

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO ANIMAL CARE; AMENDING VARIOUS
3 SECTIONS OF CHAPTER 4 OF THE BROWARD COUNTY CODE OF ORDINANCES
4 ("CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND
5 AN EFFECTIVE DATE.

6 (Sponsored by the Board of County Commissioners)
7

8 WHEREAS, it is in the interest of Broward County to update its animal care
9 regulations to better protect the health, safety, and welfare of animals and the public and
10 to streamline operational processes within the Animal Care Division to reflect best
11 practices from the animal welfare community; and

12 WHEREAS, the proposed amendments to Chapter 4 of the Broward County Code
13 of Ordinances would also improve readability and enhance the efficiency of the Animal
14 Care Division's programs, operations, and ability to effectively enforce this chapter,

15 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
16 BROWARD COUNTY, FLORIDA:

17 Section 1. Chapter 4 of the Broward County Code of Ordinances is hereby
18 amended to read as follows:

19 **Chapter 4**

20 **DOGS AND CATS**

21 **Sec. 4-1. Short title and intent.**

22 This chapter shall be known and may be cited as the Broward County Animal Care
23 and Adoption Ordinance and shall serve to define the requirements and regulate the care
24 and adoption of animals in Broward County.

25 **Sec. 4-2. Definitions.**

26 For the purposes of this chapter, the following terms shall have the meanings
27 indicated. No attempt is made to define any words that are used in accordance with their
28 established dictionary meaning, except when necessary to avoid misunderstandings.

29 . . .

30 *Animal* shall mean every living vertebrate other than a human being.

31 *Animal fighting* shall mean fighting between dogs or any other wild or domestic
32 animals.

33 *Animal rescue organization* shall mean a humane society or other ~~non-profit~~
34 nonprofit organization that is dedicated to the protection of domestic animals, duly
35 registered with the Florida Department of State, and properly organized as a charitable
36 organization under Section 501(c)(3) of the Internal Revenue Code.

37 *Animal shelter* shall mean any facility maintained by the County, a nonprofit
38 humane organization, or a municipal agency for the confinement, care, control, or
39 disposition of animals that come into the custody of the facility, and that does not breed
40 animals or obtain animals from a breeder in exchange for consideration of any kind.
41 Commercial establishments are excluded from this definition.

42 *At large* shall mean not on the owner's property, and not under restraint or the
43 direct control, custody, ~~charge~~, or possession of the owner or other responsible person.

44 *Baiting* shall mean to attack with violence, to provoke, or to harass an animal with
45 one (1) or more animals for the purpose of training an animal for, or causing an animal to
46 engage in, fighting with or among other animals, or as further defined in Section 828.122,
47 Florida Statutes, as amended.

48 . . .

49 *Citation* shall mean a written notice ~~or an electronically generated notice~~, issued
50 to a person ~~by an officer, or by the Division, with~~ based on probable cause to believe that
51 the person has committed a civil infraction in violation of this chapter.

52 . . .

53 *Community cat* shall mean any free-roaming, ear-tipped, unowned cat living in an
54 outdoor environment that may or may not be a part of a cat colony. A community cat may
55 or may not be feral. Community cats shall be exempt from the rabies registration ~~license~~
56 requirements of Section 4-11 and the stray animal provisions of Section 4-23. Community
57 cats shall be subject to the rabies vaccination requirements of Section 4-10.

58 . . .

59 *Cruelty* shall ~~mean action, omission to act, or neglect by which unnecessary or~~
60 ~~unjustifiable pain or suffering is caused, permitted, or allowed to continue when there is~~
61 ~~reasonable remedy or relief, except when done in the interest of medical science and~~
62 ~~performed in compliance with applicable Florida Statutes, rules, and regulations~~ have the
63 meaning provided by Section 828.27, Florida Statutes, as amended.

64 . . .

65 *Director* shall mean the Director of the Animal Care and ~~Adoption~~ Division for
66 Broward County.

67 *Division* shall mean the Broward County Animal Care and ~~Adoption~~ Division, or
68 any successor agency.

69 . . .

70 *Feral* shall mean a dog or cat that exists in an untamed state or that has returned
71 to an untamed state, generally not socialized to human contact, and is no longer
72 considered domesticated.

73 *Foster* shall mean to provide a transition from intake by the Division to an adoptable
74 age or status for dogs and cats by maintaining human contact with the fostered animal in
75 a home-like environment.

76 *Guard dog* shall mean any dog used to defend, patrol, or protect property or life at
77 a commercial establishment or that resides on commercial property. The term “guard dog”
78 shall exclude any stock dogs used primarily for handling and controlling livestock or farm
79 animals.

80 *Guard dog registration* shall mean the process of registering a guard dog with the
81 Division to document the dog’s existence in Broward County.

82 *Guard dog service* shall mean any person, firm, or corporation that trains, sells,
83 rents, leases, or loans guard dogs for defending, patrolling, or protecting property or
84 persons.

85 *Harborer* shall mean someone who, without claiming ownership, keeps or provides
86 ongoing food, shelter, and/or protection to an animal.

87 . . .

88 *Hoarding* shall mean the ~~intentional~~ accumulation of a group of animals ~~which that~~
89 has overwhelmed a person's ability to provide minimal standards of nutrition, sanitation,
90 ~~and care to the animals~~ shelter, veterinary care, and socialization, coupled with an
91 inability or refusal to acknowledge that the condition of the animals is deteriorating.

92 . . .

93 *Individual with a disability* shall ~~mean a person who is visually impaired, blind,~~
94 ~~hearing impaired, deaf, or physically challenged, or a similarly health-impaired person~~
95 ~~who by reason thereof is aided by a service animal~~ have the meaning provided by
96 Section 413.08, Florida Statutes, as amended.

97 *Intact* shall mean any dog or cat that has not been surgically neutered or spayed,
98 meaning their reproductive organs are still present. For male dogs and cats, this means
99 they still have their testicles, and for female dogs and cats, it means they still have their
100 ovaries and uterus.

101 . . .

102 *Officer* shall mean any ~~"animal care specialist, field" or "animal control officer"~~ as
103 defined in Section 828.27, Florida Statutes, as amended.

104 *Owner* shall mean any natural person, firm, association, or corporation that owns,
105 ~~or keeps, or harbors~~ an animal. Animal shelters that keep or harbor animals on a
106 temporary basis shall not be deemed to be owners. For purposes of this chapter, the
107 knowledge and acts of agents and employees of business entities in regard to animals
108 transported, owned, employed by, or in the custody of a business entity shall be deemed
109 to be the knowledge and acts of such business entity. If the owner is a minor, as defined

by statute, the minor's parent(s) or legal guardian(s) shall be deemed the owner for purposes of this chapter.

Pet trader shall mean any person, firm, association, or corporation that exchanges for consideration dogs or cats, including puppies and kittens, regardless of the age of the dog or cat. This term does not include any animal welfare organization or shelter that qualifies as a not-for-profit under Section 501(c)(3) of the Internal Revenue Code.

. . .

Return-to-field shall mean trapping, or otherwise obtaining a community cat, and providing for the sterilization, rabies vaccination, and ear-tipping of the cat. Upon determination that the cat is healthy and capable of living independently or in a managed colony, the cat shall be returned and released in a suitable, safe location in close proximity to the original point of pick-up. ~~In instances in which releasing to the original location is determined a nuisance by the Division, the cat shall be released to an alternate suitable outdoor location.~~

~~*Service animal* shall mean an animal individually trained to do work or perform tasks for the benefit of an individual with a disability (as defined in the Americans with Disabilities Act of 1990, 42 U.S.C. Section 12102), including without limitation, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. Additionally, "service animal" shall mean an animal used for medical reasons, including without limitation, cancer, diabetes, and seizure detection, and any animal used for emotional support pursuant to a doctor's prescription~~ have the meaning provided by Section 413.08, Florida Statutes, as amended.

~~Severe injury shall mean any physical injury to a human being or domestic animal that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery, or as further defined in Section 767.11, Florida Statutes.~~

Severe injury, for purposes of aggressive dog investigations and proceedings and investigations of dog and cat bites resulting in injury, shall mean any physical injury that results in a broken bone, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery, or internal injuries that impair bodily function.

Severe injury, for purposes of dangerous dog investigations and proceedings, shall have the meaning provided by Section 767.11, Florida Statutes, as amended.

...

~~Rescue Partnership, Animal Rescue Group, or Rescue Group~~ Transfer Partner shall means a group of persons who possess a current, valid Broward County Rescue Transfer Partner agreement, ~~hold~~ represent themselves ~~out~~ as an animal rescue group, accept or solicit ~~dogs, cats, or other~~ animals with the intent of finding permanent adoptive homes or providing lifelong care for such ~~dogs, cats, or other~~ animals, and ~~who~~ use a shelter or foster homes as the primary means of housing animals; or a group of persons formed for the prevention of cruelty to animals.

Unprovoked shall mean that the victim, ~~who~~ whether a person or animal that has been ~~conducting himself or herself~~ acting peacefully and lawfully, has been bitten, or chased in a menacing fashion, or attacked by a dog or cat.

...

Sec. 4-3. Dogs at large prohibited.

...

(c) Any dog that is on private property without the consent of the property owner or resident may be captured in a humane trap or otherwise humanely confined. A person capturing an ~~at-large~~ at large dog will be responsible for the humane care of the dog until the captured dog is turned over to the Division, ~~or~~ other humane organization, or licensed wildlife trapper. A person shall not entice a dog to become at large for the purpose of trapping or apprehending when that dog would otherwise not be at large.

...

(e) In order for a dog to be allowed on a public street, road, park, or other public property, unless otherwise specifically permitted, the dog shall be under the direct physical control of the owner or keeper, except while hunting, pursuant to a permit, or during an obedience demonstration, ~~show~~, trial, training exercise, competition, show, match, or an educational program, if sufficient precautions are taken by the owner of the dog, or sponsor of the event to ensure the safety and protection of both the public and other animals.

...

(h) Except as otherwise provided in Section 4-28, ~~An~~ officer shall issue a citation for any dog found by the officer to be at large ~~as provided in Section 4-28.~~ Additionally, the officer may seize and impound the ~~at-large~~ at large dog.

~~Sec. 4-4. Nuisance dogs and cats.~~

~~Any dog or cat found to be a nuisance pursuant to Section 4-8, and removed to a designated County animal shelter facility, shall be impounded in accordance with Section 4-5.~~

Sec. 4-5. Impoundment and confinement of dogs and cats.

(a) The Division may impound and keep a dog or cat at a place maintained or designated for that purpose whenever:

...

- (3) The dog or cat has been abandoned. ~~A dog or cat shall be deemed abandoned if it has been placed in the custody of a licensed veterinarian or kennel and it has not been redeemed after a period of more than ten (10) days after written notice is given to the owner or the owner's agent at the last known address. Any such dog or cat may be turned over to the Division for disposition in any lawful manner at the discretion of the Director or designee, as provided in Section 705.19, Florida Statutes, as amended, or as otherwise defined in this chapter.~~ Abandonment shall constitute the relinquishment of all rights and claims by the owner to such dog or cat;
- (4) An ~~animal care specialist~~ officer finds that the dog or cat is or will be without proper care because the owner is unable to care for the dog or cat due to injury, illness, incarceration, or other involuntary absence; or

...

