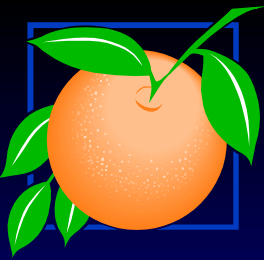


Health Services Department

**Ordinance Prohibiting the Sale of
Dogs, Cats, and Rabbits in Retail Pet
Stores**

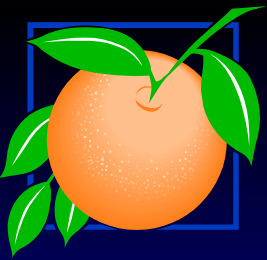
Public Hearing

June 22, 2021



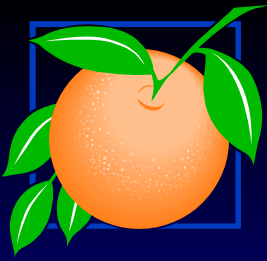
Presentation Outline

- **Background**
- **Ordinance Prohibiting the Sale of Dogs, Cats, and Rabbits in Retail Pet Stores**
- **Requested Action**



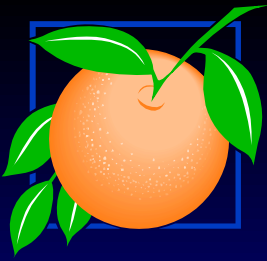
Presentation Outline

- **Background**
- **Ordinance Prohibiting the Sale of Dogs, Cats, and Rabbits in Retail Pet Stores**
- **Requested Action**



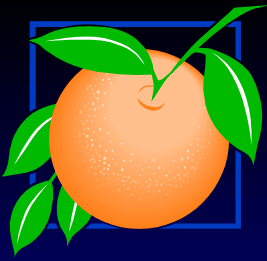
Background

- **3-23-21 BCC meeting: staff provided an overview of commercial breeding facilities, regulatory framework, comparison of Florida ordinances, legal actions, puppy sales and outcomes and provided a list of options for consideration moving forward:**
 - **Status quo**
 - **Awaiting outcome of state bills (SB 1138 and HB 45)**
 - **Grandfather model**
 - **Full ban**
 - **Adoption-based model**



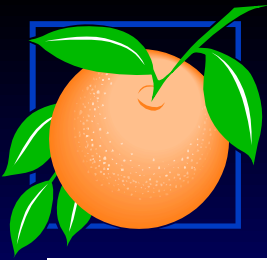
Background

- **3-23-21 BCC meeting continued: Board members requested staff:**
 - **provide more information regarding sales outcomes as reported to sites like BBB, HSUS, and OCAS**
 - **provide draft ordinances for**
 - **Full Ban**
 - **Grandfather model.**



