

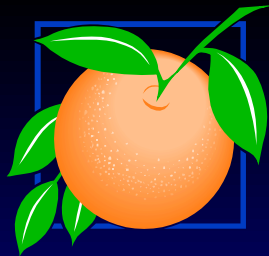
The background of the slide features a large, stylized orange with several leaves, rendered in a dark blue color. The orange is positioned centrally and slightly to the right, with its leaves extending towards the top and left. The overall background is a solid, vibrant blue.

Health Services Department

Retail Pet Stores in Orange County

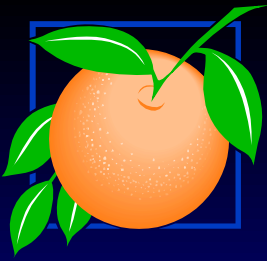
Work Session

March 23, 2021



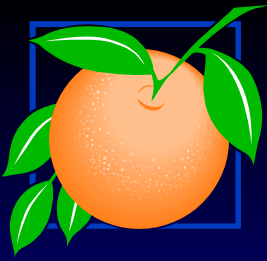
Brief Overview of Previous Actions

- **BCC Meeting (June 5, 2018)**
 - Staff provided presentation on retail pet stores and puppy mills
 - There were three options presented for moving forward:
 - Maintain status quo
 - Advocate for state legislation
 - Revise the county code to include ban
 - Subsequent research led to no change to the ordinance



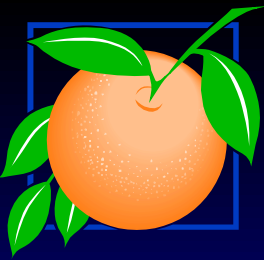
Brief Overview of Previous Actions

- **BCC Meeting (February 12, 2019)**
 - Retail pet store ban brought back before the Board
 - Concerns at that time:
 - Efficacy of the ban in solving the problem of puppy mills
 - Change to the ordinance would push the problem to other jurisdictions while not resolving the problem
 - The issue would be better explored at the state level
 - No action recommended



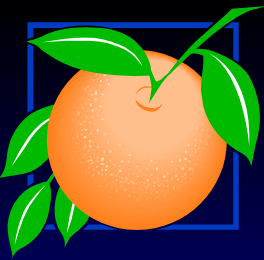
Brief Overview of Previous Actions

- **BCC Meeting (February 9, 2021)**
 - Retail pet store ban brought back before the Board
 - Staff were asked to prepare a work session to provide:
 - updated information from June 2018 work session
 - comparison of the ordinances adopted by other counties in Florida
 - lawsuits and legal actions from resulting bans
 - lending practices
 - statistics on puppy sales and outcomes
 - information and perspectives from current pet retail store owners and others



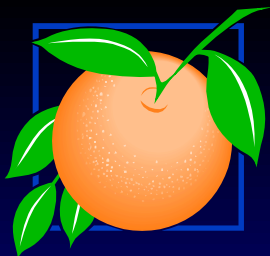
Presentation Outline

- Overview Of Commercial Breeding Operations
- Regulatory Framework
- Comparison of County Ordinances
- Lawsuits and Legal Actions
- Puppy Sales and Outcomes
- Retail Ban Perspectives
- Options Moving Forward