(b) Prior to disposing of any dog or cat, the Division shall make reasonable efforts to identify and notify the owner ~~of the dog or cat.~~ The owner may redeem the dog or cat upon payment of the redemption fees ~~provided for~~ established by the Commission by resolution ~~of the Commission. Missing dogs or cats may be reported to the Division on forms prescribed for that purpose by the Director.~~ A dog or cat voluntarily surrendered by

its owner to the Division, however, shall become the immediate property of the Division and may be immediately disposed of pursuant to this section.

(c) Dogs or cats impounded pursuant to this section and not claimed by their owners shall be held by the Division for a period of at least three (3) full business days after impoundment and prior to disposition, except as provided herein:

(1) The confinement period before disposition shall be at least five (5) full business days for any dog or cat that is wearing a rabies registration license tag or other traceable identification.

...

(5) In the event that the Mayor declares a ~~S~~state of ~~E~~emergency in Broward County, the Director, taking into account the number of animals in the custody of the Division at that time, may increase or decrease the holding periods ~~contained~~ in this section ~~as circumstances may require~~.

...

(d) Any ~~D~~dogs or cats impounded by the Division shall be released to ~~their~~ its owners upon presentation of proof of ownership, ~~and, if~~ proof of proper vaccination and licensing rabies registration is not provided, the dog or cat shall only be released after proper vaccination ~~and licensing~~, purchase of a rabies registration tag, and payment of the impoundment fees and redemption charges established by the Commission by resolution ~~of the Commission~~. An owner's agent may redeem a dog or cat upon presentation of the foregoing information, as well as written proof of agency.

...

(2) Additional fees or redemption charges established by the Commission by resolution ~~of the Commission~~ shall be assessed upon the release of the impounded dog or cat if the dog or cat is not ~~either~~ spayed or neutered, or if, within a twelve (12) month period, ~~an~~ the owner has redeemed more than one (1) dog or cat ~~or the~~, including the same dog or cat on more than one (1) occasion.

(e) Those dogs or cats not redeemed by an owner within the confinement periods described in Section (c) above may, at the discretion of the Director or designee, be put up for adoption, released to approved animal rescue organizations, humanely euthanized, or disposed of in such other humane manner as the Director or designee shall deem appropriate. ~~It is provided, h~~However, that such animals may not be released to any medical school, college, university, person, firm, association, corporation, or individual for experimentation or vivisection purposes, or to any person, firm, association, corporation, or individual providing, selling, or supplying animals to any medical school, college, university, person, firm, association, corporation, or individual for experimentation or vivisection purposes.

(f) *Found stray animals.* The Division, at its sole discretion, may permit residents of Broward County who came into possession of a stray dog or cat and wish to provide it with a permanent home to legally become the owner of such animal by adhering to the following procedures. The finder must:

(1) Take the stray dog or cat to the Division to be scanned for an electronic animal identification device ("microchip") and checked for a tattoo. In the alternative, the finder may take the dog or cat to a local veterinarian or

another animal shelter to be scanned for a microchip and checked for a
tattoo, and provide proof to the Division that this requirement was met;

(2) Provide the Division with clear identifying color photographs showing the
animal from a side view and a front view;

(3) Post a publicly accessible found advertisement on at least one (1) social
media platform for at least thirty (30) consecutive days;

(4) Complete the Division's found form, which provides all appropriate
identifying information for the animal; and

(5) Pay all necessary veterinary expenses if the animal becomes injured or sick
while under the finder's care. If the finder is unable or unwilling to pay the
veterinary expenses, the animal must be relinquished to the Division, and
the finder will lose all rights and claims to the animal.

(g) The finder must relinquish the animal to the owner upon presentation of
proof of ownership within thirty (30) days of the animal being found, or until the Division
approves and releases the animal to the finder. The finder must also relinquish the found
animal to the Division upon request.

(h) The finder must notify the Division if the animal is placed with another
person.

(i) The finder may become the owner of the animal pursuant to this section
after complying with the above procedures and ensuring that the animal has been
vaccinated, has a rabies registration tag, has been sterilized, and has been implanted
with a microchip.

(j) The requirements in Section (i) must be completed by the finder at his or her expense, no earlier than thirty (30) days and no later than forty-five (45) days after the Division receives the found form. Extensions may be granted by the Division for reasonable requests.

(k) At its discretion, the Division may decline to approve the transfer of ownership of the animal if the Division determines that the transfer is not in the best interest of the animal or the health, safety, and general welfare of the public.

(f) (l) Nothing contained in this section shall restrict the ability of an officer to take custody of a neglected or mistreated animal as provided in Section 828.073, Florida Statutes, as amended.

Sec. 4-6. Care of dogs and cats; manner of keeping.

...

(d) It shall be unlawful for any person keeping a dog or cat to fail to provide shelter for that animal. Outdoor shelters for dogs and cats must be of sound construction and provide adequate protection from ~~rain, wind, sun, and all elements~~ weather conditions, at all times. The following ~~elements~~ standards shall ~~be provided as essential components~~ apply to the provision of shelter:

- (1) When the outdoor temperature falls below forty-five (45) degrees Fahrenheit, all cats and those dogs that cannot tolerate such temperatures without stress or undue discomfort (i.e., short-haired breeds, sick, aged, young, or infirm) must be protected from the cold ~~and heat~~ by being moved indoors or provided adequate heating to maintain the air temperature above forty-five (45) degrees Fahrenheit. ~~When the outdoor temperature rises~~

~~above eighty-five (85) degrees Fahrenheit, all dogs and cats must be provided air conditioning, a fan, or another cooling source to maintain the temperature in the shelter at or below eighty-five (85) degrees Fahrenheit.~~

(2) Dogs shall not be housed in temperatures above eighty-five (85) degrees Fahrenheit for more than four (4) consecutive hours. If the temperature rises above eighty-five (85) degrees Fahrenheit for any length of time, additional ventilation such as fans, blowers, or air conditioning must be provided.

~~(2)~~ (3) Clean and dry bedding material.

~~(3)~~ (4) Sufficient space for each dog or cat to comfortably stand up, sit down, lie down, and turn around in the shelter, without touching the top or sides of the shelter. If the shelter is used for more than one (1) dog or cat at the same time, it must provide enough space for both animals to comfortably stand up, sit down, lie down, and turn around simultaneously.

~~(4)~~ (5) A solid weatherproof roof, a solid sanitary floor, and adequate ventilation.

~~(5)~~ (6) All areas where dogs and cats are kept must be cleaned and the fecal matter disposed of in a sealed trash receptacle so as not to attract insects or rodents, become unsightly, or cause objectionable odor.

(e) Any dog weighing twenty (20) pounds or less that is maintained outdoors for all or part of the day in a fenced yard or other type of enclosure shall be provided a minimum of one hundred (100) square feet of open space. Any dog weighing more than twenty (20) pounds that is maintained outdoors for all or part of the day in a fenced yard or other type of enclosure shall be provided a minimum of two hundred (200) square feet of open space. An additional forty (40) square feet shall be required for each additional

dog kept in the same enclosed area. The enclosed area shall be large enough to provide each dog sufficient shelter within the required open space. Any enclosed area where a dog is confined shall be kept free of objects that may injure the dog. Dogs shall not be maintained outdoors during periods of extreme weather, including, but not limited to, hurricanes, tropical storms, and tornadoes.

(f) ~~Dogs shall be given appropriate daily exercise~~ Any cat that is maintained outdoors for all or part of the day in an enclosure that provides protection from predators shall be provided with a minimum of twenty-one and a half (21.5) square feet of floor area and a minimum enclosure height of six (6) feet. An additional twenty-one and a half (21.5) square feet is required for each additional cat kept in the same enclosed area. The enclosed area shall be large enough to provide each cat with sufficient shelter, climbing structures, and properly maintained litter pans. Any enclosed area where cats are confined shall be kept free of objects that may injure the cats. Cats shall not be maintained in an outdoor enclosure during periods of extreme weather, including, but not limited to, heat and cold weather advisories, hurricanes, tropical storms, and tornadoes. Caution should be exercised with elderly, infant, or disabled cats.

(g) Dogs or cats kept in indoor crates must be maintained in a clean and sanitary condition and may not be maintained in such a manner that exposes them to the excrement from other animals.

~~(g)~~ (h) Hoarding of dogs or cats is not permitted and shall be deemed cruelty to animals pursuant to Section 4-17.

Sec. 4-6.5. Breeder and pet trader permits and requirements.

(a) No breeder or pet trader shall, regardless of intent, cause or allow the breeding or studing of a dog or cat, ~~sell~~ trade a dog or cat for consideration, or offer a dog or cat for sale, breeding, or studing purposes, without first obtaining a breeder or pet trader permit issued by the Division. The cost of the permit and other related fees shall be established by the Commission by resolution.

(b) A breeder or pet trader permit is valid for a period of one (1) year from the date of issuance and must be renewed annually. Renewal applications for permits shall be made at least thirty (30) days prior to expiration.

(c) No permit shall be issued or renewed ~~hereunder~~ to any applicant that has outstanding and unsatisfied civil penalties imposed due to violations of this chapter, except that the applicable portion of the civil penalty for a first-time violation of Section 4-6.5(a) may be applied by the violator toward the fees for obtaining the breeder or pet trader permit, provided the violator submits a completed application and complies with all conditions for obtaining the breeder or pet trader permit within fifteen (15) calendar days after the Division issues the violation notice.

(d) A breeder or pet trader permit is not transferable, assignable, or refundable.

(e) Breeders and pet traders shall comply with the following:

- (1) Keep records, for the duration of the breeder or pet trader permit and all permit renewals, of the birth of each litter of puppies or kittens, or receipt of any dog, cat, puppy, or kitten, and make such records available for review by the Division upon request;

- (2) For a period of at least three (3) years, keep ~~veterinary~~ records of: rabies vaccinations, and all other inoculations, ~~and~~ any medical condition(s) of each dog, cat, puppy, or kitten bred or acquired to be sold, given away, or otherwise conveyed; and deaths that occurred during the duration of the breeder or pet trader permit;
- (3) ~~On a yearly basis~~ Within thirty (30) days after conveyance, provide to the Division the name, address, and telephone number of the new owner of each dog, cat, puppy, or kitten sold, given away, or conveyed that remains within Broward County;
- (4) Furnish to each new owner of a dog, cat, puppy, or kitten the breeder or pet trader permit number, providing proof and assurance that the animal was legally bred or obtained for the conveyance, the microchip number of the animal, and a copy of the OCVI Health Certificate;
- ...
- (8) List the breeder or pet trader permit number on all social media posts, advertisements, and literature concerning the sale or gift of any dog, cat, puppy, or kitten ~~of the breeder~~. For purposes of this section, advertise (or advertisement) includes, but is not limited to, announcements, listings, displays, entries, or other written statements containing the name of the permit holder or identifying the services offered by the permit holder or by a person or entity subject to this section and that are placed in a magazine or periodical, newspaper or inserts, direct mail pieces, audio broadcasting or telephone directory, on the internet, or on vehicles or equipment;

- (9) Adhere to minimum standards regarding the care and manner of keeping of animals, as provided in Section 4-6 of this ~~article~~ Code;
- ...
- (12) Present a copy of a valid, current OCVI Health Certificate to any ~~animal care specialist~~ officer upon demand for review, provided, however, that animal shelters and rescue groups offering animals for adoption are exempt from this requirement; ~~and~~
- (13) Allow an ~~animal care specialist~~ officer to view each animal that is the subject of a breeder or pet trader permit and to inspect the premises unannounced and unscheduled where the animal is maintained. Such inspection will be limited to that necessary to ascertain compliance with Section 4-6. If a breeder or pet trader refuses to allow the ~~animal care specialist~~ officer to perform such inspection, the Division may apply for a warrant pursuant to applicable provisions of Chapter 933, Florida Statutes, as amended; ~~and~~
- (14) Conduct sales only in locations authorized in the permit and not in any public thoroughfare, public common area, parking lots open to the public, or flea markets.
- (f) *Obtaining a breeder or pet trader permit.*
- (1) A person seeking a breeder or pet trader permit shall apply to the Division on a form approved by the Division.
- (2) The permit application shall include, but not be limited to, the following information:

- 401 a. The name, physical address, and telephone number of the applicant
402 and/or owner;
- 403 b. A statement as to whether the applicant or owner has ever been
404 found to have violated the prohibitions against cruelty to animals in
405 this ~~article~~ section, ~~or has~~ been convicted of the offense of cruelty to
406 animals, under State law, or ~~has~~ been the subject of a final judgment
407 entered under Section 828.073, Florida Statutes, as amended, or
408 under any other Florida statute prohibiting animal neglect or
409 mistreatment;
- 410 c. A description (species, breed, sex, age, coloration) of each animal to
411 be bred or used for studding under the permit for breeders;
- 412 d. A description of each species to be sold or traded for consideration
413 under the permit for pet traders;
- 414 ~~d.~~ e. A description of the activity for which the permit is requested; ~~and~~
415 ~~e.~~ f. Verifiable proof that all required animals are current on rabies
416 vaccination and registration-, if applicable; and
- 417 g. Verifiable proof that all required animals are microchipped and
418 provide the microchip number with each animal description.
- 419 . . .
- 420 (4) No person previously found by a Hearing Officer to be in violation of the
421 cruelty section of this chapter, ~~or~~ convicted of cruelty to animals pursuant to
422 Section 828.073, Florida Statutes, or ~~who has been~~ previously the subject
423 of a final judgment pursuant to Section 828.073, Florida Statutes, or any

other Florida statute prohibiting animal neglect or mistreatment, shall be issued a breeder or pet trader permit.

(g) *Permit procedures.*

...

(3) All permit holders and applicants shall provide an update to the Division within fifteen (15) days after any change to the physical address or the location(s) of all animals being bred or offered for sale.

(4) All locations identified by the permit applicant shall be subject to an inspection to determine compliance with the Division's applicable published standards.

(5) The Division will conduct an annual inspection prior to issuing or renewing a permit. The renewal inspection period shall extend from sixty (60) days prior to the end of the current permit period until the last day of the current permit period. Notice of the renewal inspection, including a description of the scope and criteria of the inspection, shall be provided by the Division no later than ten (10) days prior to a renewal inspection. Any appeal of the intended inspection must be initiated by submitting a written request to the Division before the renewal period begins. The renewal inspection shall be unannounced and may be conducted at any reasonable hour by any officer, who shall act in accordance with the renewal inspection period notice and, at a minimum, shall be given access to and the opportunity to investigate the animals, premises, and records of a permit holder to determine

compliance with Chapters 767 and 828, Florida Statutes, as amended, and
this section.

...

(i) *Violations.*

(1) Failure by a breeder or pet trader to obtain a permit prior to using or offering to use an animal for trading, breeding, or studding shall constitute a violation.

(2) Reapplication by a breeder or pet trader for a permit less than thirty (30) days before the expiration of the existing permit shall constitute a violation.

(3) Refusal by a breeder or pet trader to allow an ~~animal care specialist~~ officer to inspect an animal or the premises, as provided in this ~~article~~ section, shall constitute a violation.

(4) Counterfeiting a breeder or pet trader permit or OCVI Health Certificate or maliciously destroying a breeder or pet trader permit shall constitute a violation.

(5) Failure to obtain a breeder or pet trader permit prior to the sale or trade of an animal for consideration shall constitute a violation.

(j) *Permit denial, revocation, and suspension.*

(1) The Division may deny, revoke, or suspend any permit if it is determined that:

...

d. The applicant or permit holder has either: (1) been found by a Hearing Officer to be in violation of the cruelty section of this chapter,

or (2) been convicted of a violation of law involving cruelty to animals,
or has (3) been subject to a final judgment pursuant to
Section 828.073, Florida Statutes;

...

f. A breeder or pet trader has exceeded the maximum number of litters
permitted per calendar year.

(2) If a permit holder under this section receives an unsatisfactory inspection,
the permit may be suspended or revoked. Upon correction of violations and
completion of a satisfactory reinspection, a permit may be reinstated for the
duration of the permit period for a reinstatement fee, as established by the
Commission by resolution.

~~(2)~~ (3) No permit fee shall be refunded for a permit that is revoked or suspended.

~~(3)~~ (4) If a permit application is denied or the Division intends to revoke or suspend
an existing breeder or pet trader permit, the Division shall provide written
notification of the denial or intended revocation or suspension to the
applicant or permit holder, ~~in writing, and in accordance with the notice~~
~~provisions of Section 162.12, Florida Statutes.~~ The denial or notice of intent
to revoke or suspend a breeder or pet trader permit shall ~~state~~ be in
substantially the following form:

YOU HAVE TWENTY (20) DAYS FROM THE DATE OF RECEIPT OF THIS
NOTIFICATION TO APPEAL THE ACTION, IN WRITING, BEFORE A
BROWARD COUNTY HEARING OFFICER. IF NO WRITTEN NOTICE OF
APPEAL IS RECEIVED ~~BY THE DIRECTOR OF THE ANIMAL CARE AND~~

ADOPTION DIVISION WITHIN TWENTY (20) DAYS AFTER THE DATE
OF THIS NOTIFICATION, THE DIVISION'S DECISION TO DENY,
REVOKE, OR SUSPEND YOUR BREEDER OR PET TRADER PERMIT
APPLICATION OR BREEDER PERMIT WILL STAND DENIED OR BE
REVOKED/SUSPENDED, AS APPLICABLE BECOMES FINAL.

(4) (5) *Appeal process.*

a. Any permit applicant or holder who ~~has been~~ is denied a permit, or
who ~~has received~~ a notice of an intent to revoke or suspend a
breeder or pet trader permit, may appeal this action to a Hearing
Officer pursuant to Section 4-12.5, within twenty (20) days after ~~the~~
~~date~~ receipt of the notice from the Division to the permit applicant or
holder. ~~To be timely, a written notice of appeal must be filed with the~~
~~Division within twenty (20) days after the notification of the denial or~~
~~intent to revoke or suspend the permit.~~

...

c. The denial, revocation, or suspension of the permit shall be upheld
or reversed by the Hearing Officer.

d. ~~All final decisions to uphold or reverse shall be reviewable in~~
~~accordance with applicable court rules~~ A Hearing Officer's order may
be reviewable by the Seventeenth Judicial Circuit as provided by the
Florida Rules of Appellate Procedure.

(5) (6) *Owner requirements following notice of adverse action or appeal process.*

a. If the notice of adverse action of denial or revocation of a breeder or pet trader permit is not appealed, the permit applicant or holder shall not operate as a breeder or pet trader or shall cease to operate as a breeder or pet trader. If the notice of adverse action of suspension of a breeder or pet trader permit is not appealed, the permit applicant or holder shall not operate as a breeder or pet trader or shall cease to operate as a breeder or pet trader pending the Division's determination of compliance.

b. Any person whose breeder or pet trader permit has been revoked may not reapply for a period of one (1) year after the revocation of the permit. Each reapplication for a permit shall be accompanied by a fee ~~to be~~ established by the Commission by resolution.

(k) Violations of this ~~article~~ section are subject to a fine as established by the Commission by resolution. Each violation of ~~this article~~ shall be considered a separate infraction of ~~this article~~.

...

Sec. 4-7. Adoption, rescue, and redemption of dogs and cats.

...

(b) Dogs and cats that have been impounded shall be released to their owners upon presentation of proof of ownership, as outlined in Section 4-5, and upon payment of fees, including a redemption fee, rabies vaccination fee, rabies registration ~~license~~ fee, and boarding fees, if applicable. Said fees shall be established by the Commission by

536 resolution ~~of the Commission~~. If the dog or cat does not have a rabies registration tag or
537 microchip, the owner shall obtain a rabies registration tag and have the animal
538 microchipped before redemption.

539 (c) Dogs and cats that are impounded on more than one (1) occasion shall be
540 sterilized before the animal may be redeemed, except when the Division's staff
541 veterinarian determines that sterilization would endanger the animal's health due to the
542 animal's age, infirmity, or illness as outlined in Section 4-33(b).

543 (e) (d) Dogs and cats placed for adoption or rescue shall be vaccinated for rabies,
544 registered by ~~Broward County~~ the Division, microchipped, and sterilized before custody
545 is relinquished.

546 (d) (e) Any individual interested in adopting a dog or cat ~~which~~ that is still
547 impounded for the required confinement period may indicate his or her interest by
548 completing an adoption application and paying an adoption fee deposit in the amount set
549 by resolution through an adoption process administered by the Division. ~~The prospective~~
550 ~~adopter must have his or her adoption application approved by staff prior to paying the~~
551 ~~adoption fee deposit.~~

552 (1) ~~In the event the County veterinarian or designee determines that the dog or~~
553 ~~cat is not adoptable, the adoption fee deposit will be returned to the~~
554 ~~prospective adopter.~~

555 (2) ~~In the event the County veterinarian or designee determines that the dog or~~
556 ~~cat is adoptable and the prospective adopter adopts the dog or cat, the~~
557 ~~adoption fee deposit shall be deducted from the adoption fee.~~

(3) ~~In the event the County veterinarian or designee determines that the dog or cat is adoptable and the prospective adopter does not adopt the dog or cat, the Division shall retain the adoption fee deposit.~~

(f) The Division may permit a person who is interested in adopting a dog or cat that has been impounded pursuant to Section 4-5(c) to take temporary possession of the dog or cat prior to the expiration of the confinement period. A dog or cat released pursuant to this section must be returned to the Division immediately upon request by the Division, and for any reason, prior to any transfer of ownership. If the dog or cat's owner has not reclaimed the animal by the expiration of the confinement period, the interested person may be permitted to adopt the dog or cat, subject to compliance with all requirements for adopting an animal in this chapter, including, but not limited to, registration and sterilization requirements.

(g) Failure to return a dog or cat upon the Division's request under Sections (d) or (e) above constitutes a violation of this section, and the potential adopter may be issued a citation and be subject to a civil penalty in an amount established by the Commission by resolution.

Sec. 4-7.5. Programs.

(a) In keeping with the desire of the County to enact programs that are essential to reducing the number of animals entering the custody of Broward County's Animal Care and Adoption Center, increasing the save rate of healthy, adoptable animals, and reducing pet overpopulation, programs shall be enacted and provided to promote these goals, including, but not limited to, programs that promote the spaying and neutering of

dogs and cats, adoption, foster care, and other initiatives that advance the welfare of
animals.

(b) The Director shall be responsible for the development and implementation of programs for adoption and sterilization of dogs and cats. The Director, with the prior approval of the County Administrator, shall have the authority to revise ongoing programs in order to decrease shelter intake and increase live outcome of animals, including, but not limited to, expanding the trap, neuter, and release program to include a “~~r~~Return-to-field” or similar components; creating a sterilization program targeting hard-to-adopt animals; and collaborating with other animal welfare organizations to increase public access to low-cost spay and neuter services. All augmented existing programs shall be approved by the County Administrator prior to implementation.

(c) Funding for such programs shall be provided through grants, donations, and previously approved funding from the Animal Care Trust Fund, rabies registration tag sales, breeder or pet trader permit fees and fines, and ~~unsterilized~~ intact impound fees as set forth in this chapter.