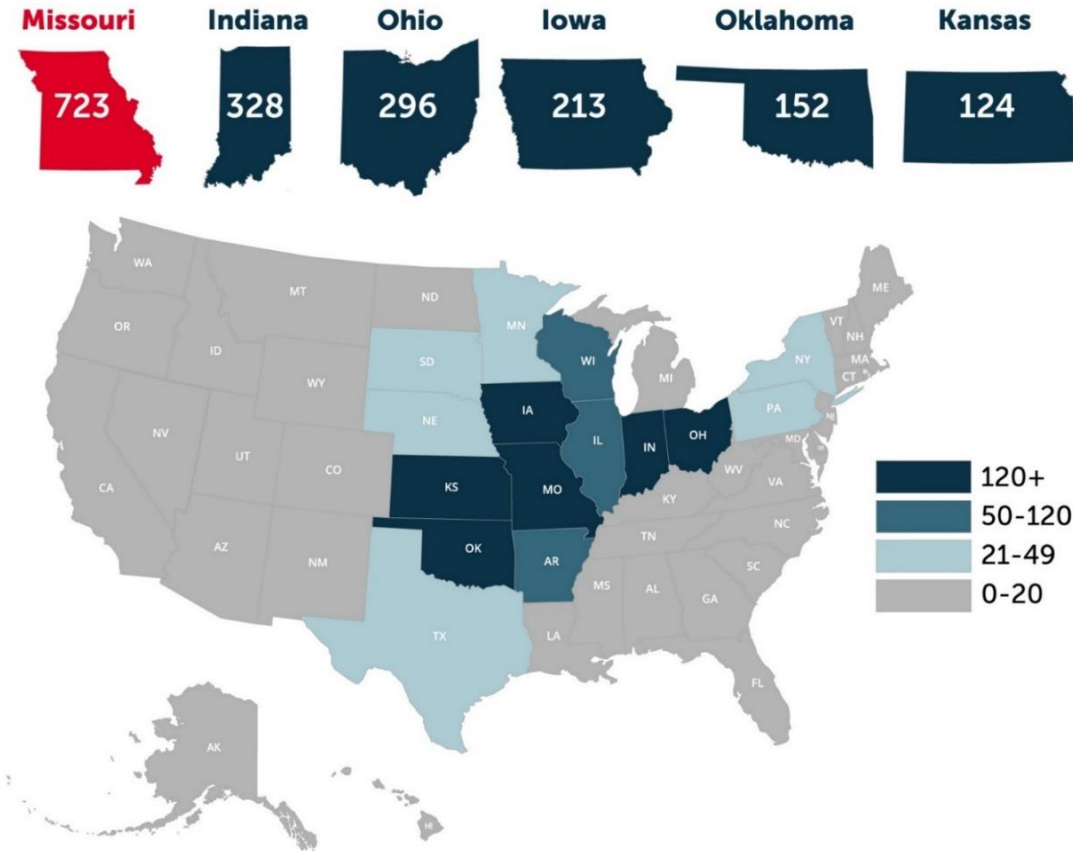
Background

- **5-11-21 BCC meeting: staff provided information on sales outcomes as gathered from BBB, OCAS, HSUS and Google and Yelp reviews.**
- **Staff also provided two draft Ordinances**
 - **Prohibiting the sale of dogs and cats in retail pet stores**
 - **Grandfathering current retail pet stores and prohibiting new stores from opening**
- **The Board directed staff to revise the Ordinance prohibiting the sales of dogs and cats by adding rabbits and bring back for a public hearing**



Background

Commercial Dog Breeding Operations

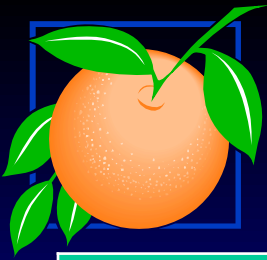


ASPCA
WE ARE THEIR VOICE®

Source: List of Active Licensed Dog Breeders, U.S. Department of Agriculture, 2020

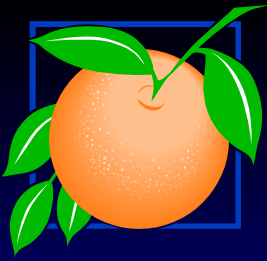
- 10,000 dog breeding facilities in the U.S.
- 2,460 are federally licensed
- 213,978 dogs kept solely for the purpose of breeding in these facilities
- 2.6 million estimated number of puppies sold annually from licensed and unlicensed facilities

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



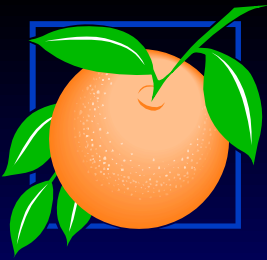
Background

County	Effective	Stores Present	Type of Ordinance	Enforcement/Penalty
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-based	Animal Services/\$50 and up to \$500
Indian River	2019	No	Adoption-based	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-based	Enforcement entity unknown
Hillsborough	2020	Yes	Adoption-based	Animal Services/up to \$500



Background

- **Currently there are 8 retail pet stores in Orange County**
- **In 2020, five (5) Orange County retail pet stores imported over 2,000 puppies and kittens from 16 different commercial dog breeders facilities**
- **11 (69%) of the breeders were located in Missouri**
- **Four (4) retail pet stores obtained puppies from breeders with multiple documented federal and state violations.**

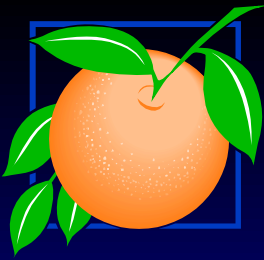


Background

Complaints made to BBB, OCAS and Review Sites (Google/Yelp)

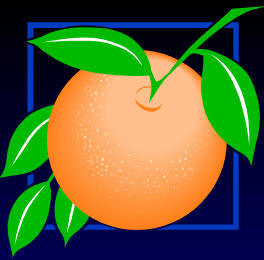
Store Name	Total Complaints		Died	Sick	Other
Store 1	66		7	33	26
Store 2	44		5	31	8
Store 3	16		2	10	4
Store 4	12		4	5	3
Store 5	4		0	3	1
Store 6	4		1	3	0
Store 7	3		0	2	1