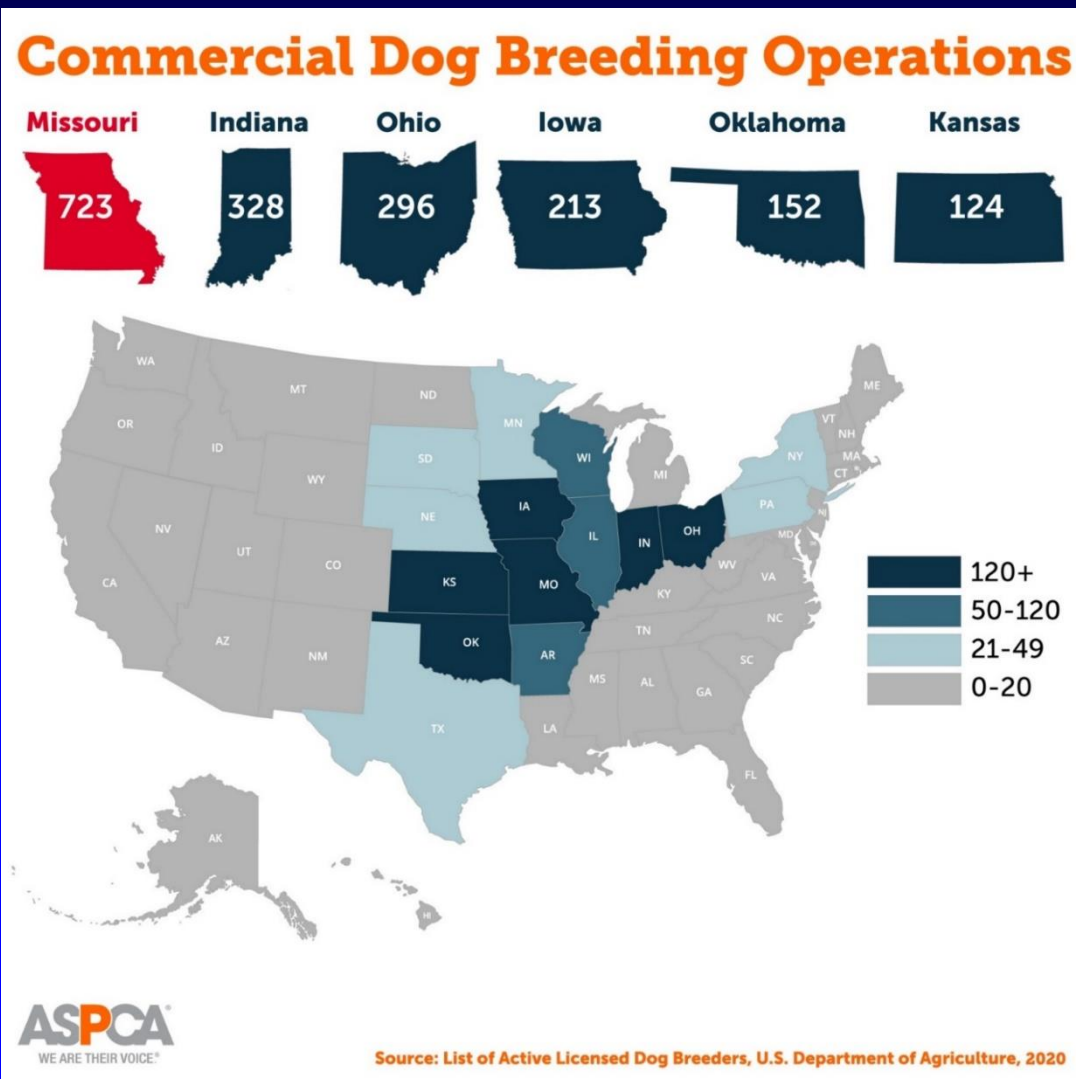


Presentation Outline

- Overview of Commercial Breeding Facilities
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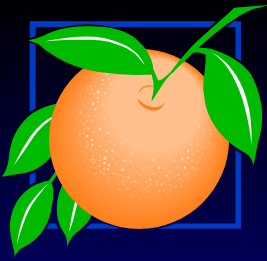


Overview of Commercial Breeding



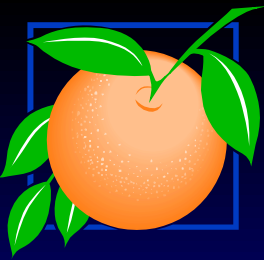
- 2,460 federally licensed dog breeding facilities
- 213,978 dogs kept solely for the purpose of breeding in these facilities
- 1,307,407 estimated number of puppies produced each year

Source: Puppy Mills: Facts and Figures 2021 (HSUS)



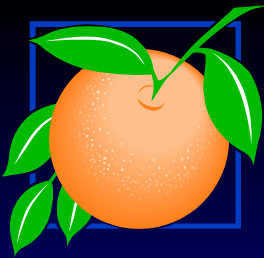
Overview of Commercial Breeding

- 10,000 estimated dog breeding facilities in the U.S. (both licensed and unlicensed)
- 2.6 million estimated number of puppies sold annually from licensed and unlicensed facilities