(d) The Director shall be responsible for the development and implementation of programs designed to support and increase donations to the Animal Care Trust Fund and the Animal Care Sterilization Trust Fund in accordance with the goals established in Section (a). Funding for such programs shall be provided through grants, donations, or third-party funds. All programs established under this section shall be approved by the County Administrator prior to implementation.

Sec. 4-8. Permitting dogs or cats to commit a nuisance.

. . .

(c) Any dog or cat determined to be a nuisance pursuant to this section may be removed and impounded in accordance with Section 4-5.

Sec. 4-8.5. Tethering of dogs.

...

(b) No person shall tether, fasten, chain, tie, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, or restrained, to a ~~dog house~~ doghouse, tree, fence, or any other stationary object; rather, a tethered dog shall be tethered only on a running line, pulley, trolley system, or spiral stake, whereby the tether is connected to the dog by a buckle-type collar or a body harness constructed of nylon, leather, or similar material specifically designed to be used for a dog. The tether shall be at least five (5) times the length of the dog's body, as measured from the tip of the nose to the base of the tail; shall terminate at both ends with a swivel; shall not weigh more than 1/8th of the dog's weight; and shall be maintained free of tangles. The running line, pulley, or trolley system shall be at least fifteen (15) feet in length and no higher than seven (7) feet above the ground. A tethered dog must have convenient access to ~~food~~, visibly clean water, and shade. Adequate shelter providing protection from the elements shall be ~~provided~~ available at all times. A tethered dog shall be tethered in such a manner as to prevent injury, strangulation, or entanglement. No dog shall be tethered in a location in which the tether would allow such dog to reach a potentially dangerous object or area, including, but not limited to, a ~~window sill~~ windowsill, edge of a pool or canal, fence, porch, tree, post, terrace railing, or other object or area that poses a substantial risk of injury or strangulation to such dog if such dog jumps over, goes into, or goes around the object or area. No dog shall be tethered in an area where it may be approached by and attacked

by other dogs, ~~or animals,~~ or people, without the ~~chance~~ ability to escape to a protected area such as a ~~dog house~~ doghouse. No dog shall be tethered outdoors during extreme temperatures or severe inclement weather, nor shall a dog be tethered unless the owner, caretaker, or other responsible party is located at all times within the area where the dog is located, so as to be able to observe and hear and attend to the dog if necessary. ~~Choke-type collars or prong/pinch-type collars shall be permitted to be used only while a dog is under a handler's direct control on a leash.~~ Heavy chains, cords, wires, or any other material not commonly intended to be used as a dog collar shall not be used as a restraint, a tether, or a substitute for a dog collar. Any tethering of a dog in violation of this section shall be deemed cruelty to animals pursuant to Section 4-17 of this chapter.

Sec. 4-9. Unwanted dogs or cats.

Owners of an unwanted dog or cat may bring such dog or cat to a designated County animal shelter facility and, with proof of ownership and payment of the appropriate fee, ~~if applicable,~~ as established by the Commission by resolution, release the dog or cat to the Division. The fee will be charged to any owner that is surrendering an unwanted dog or cat ~~and is not a resident of Broward.~~ At the discretion of the Division, said dog or cat may be made available for adoption or humanely euthanized in accordance with Chapter 828, Florida Statutes. This service is only available to residents of Broward County.

Sec. 4-10. Rabies vaccination required for dogs, cats, and ferrets.

. . .

(c) Evidence of a rabies vaccination shall consist of a fully completed rabies vaccination certificate, in conformance with Florida Statutes, in a format provided by the

Division, and signed by the veterinarian administering the vaccine. One (1) copy of the certificate shall be retained by the veterinarian for at least one (1) year after the vaccination expires, and the other copies shall be distributed to the owner and to the Division. In the event a rabies registration tag is not provided or a pet owner declines to purchase a rabies registration tag from the veterinarian pursuant to Section 4-11, the veterinarian shall write "NOT APPLICABLE" in the space on the rabies vaccination certificate where the pet license number is normally entered, prior to delivering the certificate to the Division. All veterinarians shall deliver completed rabies vaccination certificates to the Division as follows:

. . .

(3) *Violations.* Any Broward County veterinarian who fails to deliver rabies vaccination certificates to the Division as prescribed in the methods above ~~shall be deemed to be in violation of~~ violates this section and may be issued a citation and subject to a civil penalty ~~in an amount set~~ as established by the Commission by resolution ~~of the Commission~~. Upon written request, the Director or the Director's designee may grant a submission extension not to exceed thirty (30) days from the original due date.

(d) Vaccination is excused where a licensed veterinarian certifies in writing that a vaccination would be injurious to the animal's health. However, such animal shall be vaccinated against rabies as soon as its health permits, and said dog, cat, or ferret shall wear a registration tag as required by Section 4-11. An exemption that extends beyond one (1) year must be renewed annually through submission of a new exemption letter

671 from the attending veterinarian. No exemption letter shall be deemed valid after one (1)
672 year from the date it was written.

673 . . .

674 **Sec. 4-11. Registration of dogs and cats.**

675 (a) Any owner who owns or keeps, ~~in Broward County,~~ a dog or cat four (4)
676 months of age or older in Broward County shall ~~have~~ register such dog or cat ~~registered~~
677 ~~by and in Broward County~~ with the Division and shall obtain and keep a current rabies
678 registration tag. The Division shall provide suitable dog and cat rabies registration tags
679 for sale through veterinarians providing services in Broward County, authorized
680 representatives, or the Division. Each owner of a dog or cat shall obtain a Broward County
681 rabies registration tag within thirty (30) days after the dog or cat has been vaccinated
682 against rabies. A separate rabies registration tag shall be issued for each dog or cat, and
683 a rabies registration tag issued for one (1) dog or one (1) cat is not valid for any other dog
684 or cat. Failure to obtain the rabies registration tag within the time frame provided herein
685 shall be a violation of this section, and the owner of the dog or cat may be issued a citation
686 and subject to a civil penalty ~~in an amount set~~ as established by the Commission by
687 ~~resolution of the Commission;~~ provided, however, that dog or cat owners who fail to obtain
688 a rabies registration tag for their dog or cat within the time frame provided herein, and
689 who have not already been issued a citation for such failure, shall not be issued a citation
690 for such failure when a new rabies registration tag is obtained.

691 . . .

692 (c) The rabies registration tag required by this section shall be renewed
693 ~~annually~~ in accordance with the following schedule by the owner of the dog or cat, by

694 paying the applicable fee, and by providing documentation that said dog or cat has a
695 current rabies vaccination or is exempt from such vaccination under the terms of this
696 chapter:

697 (1) If a one-year rabies registration tag is issued for a one-year rabies
698 vaccination or a three-year rabies registration tag is issued for a three-year
699 rabies vaccination, the registration expires when the rabies vaccination
700 expires.

701 (2) If a one-year rabies registration tag is issued for a three-year rabies
702 vaccination, the registration expires one (1) year from the date the rabies
703 registration tag was issued. The registration shall be renewed annually, and
704 the registration for year three (3) shall expire on the date the rabies
705 vaccination expires.

706 (3) All rabies registration tags shall be renewed on or before the date of
707 expiration.

708 (d) The Commission shall establish by resolution the fees to be charged for
709 rabies registration tags. ~~This may include discount fees for sterilized dogs or cats. Any~~
710 ~~such discount shall be allowed only upon presentation of a certificate of sterilization~~
711 ~~signed by a veterinarian licensed in any state or other documentation of the dog's or cat's~~
712 ~~inability to reproduce, or upon presentation of proof of prior issuance of a rabies~~
713 ~~registration tag for the dog or cat at a similarly discounted fee. Dogs and cats that are~~
714 ~~sterilized and vaccinated in connection with County programs to encourage sterilization~~
715 ~~may also be eligible for a discount rabies registration tag fee. The Division shall provide~~
716 ~~free rabies registration tags to all individuals with disabilities for animals that the Division~~

has ~~recognized as official service animals. The Director shall establish the guidelines for~~
~~approving and denying free or discounted rabies registration tags. This includes a~~
~~discounted rabies registration tag fee for dogs or cats with a microchip, provided that the~~
~~owner presents proof of microchip implantation. Sterilization status shall not be a basis~~
~~for eligibility for reduced tag fees. The rabies registration tag fee shall be waived for a~~
~~service animal when an individual with a disability submits the required information using~~
~~the form approved by the Division; waivers are not available for emotional support,~~
~~comfort, or companion animals. Rabies registration tags previously issued under a~~
~~specialized program or at a different rate shall not be eligible for reissuance, renewal, or~~
~~substitution under any previous rate category or discount program.~~ The fees collected for
rabies registration tag sales, over the baseline of one hundred thousand (100,000) tags
per fiscal year, shall be deposited in the Animal Care Sterilization Trust Fund to be used
for sterilization programs, as determined by the Director.

(e) In the event a rabies registration tag distributed under the provisions of this
section is lost, stolen, or destroyed, a replacement tag shall be distributed by the Director
or designee upon presentation of the corresponding rabies registration ~~license~~ and
payment of the appropriate fee.

(f) The Broward County rabies registration tag required by this section shall be
worn by the dog or cat at all times, subject to the exceptions in this ~~sub~~section. It shall be
a violation of this chapter for any person to remove the tag of any registered dog or cat
within Broward County except:

. . .

(h) ~~It shall be a violation of this chapter for owners to fail to register an implanted microchip with the manufacturer of the microchip. The owner shall have thirty (30) days to cure and register the microchip without penalty after notice by the Division.~~

Sec. 4-11.5. Aggressive dog classification procedures, requirements, owner responsibilities, and penalties.

(a) *Procedures to classify a dog aggressive.* The investigation, initial determination, and hearing-related provisions contained in Section 4-12(a)(1)-(6) (1) through (6) and Section 4-12.5, and the inspection rights contained in Section 4-12(d), shall be applicable to classifications of animals as aggressive dogs.

(b) ~~Within fourteen (14) calendar days after a dog has been classified~~ Upon issuance of the final order classifying a dog as aggressive or, if any appeal is filed, within fourteen (14) calendar days after upon the conclusion of any appeal where such classification has been upheld in the appeal (dismissal of the appeal shall be deemed to uphold the classification), the owner of the aggressive dog shall comply with the following requirements and responsibilities:

. . .

(2) The dog shall be spayed/neutered unless a licensed veterinarian has examined the dog and certifies, in writing (with a copy provided to the Division within ~~such~~ fourteen (14) days period after entry of the final order or conclusion of the appeal), that ~~at such time~~ spaying/neutering the dog would endanger its health. Under that circumstance, the dog shall be spayed/neutered as soon as its health permits.

. . .

(5) The owner shall register the dog as an aggressive dog with the Division, and obtain an aggressive dog ~~license~~ rabies registration tag, which must be renewed annually. The fees for registration and ~~licenses~~ rabies registration tags (including renewals) shall be as established by the Commission by resolution.

...

(7) If the owner has not demonstrated full compliance with the aggressive dog requirements and owner responsibilities within fourteen (14) days following the issuance of the final order classifying the dog as aggressive, or the conclusion of any appeal, the Division may confiscate and impound the dog and subsequently dispose of the dog in a humane manner at the owner's expense.

(c) Each failure to comply with a requirement or responsibility contained in Subsection (b) ~~immediately~~ above shall constitute a noncriminal infraction punishable by a fine of ~~two hundred fifty dollars (\$250) payable to the County~~ established by the Commission by resolution. The owner may contest the fine and citation as provided in Section 4-28.