- **Sources:** BBB, HSUS, OCAS, Google Reviews, Yelp (Jan 2020 – Mar 2021)
- Weeded out duplicates as much as possible



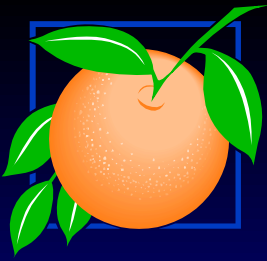
Background

- **5/11/21 BCC meeting, the Board directed staff to draft an ordinance prohibiting the sale of dogs, cats, and rabbits in retail pets stores in Orange County**
- **Intent of the Ordinance is to address the growing concern regarding the sale of dogs and cats that come from large-scale, commercial breeding facilities**
- **Ordinance considered to be in the best interest of the health, safety and welfare of Orange County residents and the public at large**



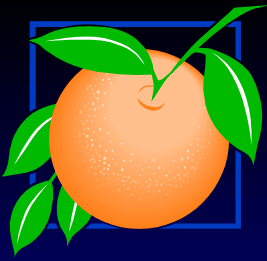
Presentation Outline

- **Background**
- **Ordinance Prohibiting the Sale of Dogs, Cats, and Rabbits in Retail Pet Stores**
- **Requested Action**



Ordinance

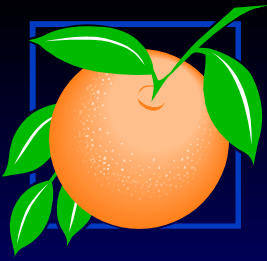
- **Sales**: Bans all pet stores from engaging in the retail sale of dogs, cats, or rabbits
- **Adoption**: Allows pet stores to display animals for adoption
 - Pet store cannot have any ownership interest in the animals displayed



Ordinance

Amortization Period:

- Existing pet stores will be given one (1) year from the BCC hearing date, to conclude the sale of dogs, cats and/or rabbits.
- In addition, during the amortization period, the pet store:
 - Shall not increase or enlarge its floor space
 - Shall provide proof of its retail sales to the Division manager

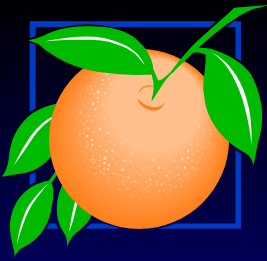


Ordinance

Amortization Period cont:

- **Shall post and maintain in a conspicuous place, a certificate of source of each dog, cat, or rabbit offered for sale**

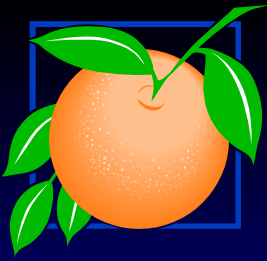
- **Any existing pet store that voluntarily abandons the retail sale for a period of more than thirty (30) days, or ceases retail sale as a result of destruction by fire or other peril shall lose its nonconforming status.**



Ordinance

Applicability:

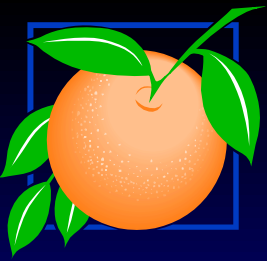
- **All provisions of this Ordinance shall be applicable throughout the incorporated and unincorporated areas of Orange County.**



Ordinance

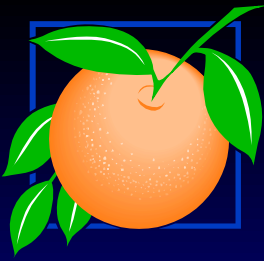
Penalties:

- **Each dog, cat, or rabbit sold or offered for sale shall constitute a separate violation.**
- **Each day a pet store is in violation of this section shall constitute a separate offense.**
- **Violations carry a maximum civil penalty of \$500.00**



Presentation Outline

- **Background**
- **Ordinance Prohibiting the Sale of Dogs, Cats and Rabbits in Retail Pet Stores**
- **Requested Action**



Requested Action

- **Approval of ordinance entitled: AN ORDINANCE RELATING TO ANIMAL SERVICES IN ORANGE COUNTY, FLORIDA; ENACTING SECTION 5-53 OF THE ORANGE COUNTY CODE OF ORDINANCES ENTITLED “RETAIL SALE OF DOGS, CATS, RABBITS BY PET STORES PROHIBITED”; AND PROVIDING AN EFFECTIVE DATE.**