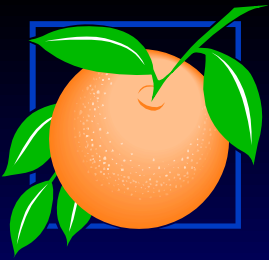
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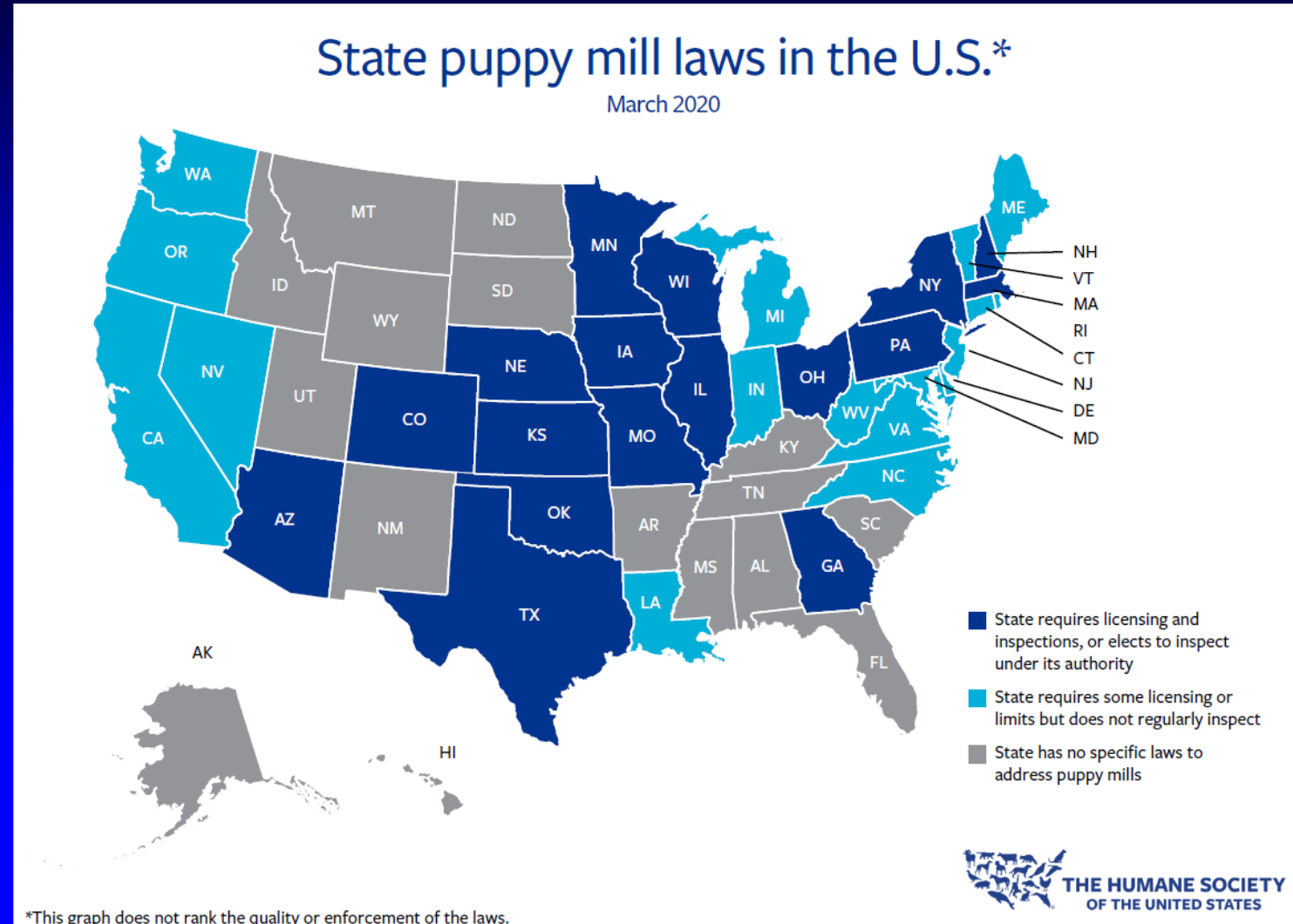
Regulatory Framework

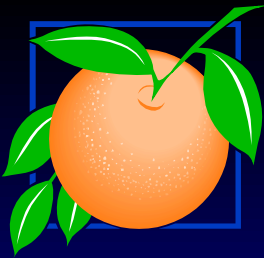
- **Federal Level**: United States Department of Agriculture (USDA)
- **Animal Welfare Act** (AWA) – signed into law in 1966
 - Only regulatory mechanism that governs “the humane treatment of animals bred for purposes of sale”
 - Governs standards of care related to food, water, housing, sanitation, etc.
 - Enforces inspection based on risk level (high risk... low risk)
- States are allowed to pass stricter laws