Sec. 4-12. Dangerous dog classification procedures, owner requirements and responsibilities, and penalties.

(a) *Procedures to classify a dog as dangerous.*

(1) *Investigation.* The Division shall investigate reported incidents involving any dog whose actions may result in the dog being classified as dangerous. As part of the investigation, the Division shall, if possible, interview the dog's

owner and require a sworn affidavit from any person, including any ~~animal~~
~~care specialist~~ officer or law enforcement officer, who may have information
relating to whether the dog might be dangerous.

...

(7) *Timing for Compliance with Dangerous Dog Owner Requirements.*

a. Except as provided in Section (7)b. herein, upon issuance of the final
order classifying a dog as dangerous under Section (4) or (5) above,
or upon the conclusion of any appeal where such order has been
upheld (dismissal of the appeal shall be deemed to uphold the
classification), the owner of the dog must comply with all of the
Dangerous Dog Owner Requirements referenced in Section (b)
below. If the owner has not demonstrated full compliance with those
requirements within fourteen (14) days following the issuance of the
final order classifying a dog as dangerous, or the conclusion of any
appeal, the Division may confiscate and impound the dog and
subsequently dispose of the dog in a humane manner at the owner's
expense.

...

(b) *Dangerous Dog Owner Requirements.*

(1) *Registration and Licensure.* Any person who owns (or keeps, if a person
other than the owner) a dog that has been classified as a dangerous dog
within Broward County must register the dog as dangerous with the Division
and obtain a dangerous dog ~~license~~ rabies registration tag. Any person who

brings ~~a dog~~ into Broward County a dog that has been declared dangerous by another jurisdiction, and who intends to reside in Broward County with such dog, shall register the dangerous dog and obtain a dangerous dog ~~license~~ rabies registration tag within fourteen (14) calendar days after establishing residency in the County. Failure to timely register or ~~license~~ renew the registration of a dangerous dog ~~and renew said registration, or to~~ obtain or renew a dangerous dog rabies registration tag ~~will~~ shall subject an owner to a citation for noncompliance ~~of~~ with this ordinance. The fees for registration and ~~licenses~~ rabies registration tags shall be as established by the Commission by resolution. Financial penalties ~~as set~~ established by the Commission by resolution shall be imposed if a dangerous dog is not timely registered and ~~licensed~~ a rabies registration tag has not been obtained, or if the registration or ~~license~~ rabies registration tag is not timely renewed. The Division may issue dangerous dog registrations, ~~licenses~~ rabies registration tags, and ~~license~~ renewals only to owners at least eighteen (18) years of age.

(2) *Conditions Precedent to Registration.* No dangerous dog may be registered with the Division unless and until all of the following requirements have been met:

. . .

c. The owner of a dangerous dog must have in place, on the property where the dangerous dog will be kept, the proper enclosure of a dangerous dog as defined above in this ~~C~~chapter.

...

(c) *Responsibilities of Owners of Dangerous Dogs.* The owner (or keeper, if other than the owner) of a dangerous dog shall:

...

(2) Ensure that the dog, while on the owner's property, is securely confined indoors, or securely confined in a proper enclosure. At any time that a dangerous dog is not so confined, the dog shall be muzzled and restrained in such a manner as to prevent it from biting or injuring any person or animal, and kept on a substantial chain or leash by a person able to exercise control over the dog. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but will prevent it from biting any person or animal. However, the foregoing requirements of this section do not apply:

...

(d) The Division shall have the authority to make whatever reasonable inspections are deemed necessary to ensure that the provisions of this chapter are complied with. The Division may impound a dangerous dog if the owner fails to comply in full with the dangerous dog requirements provided herein. A dangerous dog impounded for the owner's failure to comply may be redeemed by the owner upon the owner's demonstration of full compliance and payment of any boarding fees, impound fees, and other applicable fees established by the Commission by resolution. If the owner ~~does not~~ fails to comply with the dangerous dog requirements ~~and~~ or to redeem the dangerous dog

within fourteen (14) days of the date the dog was impounded pursuant to the terms of this subsection, the dog shall be disposed of in an expeditious and humane manner.

...

(g) *Violations of Dangerous Dog Requirements or Responsibilities of Owners of Dangerous Dogs.* Each failure to comply with a dangerous dog requirement or responsibility of a dangerous dog owner contained in this chapter shall constitute a noncriminal infraction, punishable by a fine of ~~one thousand dollars (\$1,000) payable to the County~~ as established by the Commission by resolution. The owner may contest the fine and citation as provided in Section 4-28.

...

Sec. 4-12.5. Hearings.

...

(c) *Hearing Procedures.*

...

(2) Any interested person or entity may make an application to intervene and appear at a hearing. Such application may be granted at the discretion of the Hearing Officer based on good cause shown.

(d) *Subpoenas.*

...

(4) A party may seek enforcement of a subpoena issued by a Hearing Officer under the authority of this Chapter by filing a petition for enforcement of such subpoena in a court of competent jurisdiction.

...

(g) *Obligation to Pay the Hearing Officer's Fee; Deposit.*

...

(3) Notwithstanding Subsections (1) and (2) ~~immediately~~ above, if the appellant owner submits documentation to the Division demonstrating that the owner meets the applicable federal low-income guidelines, the Division shall not require the ~~appellant~~ owner to pay a deposit or the Hearing Officer's fee in connection with the hearing.

...

Sec. 4-13. Guard dogs.

(a) ~~For purposes of this section, the following terms shall have the meanings indicated:~~

(1) ~~*Guard dog:* The term "guard dog" as used in this section shall mean any type of dog used for the purpose of defending, patrolling, or protecting property or life at any commercial establishment or which resides on the commercial property. The term "guard dog" shall exclude any stock dogs used primarily for handling and controlling livestock or farm animals.~~

(2) ~~*Guard dog service:* Any person, firm or corporation which trains, sells, rents, leases or loans guard dogs for the purpose of defending, patrolling or protecting property or persons.~~

(3) ~~*Kenel:* An establishment where guard dogs are lodged.~~

(4) ~~*Registration:* The process of presenting a guard dog to the Division for purposes of registering and documenting the existence of the guard dog in Broward County.~~

(b) No owner of a guard dog ~~service or individual~~ shall own or keep a the guard dog without ~~registering~~ completing the guard dog registration with the Division and obtaining a guard dog registration tag. A late registration penalty, as ~~set~~ established by the Commission by resolution, shall be imposed if the guard dog is not registered within the time period specified in ~~Subsection (c)~~ (b) below. The procedures and requirements for ~~registering the~~ guard dog registration are as follows:

...

(2) The ~~guard dog service or~~ owner of the guard dog shall complete a guard dog registration form for each guard dog and pay a one-time guard dog registration fee ~~as set~~ established by the Commission by resolution, for each guard dog being registered.

...

(4) A guard dog registration tag shall be obtained at the fee ~~set~~ established by the Commission by resolution. The guard dog registration tag must be renewed annually. Failure to renew the guard dog registration tag within thirty (30) calendar days ~~from~~ after the expiration of the previous tag will result in the assessment of a late renewal penalty ~~as set~~ established by the Commission by resolution and will subject the ~~owner of the guard dog service or~~ owner of the guard dog to a citation for ~~non-compliance of~~ noncompliance with this Ordinance. In the event a current guard dog registration tag is lost, destroyed, misplaced, or otherwise missing, a replacement guard dog registration tag must be obtained at the fee ~~set~~

established by the Commission by resolution for replacement guard dog registration tags.

...

(6) ~~At least every six (6) months, e~~Each guard dog shall be examined annually by a veterinarian who is licensed in Florida to determine whether the dog is healthy and physically fit to perform service as a guard dog. The owner shall obtain the certification form from the Division, shall provide it to the examining veterinarian for completion, and, upon completion, shall provide it to the Division.

~~(e)~~ (b) Guard dogs newly acquired by guard dog services shall be registered with the Division and either be vaccinated for rabies or the owner shall have submitted proof of vaccination to the Division no later than seventy-two (72) hours after acquisition.

~~(d)~~ (c) The ~~owner of the guard dog service or the~~ owner of a guard dog shall comply with Sections 4-10 and 4-11 of this chapter, to the extent such sections do not conflict with this section. The guard dog is not required to wear a rabies registration tag in addition to the guard dog registration tag.

~~(e)~~ (d) The Director shall maintain records of all guard dogs registered with the Division. Immediately upon transfer of ownership, death, or disappearance of a guard dog, each guard dog service or owner shall notify the Division. Upon receipt of the information, ~~the~~ an appropriate entry shall be made to the guard dog registration record. If the guard dog has disappeared, an entry should be made to reflect the locale and the circumstances resulting in such disappearance.

(f) (e) An ~~animal care specialist~~ officer shall, at any reasonable time, ~~unannounced,~~ upon presentation of proper credentials, have the right to enter unannounced and inspect all kennels housing guard dogs and other nonresidential premises where ~~such~~ guard dogs are in use, being trained, or kept. All records for each guard dog, including vaccination, veterinary, and medical treatment records, and all records concerning the training, sale, or use of a guard dog, shall be accessible for the determination of compliance with this section. Refusal to allow inspection of a guard dog, premises, or records shall be a violation of this chapter.

- (1) Guard dog services shall require any customer ~~that~~ who procures the use of a guard dog to sign an agreement authorizing officers of the Division to perform unannounced inspections of any guard dog and premises where the guard dog is being used as a guard dog.

...

~~(g)~~ (f) It shall be unlawful for any person, firm, or corporation to own or harbor any guard dog in the County that has not been inoculated, registered, and implanted with an electronic animal identification device as provided by this section.

~~(h)~~ (g) *Transportation of Guard Dogs.*

...

~~(i)~~ (h) *Use of Guard Dogs.*

- (1) Each business ~~which~~ that hires or uses a guard dog shall provide adequate fencing or some other confining structure to keep the guard dog within the guarded area. The business owner or person responsible for managing each business that hires or uses a guard dog is responsible for each guard

dog hired or used. The guard dog shall wear a current guard dog registration tag with proof of rabies inoculation available for inspection by the Division and shall be implanted with an electronic animal identification device as required by this section.

- (2) Each business ~~which~~ that hires or uses a guard dog that is on the premises during that business's operating hours shall have the dog confined or restrained in such a manner so as not to have access to those areas open to the public or to otherwise pose a danger to the public.

...

- (5) Guard dogs shall be given a humane existence, and shall at all times be maintained in accordance with the requirements of Section 4.6 4-6. Guard dogs that are confined in a cage shall have at least one-half ($\frac{1}{2}$) hour of exercise within each eight (8) hours of confinement. It shall be unlawful for any person, owner, or manager keeping a guard dog to fail to provide clean, sanitary, safe, and humane conditions; sufficient quantities of wholesome food daily; adequate quantities of visible, clean, and fresh water available at all times; proper air ventilation and circulation; if located outside, full protection and shelter from the elements; and medical attention and necessary veterinary care when it is sick, diseased, or injured.

...

- (7) Any person who uses the service of a guard dog shall be responsible to ~~to~~ assure that for providing the guard dog ~~is provided~~ a humane existence in

988 accordance with Section 4-6, and shall immediately contact the Division to
989 report any guard dog that is sick, diseased, lame, ~~or injured~~, or deceased.

- 990 (8) The Division shall impound any guard dog owned by a person that is cited
991 and found to be in violation of Section 4-6, or 4-13(i)(5) ~~herein~~. The guard
992 dog may be redeemed in accordance with Section 4-5 4-5, upon submittal
993 of evidence satisfactory to the Division, that the cause of the violation has
994 been remedied. The guard dog shall only be released after a satisfactory
995 review of the living conditions of the guard dog by an ~~animal care specialist~~
996 officer.

