



Marion County Board of County Commissioners

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COUNTY OFFERS MCBEE GOOD FAITH PAYMENT PLAN IN DANGEROUS DOG CASE

Immediate Release

MARION COUNTY, Fla. (Nov. 6, 2009) – Marion County Administrator Dr. Lee A. Niblock, in cooperation with Marion County Animal Services, has offered Patricia McBee a good faith payment plan to spread her \$1,500 in dangerous dogs fees over 12 months. On Sept. 20, 2009, McBee's two Shetland Sheepdogs and one Australian Shepherd escaped from her property and attacked and killed a neighbor's Siamese cat, China, while on the neighbor's property.

The cat owner notified Marion County Animal Services the day of the killing, prompting an investigation. Following the Marion County Animal Control and Enforcement Ordinance, animal control officers found enough probable cause to declare McBee's dogs dangerous. However, McBee contested the designation before the seven-member Marion County Code Enforcement Board on Oct. 14, 2009. After reviewing the evidence, the Code Enforcement Board voted in favor of designating McBee's dogs dangerous.

According to the ordinance, which closely mirrors state law, Marion County animal control officers may pursue a dangerous dog designation when they receive a sworn statement by one or more people and dutifully investigate the case. Marion County Animal Control and Enforcement Ordinance defines a dangerous dog as follows:

1. "Has aggressively bitten, attacked or endangered, or has inflicted injury on a human being...."
2. "Has killed a domestic animal or any livestock, or has more than once, injured a domestic animal or livestock while off the owner's property."
3. "Has been used primarily or in part for the purpose of dog fighting, or is a dog training for dog fighting."
4. "Has, when unprovoked, chased or approached a person while off the premises or property of the owner in a menacing fashion or apparent attitude of attack."

When dogs are deemed dangerous, owners must pay a \$500 dangerous dog registration fee each year. They must also ensure proper confinement of the dog, post warning signs on entry points, implant a microchip, keep current color photos on file, surgically sterilize the dog and follow other safety standards.

Under the agreement reached among Niblock, Animal Services and McBee's attorney, Ed Cluster, McBee will pay \$125 a month, starting Jan. 6, 2010, until the fees are paid. Marion County Animal Services provided Dagmar Dorsch a similar payment plan this year, enabling her to keep her dog while also adhering to the ordinance.

While McBee will still have to adhere to the rules associated with owning designated dangerous dogs, she may take her dogs home today. "I appreciate the county allowing me to take my dogs home, while the case is being appealed to the County Court of Marion County," said McBee.

Meanwhile, McBee is appealing her dangerous dog designations in County Court; a judge is expected to begin reviewing the case in January 2010. Marion County Commissioners have also scheduled a workshop on Nov. 30 at 1:30 p.m. to discuss Marion County's Animal Control and Enforcement Ordinance. Marion County Commissioners passed the ordinance in 2005 after the mauling death of Alice Broom of Citra. While the board cannot implement an ordinance that is less strict than the state law, they could soften some of the language, definitions and fees. ###