Regulatory Framework

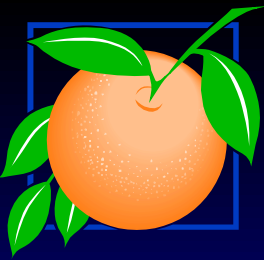
- **State Level:**
- 16 states without laws regulating commercial breeders
- **FS 828.073, 828.12, 828.13** animal welfare laws
- **SB 1138** and **HB 45** proposes full ban retail sale of dogs and cats (do not prohibit the adoption of stricter municipal or county ordinance)





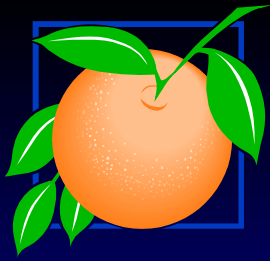
Regulatory Framework

- Local Level:
- Orange County does not have specific laws addressing commercial dog breeding facilities
- Orange County Code (Chapter 5, Sec. 5-40) :
 - Commercial kennels and pet dealers who derive more than 25% of their income from the sale of dogs and cats, must register and pay a \$26 annual fee; and
 - Make premises available for annual inspections by Animal Services Officer to ensure compliance with standards of care: housing, bedding, lighting and ventilation, separation by species, contact person, disease or illness, water, food, and sanitation



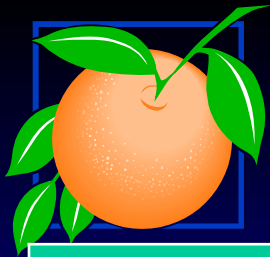
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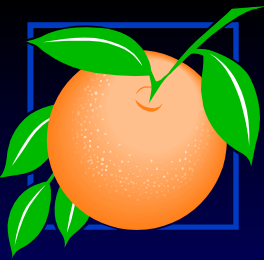
Comparison of County Ordinances

- 12 Florida Counties that have passed ordinances related to retail pet stores
- Ordinances can be grouped into 3 categories:
 - Grandfathered – 33%
 - Adoption based model – 33%
 - Full Ban - 33%



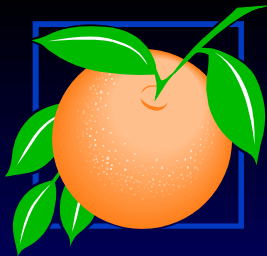
Comparison of State Ordinances

County	Effective	Stores Present	Type of Ordinance	Enforcement
Palm Beach	2016	Yes	Grandfather	Animal Services/up to \$500
DeSoto	2017	No	Full ban	Animal Services & Law Enforcement/misdemeanor with a \$500 per day fine
Sarasota	2017	Yes	Full ban	Code Enforcement/\$500 per violation
Lake	2018	No	Full ban	Animal Services/up to \$500
Seminole	2018	No	Adoption-base	Animal Services/\$50 and up to \$500
Indian River	2019	No	Adoption-base	Varied and up to misdemeanor
Marion	2019	Yes	Grandfather	Animal Services
Osceola	2019	Yes	Grandfather	Animal Services/up to \$500
Nassau	2020	No	Full ban	\$500.00 per day per animal or imprisonment not to exceed sixty days
Pasco	2020	Yes	Grandfather	Animal Services & Code Enforcement/ \$500 for each offense
St. Lucie	2020	No	Adoption-base	Enforcement entity unknown
Hillsborough	2020	Yes	Adoption-base	Animal Services/up to \$500



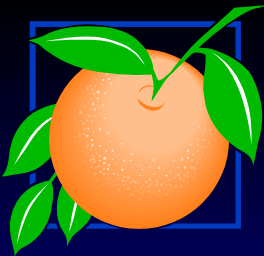
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Lawsuits and Legal Actions

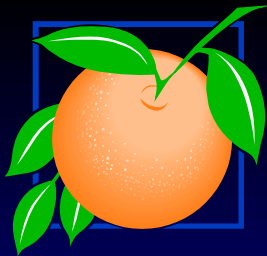
- Most counties with existing pet stores allowed those stores to continue operations and banned new pet stores.
- **Exceptions:** Hillsborough and Sarasota counties
- Both were sued over their pet sale ordinance