997 . . .

998 ~~(j)~~ (i) *Guard Dog Permits Required for Operators of Guard Dog Services and*
999 *Owners of Guard Dogs.*

1000 . . .

1001 ~~(k)~~ (i) *Obtaining a Guard Dog Permit.*

1002 . . .

- 1003 (2) The permit application shall include, but is not limited to, the following
1004 information:

1005 a. The name, address, and telephone number of the applicant and a
1006 description of the location(s) at which guard dog(s) will be
1007 maintained;

1008 . . .

1009 g. If applicable, proof of business tax receipt from the Broward County
1010 ~~tax~~ Collector.

1011 . . .

1012 ~~(k)~~ (k) *Permit Denial, Revocation, and Suspension.*

1013 (1) The Division may deny, revoke, or suspend any permit if it is determined by

1014 the Division that:

1015 . . .

1016 b. The applicant or permit holder has been cited for at least two (2)

1017 violations of this ~~C~~chapter within a one-year period, each resulting in

1018 the imposition of a fine;

1019 c. The applicant or permit holder has failed to either pay a fine or to

1020 request a hearing ~~in compliance with this Chapter to answer the~~

1021 ~~charges of a citation~~ within ~~thirty (30)~~ ten (10) days after ~~issuance~~

1022 receipt of the a citation, as required by this chapter;

1023 . . .

1024 ~~(m)~~ (l) *Appeal Process.*

1025 (1) Any applicant or permit holder who has been denied a permit or whose

1026 permit has been revoked or suspended may appeal the adverse action to a

1027 hearing officer by filing a written notice of appeal with the Division within

1028 ten (10) days after ~~issuance~~ receipt of the notice of adverse action.

1029 . . .

1030 ~~(n)~~ (m) *Requirements Following Notice of Adverse Action and/or Appeal Process.*

1031 . . .

- (4) Any person with a guilty adjudication of animal cruelty within the past five (5) years may not hold a permit to operate a guard dog service in the Broward County.

Sec. 4-14. Bites from dogs, cats, or ferrets.

(a) It shall be a violation of this section for the owner, possessor, or harbinger of a dog, cat, or ferret to ~~not~~ fail to prevent the animal from biting a human being who does not ordinarily reside on the premises. An owner, possessor, or harbinger of a dog, cat, or ferret shall not be deemed to be in violation if the animal was subject to provocation or if the victim was trespassing, ~~as defined in Section 4-2.~~

~~(b) The owner, possessor, or harbinger of a dog, cat, or ferret that has bitten a human being; any person who has been bitten by a dog, cat, or ferret; or any person who has knowledge of or treats any person bitten by any dog, cat, or ferret shall report the incident to the Florida Department of Health and to the Division within twelve (12) hours after the earlier of the occurrence or learning of the incident.~~

- ~~(1) Owners of dogs, cats, or ferrets that have been reported to have bitten any person shall be charged an animal bite investigation fee, as set by resolution, when Division staff investigates an animal bite by telephone or by review of correspondence or records to determine the vaccination status and quarantine requirements for the animal, and it has been proven by clear and convincing evidence that the dog, cat, or ferret has bitten any person. Such fee shall not be assessed in those instances where the owner and the victim are the same, are within the immediate family, or are living in the same household.~~

- (2) ~~Owners of dogs, cats, or ferrets that have been reported to have bitten any person shall be charged a field investigation fee in the amount set by resolution when Division staff is not able to obtain all necessary information pursuant to Subsection (1) above and an animal care specialist is dispatched to conduct a field investigation. If the animal care specialist is required to make a visit to the victim of the animal bite to verify the dog, cat, or ferret bite or wound and obtain copies of all medical treatment provided by a hospital or doctor treating the bite victim, an additional field investigation fee will be charged, as set by resolution.~~
- (3) ~~If a quarantine is required at a quarantine facility and the owner of the dog, cat, or ferret has failed to submit the dog, cat, or ferret to the facility after a period of twenty-four (24) hours after notice of a quarantine requirement at a quarantine facility, the Division shall have the right to pick up the dog, cat, or ferret and transport said animal to the quarantine facility. The owners of animals shall be charged a transportation fee in the amount set by resolution when the Division transports the dog, cat, or ferret after the owner has failed to transport said animal to a quarantine facility within twenty-four (24) hours after notification of said requirement.~~
- (4) ~~At the end of each quarantine period for rabies observation, owners of a dog, cat, or ferret that has been reported to have bitten any person are required to call the Division to verify that the dog, cat, or ferret reported to have bitten any person is alive and healthy to assure that it is free of a rabies infection. A quarantine release fee in the amount set by resolution shall be~~

1078 ~~charged when the owner fails to call and the Division was unsuccessful in~~
1079 ~~reaching the owner by telephone within forty-eight (48) hours following the~~
1080 ~~expiration of the quarantine period, thereby requiring the dispatch of an~~
1081 ~~animal care specialist to observe the dog, cat, or ferret.~~

1082 (5) ~~An invoice reflecting the fees imposed pursuant to this Ordinance shall be~~
1083 ~~sent to the owner of the dog, cat, or ferret. Payment shall be made by the~~
1084 ~~owner within thirty (30) calendar days after the date of said invoice. Any~~
1085 ~~person who fails to pay the invoice is subject to a civil action by Broward~~
1086 ~~County to collect the fees.~~

1087 (b) Any stray dog that has bitten, or stray cat that has bitten or scratched, a
1088 human may be impounded by the Division and held in quarantine for a minimum period
1089 of ten (10) days from the date of the bite or scratch for rabies observation. After the
1090 expiration of the stray holding period, the animal may be humanely euthanized and sent
1091 to the Florida Department of Health for pathological examination.

1092 (c) At the Division's discretion, any owned dog that has bitten, or owned cat
1093 that has bitten or scratched, a human may be quarantined at home for a minimum period
1094 of ten (10) days from the date of the bite or scratch for rabies observation, subject to the
1095 owner signing a home quarantine agreement. The following information will be reported
1096 to the Florida Department of Health: the animal's physical description; current rabies
1097 vaccination date; the owner's name, address, and telephone number; the animal's name;
1098 the address and telephone number of the person bitten or scratched; and the location of
1099 the wounds. An owner whose animal has bitten or scratched a human shall comply fully

with Chapter 64D-3, Florida Administrative Code (Control of Communicable Diseases & Conditions Which May Significantly Affect Public Health), as amended.

(d) It shall be a violation of this section for any person to refuse to produce or surrender any animal for quarantine.

(e) Any dog or cat that dies or is humanely euthanized while under quarantine shall undergo a pathological examination performed by the Florida Department of Health. It shall be a violation of this section for any person to refuse to surrender the body of a deceased animal while under quarantine.

(f) It is a violation of this section for anyone to kill or remove from Broward County, without the express written consent of the Division or the Florida Department of Health, any of the following:

(1) A rabid animal;

(2) An animal suspected of having rabies or any other infectious or contagious disease;

(3) An animal exhibiting unusual behavior;

(4) An animal that scratches or bites a person; or

(5) An animal under quarantine.

(g) It shall be the duty of any person having knowledge that an animal has bitten or otherwise exposed a person or animal to rabies to report the incident immediately to the Florida Department of Health.

Sec. 4-14.5. Dog and cat bites with injuries.

(a) It shall be a violation of this section for the owner or keeper of any dog or cat to ~~not~~ fail to prevent the dog or cat from inflicting severe injuries, as defined in

Section 4-2, or attacking or killing a domestic animal while unprovoked. The owner or keeper of such dog or cat shall be subject to the provisions of Section 4-14 ~~above~~. If the Division concludes, following an animal bite investigation, that the dog or cat inflicted severe injuries while unprovoked, the owner or keeper shall, at all times that the dog or cat is not securely confined indoors or confined in an enclosure:

. . .

(b) Failure to comply with the requirements above shall constitute a violation of this section. Any person cited for an infraction ~~for~~ involving a dog or cat bites and or unmuzzled dog(s) or cat(s) shall be assessed ~~the a~~ a civil penalty ~~or penalties in the amount set established by the Commission~~ by resolution. A dog or cat owner or keeper cited for a dog or cat bite may elect to pay the victim's medical expenses. If such expenses are paid within fifteen (15) calendar days after the bite, and the dog or cat owner or keeper complies with all applicable provisions of ~~this Chapter 4 of the Broward County Code of Ordinances~~, the ~~fine~~ civil penalty to be assessed pursuant to Chapter 40 of the Broward County Administrative Code shall be reduced by the amount of medical expenses paid, up to a maximum of three hundred dollars (\$300).

(c) The owner of any animal subject to a muzzle order issued by an officer may submit a written request to the Division Director for review of the muzzle order within ten (10) days after receipt of the muzzle order. The Division Director's decision regarding the muzzle order is final.

. . .

Sec. 4-20. Fighting or baiting animals prohibited.

(a) ~~As used in this section:~~

(1) ~~Animal fighting shall mean fighting between dogs or any other wild or domestic animals.~~

(2) ~~Baiting shall mean to attack with violence, to provoke, or to harass an animal with one (1) or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals or as further defined in Section 828.122, Florida Statutes.~~

(3) ~~Person shall mean every natural person, firm, partnership, association, corporation, or other legal entity.~~

(b) Any natural person, firm, partnership, association, corporation, or other legal entity ~~who~~ that commits any of the following acts shall be in violation of this section:

...

(3) Owning, possessing, or selling equipment with intent to use it in any activity described in ~~sub~~Section (b) (a)(1) above.

...

(e) (b) The provisions of this section shall not apply to:

...

(d) (c) Any person violating this section shall be issued a citation by an officer. Pursuant to Section 4-28, a citation may be appealed by filing a written request for an administrative hearing with the Division within ten (10) days after receiving the citation. The Division may, pursuant to Section 828.073, Florida Statutes, as amended, impound any dogs ~~or~~, cats~~,~~, or equipment used in committing the violation and shall provide for appropriate and humane care or disposition of the dogs or cats.

(e) (d) When any wild animal, used for the purpose of fighting or baiting, appears to be injured or otherwise in need of human intervention, an appropriate wildlife rehabilitation center shall be notified for proper care, handling, and disposition.

...

Sec. 4-24. Dogs and cats in state of pain and suffering.

(a) In the event any untagged, ~~non-registered~~ nonregistered dog or cat ~~shall be~~ is found in a state of pain and suffering that cannot be alleviated or managed in the opinion of the County veterinarian, or becomes so during confinement, the Division is authorized to dispose of such dog or cat in a humane manner without complying with the seventy-two (72) hour waiting period set forth in Section 4-5 of this chapter.

(b) Notwithstanding Section 4-5 of this chapter, in the event any registered dog or cat shall be found in a state of pain and suffering that cannot be alleviated or managed in the opinion of the County veterinarian, or becomes so during confinement, the Division is authorized to dispose of such dog or cat in a humane manner after a reasonable and diligent effort to contact the owner.

Sec. 4-25. Interference with officer prohibited.

...

Nothing contained herein shall be construed to authorize an ~~animal care specialist~~ officer to enter upon private property without consent of the property owner or without a valid warrant where such warrant is required; provided, however, that an ~~animal care specialist~~ officer or law enforcement officer may take custody of a neglected or mistreated animal as provided in Section 828.073, Florida Statutes, as amended.

...

