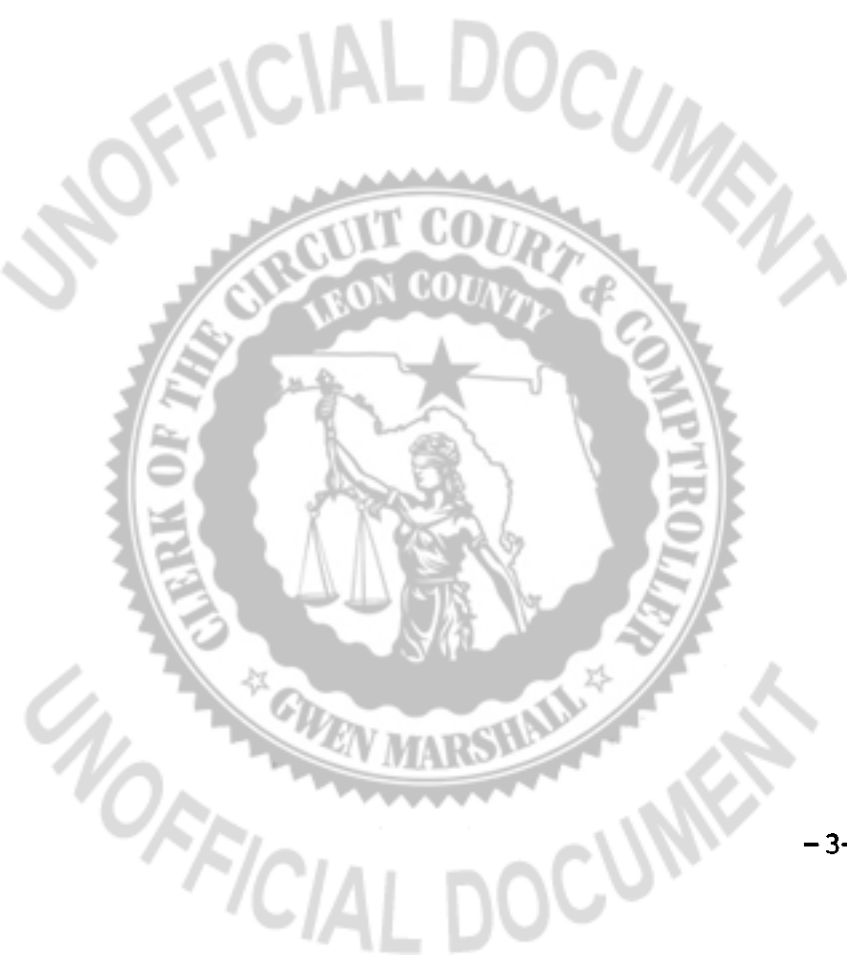
A. D., 1983.



JOHN E. CRUSOE
Administrative Judge
Leon County, Florida



BEN C. WILLIS
Chief Circuit Judge
Leon County, Florida



LEON COUNTY ANIMAL CONTROL

2965 MUNICIPAL WAY
TALLAHASSEE, FLORIDA 32304
TELEPHONE (904) 576-1211

CITATION - NOTICE TO APPEAR

CASE NO. _____ OFFENSE NO. _____

OFFENSE OCCURRED IN: _____

IN THE NAME OF LEON COUNTY, FLORIDA: THE UNDERSIGNED CERTIFIES THAT HE HAS JUST AND REASONABLE GROUNDS TO BELIEVE, AND DOES BELIEVE THAT:

ON THE _____ DAY OF _____, 19____, AT _____ () A.M. () P.M.

LAST NAME FIRST NAME M.I. ALIASES

STREET CITY STATE ZIP

PHONE NUMBER DATE OF BIRTH

OCCUPATION PLACE OF EMPLOYMENT EMPLOYMENT PHONE

SEX/RACE HEIGHT WEIGHT HAIR EYES COMPLEXION SCARS/MARKS

DRIVERS LICENSE NUMBER YEAR STATE SOCIAL SECURITY NUMBER

AT (LOCATION): _____
IN LEON COUNTY, FLORIDA, COMMITTED THE FOLLOWING OFFENSE(S):

(1) _____, (2) _____

IN VIOLATION OF SECTION(S) _____ ORDINANCE OF _____

DID (NARRATIVE): _____

OFFICER/OFFICIAL _____ I.D. # _____ AGENCY _____

I SWEAR THE ABOVE AND ATTACHED STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CO-DEFENDANTS:

COMPLAINANT _____

NAME _____ D.O.B. _____

ADDRESS _____ CITY _____ STATE _____

AGENCY OR DEPARTMENT _____

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____

DAY OF _____, 19____

NOTARY PUBLIC, STATE OF FLORIDA _____

MY COMMISSION EXPIRES: _____

NAME _____ D.O.B. _____

ADDRESS _____ CITY _____ STATE _____

IMPORTANT COURT INSTRUCTIONS: YOU MUST COMPLY WITH EITHER A OR B:

(A) APPEAR AT THE NEXT SUCCEEDING ARRAIGNMENT FROM THE DATE OF ISSUANCE HEREOF TO ENTER A PLEA OF NOT GUILTY AND RECEIVE A TRIAL DATE. ARRAIGNMENTS ARE HELD EVERY FRIDAY AT 9:00 A.M. IN COURTROOM 4 OF THE LEON COUNTY COURT-HOUSE, TALLAHASSEE, FLORIDA.

OR

(B) YOU NEED NOT APPEAR IN COURT, BUT MUST COMPLY WITH THE INSTRUCTIONS ON THE REVERSE OF THIS FORM.

I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED ABOVE TO ANSWER TO THE OFFENSE(S) CHARGED, OR TO PAY THE LISTED FINE. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS CITATION OR TO PAY THE FINE LISTED ON THIS FORM BY THE DATES SET FORTH HEREON, THE COURT MAY ISSUE TO ME AN ORDER TO SHOW CAUSE, WHICH, IF NOT RESPONDED TO, MAY RESULT IN MY BEING HELD IN CONTEMPT OF COURT AND PUNISHED ACCORDINGLY.

IMPORTANT - MINIMUM PAYABLE FINE

IF YOU WISH TO PAY THE MINIMUM FINE AND NOT APPEAR IN COURT, THE FINE AMOUNT IS:

\$ _____ (DOLLARS)

SEE REVERSE SIDE OF THIS FORM FOR FINE PAYMENT INSTRUCTIONS.

SIGNATURE OF DEFENDANT _____

Clerk's Copy - White
Sheriff's Copy - Blue
Defendant's Copy - Yellow
Officer/Agency Copy - Green