Lawsuits and Legal Actions

Sarasota County

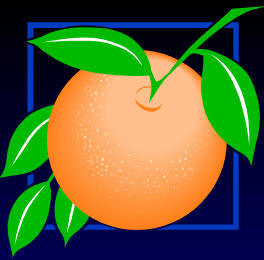
- Banned all retail sales of pets and gave a one year period for existing stores to cease operations
- Existing store sued County
- Case settled by store agreeing not renew lease in Sarasota County and moved to neighboring Manatee County



Lawsuits and Legal Actions

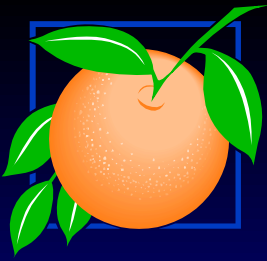
Hillsborough County

- Adopted ordinance banning new retail sales of pets in 2018. Allowed existing shops to continue to operate.
- Amended the ordinance in 2020 and banned ALL pet stores including existing stores after puppy mill discovered in Tampa area.
- 1 of 2 existing pet store owners filed suit. Litigation is ongoing.
- Pet store owner challenging the ordinance has relocated the store to neighboring county



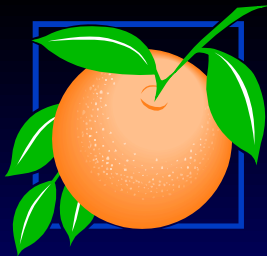
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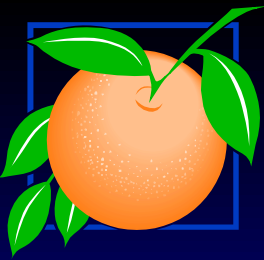
Puppy Sales and Outcomes

- **There are 7 retail pet stores in Orange County:**
 - 2 are located in Unincorporated Orange County
 - 3 are located in the City of Orlando
 - 1 is located in the City of Apopka
 - 1 is located in the City of Ocoee



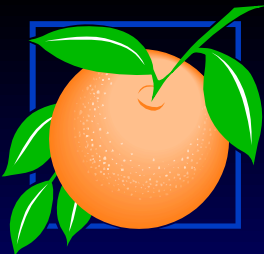
Puppy Sales and Outcomes

- **Documented complaints (2019 and 2020)**
 - Orange County **Consumer Protection Unit** = 6
 - Misrepresentation, scam, health
 - Florida Department of Agriculture/**Department of Consumer Services** = 11
 - Misrepresentation, scam, health
 - Orange County **Animal Services** = 51
 - 19 (37%) sick or injured puppy
 - 26 (51%) sanitation, housing conditions or general care
 - 6 (12%) concerns with the health of the puppies in the store



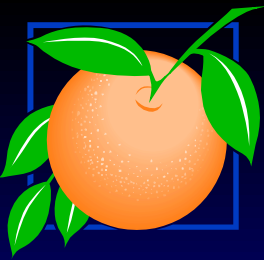
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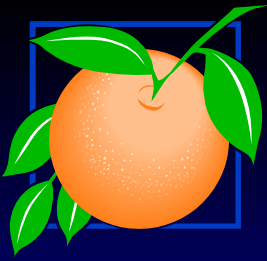
Retail Ban Perspectives

- **Communication sent to the 7 pet stores regarding this work session and seeking input.**
 - Citizens for Responsible Pet Ownership
 - Chews a Puppy (local pet store)
- **Other communication:**
 - American Society for the Prevention of Cruelty to Animals (ASPCA)
 - Humane Society of the United States (HSUS)



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Options Moving Forward

Status Quo:

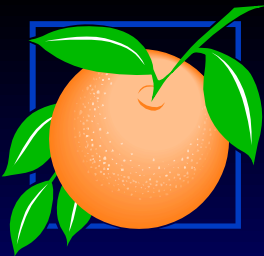
- No changes

Await Outcome of Proposed Bills:

- SB 1138 and HB 45

Geographic Coverage:

- Orange County wide
- Unincorporated Orange County



Options Moving Forward

Ordinance Language to Amend Animal Services Code:

- Grandfather model (ban excludes existing retail pet stores)
- Full ban (prohibit retail sales of cats and dogs in existing and new stores)
- Adoption-base model (require pet retail stores to only source dogs and cats from shelters and rescues)
- Increase restrictions on sourcing and reporting requirements