Sec. 4-27. ~~Dogs or cats prohibited in parks and on beaches.~~

~~No person owning or having charge, care, custody, or control of any dog or cat shall permit or allow the dog or cat into or upon any public park or beach in the County; however, this section shall not apply to parkways, wayside parks, beach areas, or other park areas in which dogs or cats are specifically authorized, provided said dog or cat has been registered pursuant to Section 4-11 and the owner, or designee, is present with proof of said pet registration.~~

Sec. 4-28. Enforcement of violations; liens.

. . .

(b) An officer who has probable cause to believe that a person ~~has committed an act in violation of~~ violated this chapter shall issue a citation for a civil penalty as specified in Section 4-29 in an amount ~~set~~ established by the Commission by resolution. Notwithstanding any provision to the contrary in this chapter, before issuing a citation for a violation of Sections 4-10 or 4-11, an officer may provide a warning notice to the violator identifying the violation ~~of this chapter~~ and establishing a thirty (30) day time period within which ~~time~~ the violation must be corrected. If, upon investigation, ~~it is determined that the~~ violator has not corrected the violation within the time specified, a citation may be issued to the violator. Additional warning notices ~~need not be provided to the violator~~ are not required for the same violation prior to the issuance of additional citations. In addition, notwithstanding any provision to the contrary in this chapter, before issuing a citation for a violation of Section 4-3, an officer may provide a one-time warning notice to the violator.

(c) The citation form shall include, but not be limited to, the following:

. . .

1214 (2) Name of the officer and division or department issuing the citation;
 1215 . . .

1216 (7) Procedure to either ~~to~~ pay the civil penalty or contest the citation;
 1217 . . .

1218 (9) Notice that failure to pay the civil penalty ~~and failure~~ or to request an
 1219 administrative hearing within ten (10) days after ~~service~~ receipt of the
 1220 citation shall constitute a waiver of the alleged violator's right to an
 1221 administrative hearing and may result in the entry of an order against the
 1222 violator and the imposition of a civil penalty ~~for an amount~~ not to exceed the
 1223 maximum civil penalty of one thousand dollars (\$1,000) for each violation
 1224 involving the requirements or responsibilities of a dangerous dog owner,
 1225 and five hundred dollars (\$500.00) each, for all other violations.
 1226 . . .

1227 (e) Any person cited with a violation of this chapter may, within ten (10)
 1228 calendar days of the date of ~~receiving~~ receipt of the citation, correct the violation and pay
 1229 the civil penalty in the manner indicated on the citation or request an administrative
 1230 hearing before a Hearing Officer to appeal the ~~decision of the officer to issue the~~ citation.
 1231 If the person cited pays the civil penalty, ~~said person shall be deemed to have waived~~
 1232 ~~said person's~~ he or she waives the right to an administrative hearing on ~~the issue of~~
 1233 ~~commission of~~ whether the violation was committed. A person pleading "no contest" and
 1234 ~~paying the civil penalty neither admits nor denies the charges but waives said person's~~
 1235 ~~right to an administrative hearing on the issue of whether said person committed the~~
 1236 ~~alleged violation. A person pleading "no contest" shall not be subject to fines as a repeat~~

1237 ~~or subsequent violator; however, a plea of “no contest” need not be accepted by the~~
1238 ~~County, Court, or the Hearing Officer.~~

1239 . . .

1240 (g) ~~Any person who fails to pay the civil penalty or fails to request an~~
1241 ~~administrative hearing to contest the citation within the time period allowed, shall be~~
1242 ~~deemed to have waived such person’s right to contest the citation and judgment may be~~
1243 ~~entered against the person for an amount not to exceed the maximum civil penalty of five~~
1244 ~~hundred dollars (\$500.00).~~

1245 (h) ~~Contested citations issued by the Division shall be processed in the Civil~~
1246 ~~Division of the County Court~~ of the Seventeenth Judicial Circuit ~~and heard by the~~
1247 ~~Division’s~~ Hearing Officer. Hearings shall be governed ~~as provided in~~ by Section 4-12.5.

1248 (h) If a Hearing Officer finds a citation valid, enters an order imposing a civil
1249 penalty, and the violator fails to pay the civil penalty as required, a certified copy of the
1250 Hearing Officer’s order may be recorded in the Official Records of Broward County and
1251 shall thereafter, to the full extent permissible under applicable law, constitute a lien
1252 against the real and personal property of the violator. All procedures for the creation,
1253 enforcement, and foreclosure of such liens shall be governed by Chapter 8½ of this Code,
1254 as amended.

1255 . . .

1256 (k) ~~Notwithstanding any provision to the contrary in this chapter and in order to~~
1257 ~~quickly reunite pets with their owners, the Division may set up a payment plan for~~
1258 ~~individuals who are unable to pay the entire amount of their fees and civil penalties due~~
1259 ~~pursuant to Section 40-38, Broward County Administrative Code. Upon the full execution~~

of a payment plan agreement between the Division and the pet owner, the pet may be released to the owner. The form of the payment plan agreement shall be approved by the Director.

(f) ~~Notwithstanding any provision to the contrary in this chapter, applicable fees, as set forth in Section 40-38 (except Subsection 40-38(n)), Broward County Administrative Code, may be waived or reduced by the Division for individuals who meet federal low income guidelines.~~

Sec. 4-29. Amount of civil penalties.

(a) Any person cited for an infraction under this chapter shall pay the civil penalty specified for such infraction as ~~set~~ established by the Commission by resolution.

(b) Any person cited for an infraction under this chapter, for which no amount has been specified in Chapter 40 of the Broward County Administrative Code, shall pay the general civil penalty amount as established by the Commission by resolution.

~~(b)~~ (c) If a citation is contested and the ~~court~~ Hearing Officer finds, by clear and convincing evidence, that a violation occurred, the ~~court~~ Hearing Officer shall impose a civil penalty of no less than the amount that would have been due under Subsection (a) or Section (b) had the citation been uncontested, and no more than one thousand dollars (\$1,000) for each citation related to the requirements or responsibilities of a dangerous dog owner, and five hundred dollars (\$500-~~00~~) each, for all other citations.

(c) ~~In addition to any civil penalties, any person who fails to pay all penalties imposed within the ten (10) calendar day payment period shall pay a delinquency fee as set by resolution.~~

(d) Any person who fails to pay the civil penalty or fails to request an administrative hearing to contest the citation within the time period allowed shall be deemed to have waived his or her right to contest the citation, and judgment may be entered against the person for an amount not to exceed the maximum civil penalty of one thousand dollars (\$1,000) for each failure to comply with the requirements or responsibilities of a dangerous dog owner, and five hundred dollars (\$500) each, for all other violations.

~~(d)~~ (e) Any person who, within ten (10) calendar days after receipt of the citation, fails to either come into compliance with ~~any~~ the section of this chapter for which he or she is in violation ~~within the ten (10) calendar day payment period~~ or request a hearing, shall be subject to additional citations for second and subsequent ~~offense~~ violations of the same sections of this chapter.

~~(e)~~ (f) Any person upon whom a civil penalty is imposed shall also pay a surcharge ~~in the amount set as established by the Commission by resolution upon each civil penalty so imposed.~~

Sec. 4-30. Animal Care General Trust Fund.

(a) There is hereby created an Animal Care General Trust Fund ~~(Trust Fund)~~ for the purpose of accepting and disbursing gifts, grants, and awards of money paid to Broward County for the use and benefit of dogs and cats in Broward County.

. . .

(d) Eligible recipients of Animal Care General Trust Fund monies must be Broward County residents or must have provided or paid for professional services for animals adopted or transferred from the Division.

1305 ~~(d)~~ (e) There is hereby created an Animal Care General Trust Fund Subcommittee
1306 (the “Subcommittee”) consisting of six (6) members, five (5) of whom shall be members
1307 of the Broward County Animal Care Advisory Committee (the “Committee”) appointed by
1308 the Chair of the Committee. The Director, or designee, shall serve as the sixth (6th)
1309 member but shall be a nonvoting member. A quorum shall consist of a majority of the
1310 voting members of the Subcommittee. The affirmative vote of the majority of the voting
1311 members is required for approval of a motion. With the exception of accrued interest as
1312 provided in Section (g) below, no Animal Care General Trust Fund monies, shall be
1313 disbursed from the Animal Care General Trust Fund unless such expenditures have been
1314 authorized by a majority of the Subcommittee at a meeting called upon proper notice.

1315 (f) Members of the Subcommittee shall serve for ~~one (1)~~ a two (2) year term
1316 and may be reappointed for one (1) additional two (2) year term. No member shall serve
1317 for ~~greater~~ more than two (2) consecutive terms, except as necessary until a qualified
1318 individual can be appointed to the position. Before incurring an obligation or liability that
1319 is anticipated to be paid from the Animal Care General Trust Fund, authorized members
1320 of the ~~C~~Subcommittee shall obtain ~~authorization~~ confirmation from the Director ~~and~~
1321 ~~assurance~~ that sufficient funds are available to pay such obligation or liability.

1322 All expenditures shall be in accordance with the criteria set forth below and shall
1323 be subject to the availability of funds from the Animal Care General Trust Fund. In keeping
1324 with the humanitarian philosophy underlying the creation of the Animal Care General
1325 Trust Fund, the broadest possible application shall be given to the following principles.
1326 The expenditure of the Animal Care General Trust ~~f~~Funds monies shall be subject to the
1327 following criteria set forth by the Committee, ~~which shall include:~~

(1) The Animal Care General Trust Fund shall ~~provide~~ reimburse persons who
fund necessary emergency medical or surgical treatment and care ~~to~~ for
sick or injured dogs and cats in Broward County ~~described in Subsection~~
~~(1)a or (1)b, below, who~~ that come to the attention of the Committee, ~~or any~~
of its members, thereof, or the Division, including:

. . .

(2) In all cases involving the provision of necessary medical or surgical
treatment or care to dogs or cats described in Subsection (1)a, or (1)b,
above, ~~it shall be the policy of the Committee that~~ the following procedures
must be followed:

a. Any member of the Committee or the Division is empowered to act
immediately on behalf of an afflicted or endangered dog or cat ~~in the~~
~~exercise of sound judgment, independent of any other Committee~~
~~member and without a consensus of the Committee or notice to any~~
~~other Committee member, in an emergency.~~

b. ~~A dog or cat qualifying under Subsections (1)a or (1)b, above, may~~
~~be taken by a member of the Committee or by Division staff to any~~
by taking the dog or cat to a licensed veterinarian in Broward County,
who shall be instructed to provide such veterinary services as ~~in the~~
veterinarian's, in sound discretion, ~~are~~ deems necessary to alleviate
pain and suffering and to stabilize the dog or cat. In such an
emergency, up to ~~five hundred dollars (\$500.00)~~ may be expended

1350 one thousand dollars (\$1,000) may be reimbursed from the Animal
1351 Care General Trust Fund.

