

PART 5. - ADOPTION-BASED BUSINESS MODEL FOR RETAIL SALE OF DOGS AND CATS AND OTHER REQUIREMENTS

Sec. 20.181. - Legislative intent.

- (a) The intent of this Ordinance is to prohibit the retail sale of commercially bred dogs and cats from "puppy mills" and "kitten factories." These facilities often house animals in overcrowded and unsanitary conditions without adequate veterinary care, food, water, and socialization, which allow for heritable and congenital disorders; the spread of infectious diseases; and environmental contamination, any of which may be present immediately after a sale or not until several years later. The Board of County Commissioners finds it reasonable and necessary to provide the following minimum standards governing the sale of cats and dogs to protect the health, safety, and welfare of both animals and pet owners; that such regulation constitutes a legitimate purpose, and will encourage pet consumers to obtain dogs and cats from shelters, animal rescue organizations, or hobby breeders thereby saving animals lives and reducing the cost to the public of sheltering and euthanizing animals.
- (b) It is the intent of the Board of County Commissioners that this Ordinance will conform with and supplement Section 828.29, Florida Statutes (2017), as may be amended, relating to the sale of dogs and cats transported into the state for sale, health requirements, and consumer guarantee.

(Ord. No. 2018-8, § 1, 2-27-2018)

Sec. 20.182. - Retail sale of dogs and cats.

- (a) An adoption-based business model shall be required for the retail sale of dogs or cats at a pet shop whereby all dogs or cats will be sourced from stray and unwanted pets that have been taken in by an animal shelter or animal rescue organization. It also means that pets purchased directly from a commercial breeder or indirectly through some other intermediary such as a broker or wholesaler may not be offered for sale.
- (b) No pet shop shall offer dogs or cats in Seminole County, unless the dog or cat was obtained from:
 - (1) An animal shelter;
 - (2) An animal rescue organization.
- (c) This adoption-based business model for the retail sale of dogs or cats in the County applies to any pet shops opened, transferred, assigned, or sold by owners of existing pet shops after the effective date of the Ordinance.
- (d) An official certificate of veterinary inspection must accompany the sale of any cat or dog transported into the state, in compliance with Section 828.29(3), Florida Statutes (2017), as this statute may be amended from time to time.
- (e) Pet shops shall post and maintain a certificate of source, as defined in Part 1, on each animal's cage, kennel, or enclosure, within clear view, and shall provide a copy of the certificate to the purchaser or transferee of any such dog or cat sold or transferred.
- (f) Pet shops shall maintain records, stating the name, address, telephone number and email of the animal shelter or animal rescue organization from which each dog or cat was acquired for three (3) years following the date of acquisition or in accordance with the required relation time set forth by business standards and practices governing the particular commercial establishment and record, whichever is greater, and maintain a copy of the record for the previous year subject to inspection by the County's animal control officers or any other County officials charged with enforcing the provisions of this Section.

- (g) Any such records shall be made available, immediately upon request, to the County's animal control officers and any other County officials charged with enforcing the provisions of this Section.
- (h) Falsification of records by pet shops is hereby deemed unlawful and subject to the penalties of this Ordinance.

(Ord. No. 2018-8, § 1, 2-27-2018)

Sec. 20.183. - Prohibition on retail sale in public places.

- (a) There shall be no retail sale of dogs or cats on any public thoroughfare, public common areas, or other places of public accommodations, flea markets, festivals, yard sales, medians, parks, recreation areas, outdoor markets, parking lots, or other similar locations, regardless of whether such access is authorized by the owner.
- (b) This Section shall not apply to the retail sale of dogs or cats by an Animal Shelter or Animal Rescue Organization.

(Ord. No. 2018-8, § 1, 2-27-2018)

Sec. 20.184. - Enforcement and penalties.

- (a) Any pet shop found to be in violation of the provisions of this Part may be subject to any applicable enforcement mechanism available to the County including, but not limited to: prosecution in the same manner as a misdemeanor, as provided in Section 125.69, Florida Statutes (2017), as this statute may be amended from time to time, and Section 20, Part 2, of this Code. It shall be a violation of this Ordinance to fail to comply with any of the requirements or restrictions contained in this Ordinance.
- (b) Each animal produced, reared, bred, kept, sold, or released in violation of this Section will be deemed a separate offense, and a separate offense will be deemed committed on each day during on or which a violation occurs or continues.
- (c) Violations of this Ordinance are classified as a civil infraction in accordance with Section 828.27(2), Florida Statutes (2017), as this statute may be amended from time to time. Penalties will accrue in accordance with Section 20.137(a) of this Ordinance.
- (d) The County may initiate a civil action in any court of competent jurisdiction to enjoin any violation of this Ordinance.
- (e) Imposition of a penalty for a violation does not excuse the violation nor does it imply permission for the violation to continue. All pet shops found to be in violation will be required to correct or remedy such violations immediately.

(Ord. No. 2018-8, § 1, 2-27-2018)

Sec. 20.185. - Applicability.

This Ordinance shall apply to the unincorporated areas of Seminole County.

(Ord. No. 2018-8, § 1, 2-27-2018)