1352 e. b. ~~Such veterinarian shall forward his or her statement to the~~
1353 ~~Subcommittee for reimbursement, describing in detail the condition~~
1354 ~~of the dog or cat upon admission to the veterinary facility. Approval~~
1355 ~~for payment of such veterinary statements shall be by a majority of~~
1356 ~~the Subcommittee at a meeting called upon proper notice. Any~~
1357 ~~request for reimbursement for the provision of necessary medical or~~
1358 ~~surgical treatment or care to dogs or cats described in~~
1359 ~~Subsection (1)a or (1)b, above, arising from a Committee member~~
1360 ~~taking a dog or cat in for veterinary services, shall be reimbursed~~
1361 ~~provided the Subcommittee deems the costs for the services~~
1362 ~~reasonable. In the event the Subcommittee deems the costs for the~~
1363 ~~services to be unreasonable, the Subcommittee shall reimburse the~~
1364 ~~veterinary services at an amount the Subcommittee deems~~
1365 ~~reasonable. The veterinarian's invoice shall be provided to the~~
1366 ~~Subcommittee for review of the reimbursement to ensure compliance~~
1367 ~~with the requirements of this section.~~

1368 e. c. No person who finds a dog or cat in distress and in need of medical
1369 or surgical treatment and who subsequently decides to adopt such
1370 dog or cat shall be precluded from receiving, on behalf of the dog or
1371 cat, the benefits of the Animal Care General ~~t~~Trust ~~f~~Fund simply
1372 because the dog or cat is adopted by the finder.

e. d. Nothing contained herein shall preclude the Subcommittee from carrying out the specific intent of a devise from a donor even if said amount exceeds the scope of the foregoing criteria.

f. e. ~~In keeping with the humanitarian philosophy underlying the creation of the trust fund, the broadest possible application shall be given to the foregoing principles.~~

g. Extraordinary expenses, including costs of radiological services and other services not provided at the County's animal clinic that are incurred by the Division in treatment and care of dogs and cats, shall be eligible for reimbursement to the Division upon approval of a majority of the Subcommittee.

(3) A Persons who adopt a dog or cat ~~adopted~~ from the Division ~~that, and whose dog or cat~~ develops medical or surgical problems within ~~a period of~~ thirty (30) days ~~from~~ after the date of adoption, the cost of which exceeds the financial resources of the adoptive owner, shall also qualify to receive benefits from the Animal Care General Trust Fund. If the medical or surgical problems of such a dog or cat cannot be dealt with adequately by the County veterinarian and the owner wishes to keep the dog or cat but cannot afford treatment, and where such treatment is not the result of apparent abuse or neglect by the owner, the Animal Care General Trust Fund may provide for necessary additional treatment of the dog or cat by a licensed veterinarian ~~in Broward County~~ on a case-by-case basis and at the discretion of the Director of the Division. A cap of ~~three hundred fifty dollars (\$350.00)~~ three

1396 thousand dollars (\$3,000) shall be placed on such expenditures, ~~which may~~
1397 ~~be raised if necessary by a majority vote of the Subcommittee.~~ In no event
1398 shall any expenditures of Animal Care General Trust ~~funds monies~~ be
1399 guaranteed by any Committee member or made without approval of a
1400 majority of the Subcommittee members at a properly noticed meeting.

- 1401 (4) A dog or cat that is sick or injured and is owned by an individual who is
1402 financially unable to be fully responsible for the dog's or cat's treatment shall
1403 also qualify to receive benefits from the Animal Care General ~~tTrust fFund~~.
1404 Such ~~treatment~~ benefits shall not exceed ~~three hundred fifty dollars~~
1405 ~~(\$350.00), except that the Subcommittee shall have the discretion to raise~~
1406 ~~the ceiling on the expenditures for such treatment when the circumstances~~
1407 ~~of the case warrant increased reasonable expenditure. In the event the~~
1408 ~~Director does not agree with the voting members of the Subcommittee, the~~
1409 ~~Director may present the matter for consideration by the Commission at a~~
1410 ~~properly scheduled meeting~~ three thousand dollars (\$3,000).
1411 Any ~~expenditures from the trust fund not covered by the foregoing~~
1412 ~~subsections shall be presented for consideration by the Commission at any~~
1413 ~~properly scheduled meeting.~~

- 1414 (5) Dogs and cats under the care of the Division, including those under the care
1415 of foster care providers, shall qualify the Division or a foster care provider
1416 to receive benefits from the Animal Care General Trust Fund. These
1417 benefits shall be recommended by the Director and approved by the
1418 Subcommittee and are strictly limited to reimbursement for the costs of

emergency stabilization procedures that the Division is unable to perform.
This includes, but is not limited to, emergencies occurring outside of the
Division's normal operating hours and in the absence of a contractual
agreement between the Division and qualified veterinary clinics.
Reimbursement for these stabilization procedures shall not exceed
one thousand dollars (\$1,000).

(6) For expenditures from the Animal Care General Trust Fund not covered by
the foregoing sections, the Director may present to the Subcommittee
requests to use a specific amount of money from the Animal Care General
Trust Fund to pay for expenses incurred or to be incurred to implement a
community outreach program or other program that benefits the dogs and/or
cats of Broward County. A community outreach program includes activities
such as entering communities or participating in public events to distribute
dog- and cat-related goods and services to residents, including pet food,
supplies, medications, sterilization vouchers, and veterinary services. For
all programs funded under this section, the Director's request to the
Subcommittee shall include a description of the program, the program's
anticipated or actual benefits, and an itemization of the actual or planned
expenditures. For actual expenditures made prior to the funding request,
payment receipts must be presented to the Subcommittee at the time the
funding is requested. For all programs funded through the Animal Care
General Trust Fund under this section, an accounting of the benefits
provided to residents during the program and the paid receipts for

expenditures must be presented to the Subcommittee at the next properly scheduled meeting following the conclusion of the program. The money requested may be funded through the Animal Care General Trust Fund upon approval of a majority of the Subcommittee members at a properly noticed meeting.

(7) Any expenditure from the Animal Care General Trust Fund not covered by the foregoing sections shall be presented for consideration by the Committee at any properly scheduled meeting.

~~(e)~~ (g) The Animal Care General Trust Fund shall be a separate account established and maintained apart from the general revenue fund and accounts of Broward County.

Monies obtained hereunder for the Animal Care General Trust Fund may be accepted on behalf of Broward County ~~by the Director or such other person or persons as may be designated by resolution of the Commission and, upon receipt of said monies, shall cause the same to be delivered to the Broward County Records, Taxes and Treasury Division, which shall cause the same to be deposited into the Animal Care General Trust Fund pursuant to Sections 18.63 (Donations) or 20.31 (Grants) of the Broward County Administrative Code, as applicable and as amended.~~

Funds deposited or credited to the Animal Care General Trust Fund and not expended by the close of any fiscal year shall be carried forward to the next succeeding fiscal year.

Any gifts, grants, donations, and awards received subject to a condition shall be deposited in a trust fund specifically designated for that purpose. Interest accrued on the

Animal Care General Trust Fund monies shall be ~~maintained apart from the general revenue fund and other accounts of Broward County to provide and be~~ deposited in the Animal Care Adoption Trust Fund and used for adoption programs, including training, marketing, and other necessary expenditures, as determined by the Director.

(f) (h) To be eligible to receive funds pursuant to ~~Subsections 4-30(d)(f)(3) and~~ (4), a dog or cat owner must prepare a request indicating why the owner cannot afford to pay the expenses. All requests indicating that an owner cannot afford to pay the expenses must be verified, and the information provided shall be reliable. Such information may include, but not be limited to, documentation demonstrating that the owner meets the applicable federal low-income guidelines, receives needs-based public benefits, or submission of an affidavit regarding the owner's inability to pay. In addition, the ~~dog or cat~~ owner must agree to have the dog or cat sterilized to reduce dog or cat overpopulation, and ~~have or obtain~~ ensure that the dog or cat has a current rabies vaccination and a current Broward County rabies registration ~~license~~ tag. Any exemptions from these criteria must be made by the Subcommittee. The amount payable from the Animal Care General Trust Fund may be amended by the Subcommittee subject to the availability of funding.

~~(g)~~ (i) The Animal Care Advisory Committee, through its Subcommittee, shall administer the Animal Care General Trust Fund in accordance with this section. Any person or entity that meets the conditions prescribed above ("Claimant") may apply to the Subcommittee for disbursement from the Animal Care General Trust Fund of eligible expenditures. Such application shall be on a form provided by the Division. In addition to completing the form, the Claimant shall include documentation related to the claim

including, but not limited to, veterinary records, estimates, invoices, and receipts. Upon receipt of the application materials from the Claimant, the Division shall provide all documentation and information in its records relevant to the claim to the Subcommittee. The application form shall include the Claimant's notarized attestation of the information contained therein, including that the amount requested for disbursement has not been otherwise reimbursed from alternate sources such as insurance, donations, or funding solicitations.

(h) ~~No Animal Care General Trust Fund monies, with the exception of accrued interest as provided in Subsection (e) above, shall be disbursed from the Animal Care General Trust Fund unless such expenditures have been authorized by a majority of the Subcommittee at a meeting called upon proper notice.~~

Sec. 4-31. Rules, regulations, and fees.

. . .

(c) The County may impose such fees necessary to for the implementation and administration of this chapter as ~~are approved~~ established by the Commission by resolution of the Commission.

Sec. 4-32. Dogs and cats in vehicles.

. . .

(b) An officer may remove and impound a dog or cat from a vehicle if its safety appears to be in immediate danger from heat ~~or~~₁ cold₁ or lack of adequate ventilation. The officer is authorized to take all steps reasonably necessary for the removal of such dog or cat, including, but not limited to₁ breaking into the vehicle. Neither the officer nor his or her agency shall bear civil liability for damage.

(c) No person shall transport any dog or cat in a motor vehicle unless the dog or cat is safely enclosed within the vehicle or, if travelling in an unenclosed vehicle (including, but not limited to, convertibles, pickup trucks, open-bed trucks, and flat-bed trucks), is confined by a container, cage, or other device that will prevent the dog or cat from falling from or jumping from the motor vehicle. Any such container or cage shall be securely anchored to the vehicle in order to prevent movement about the vehicle.

Sec. 4-33. Unsterilized intact dogs and cats impound reclaim fee.

(a) An ~~unsterilized~~ intact dog or cat impound reclaim fee ~~in an amount set as established by the Commission~~ by resolution of the Commission shall be imposed on the owner of every reclaimed, impounded, ~~unsterilized~~ intact dog or cat at the time the ~~unsterilized~~ intact dog or cat is reclaimed from the Division. ~~Payment of the unsterilized dog or cat impound fee shall be waived if the owner has the dog or cat sterilized by a licensed veterinarian and presents proof of such sterilization to the Division within thirty (30) calendar days after reclaiming the dog or cat.~~ The Division shall deposit all intact dog or cat reclaim fees, collected pursuant to this section, into the Animal Care Sterilization Trust Fund to be used for sterilization programs and other necessary expenditures, as determined by the Director.

(b) ~~If the dog or cat owner does not have the dog or cat sterilized, or does not present proof of sterilization, within the thirty (30) calendar day period, the unsterilized dog or cat impound fee shall become due and payable at that time. If the dog or cat is sterilized and the owner does not present proof of such sterilization to the Division within the thirty (30) calendar days allotted for presenting proof of sterilization, the owner remains liable for the unsterilized dog or cat impound fee. Payment of the unsterilized~~

1534 ~~dog or cat impound fee shall be made by the owner within thirty (30) calendar days after~~
1535 ~~the date the fee becomes due and payable. Any person who fails to pay the unsterilized~~
1536 ~~dog or cat impound fee is subject to a civil action by Broward County to collect the fee.~~
1537 ~~The Division shall deposit all such collected unsterilized dog or cat impound fees into the~~
1538 ~~Animal Care Sterilization Trust Fund to be used for sterilization programs and other~~
1539 ~~necessary expenditures, as determined by the Director.~~

1540 (c) (b) Any unsterilized intact dog or cat that is impounded on more than one (1)
1541 occasion shall be sterilized by the ~~Broward County~~ Division's veterinarian at the owner's
1542 expense at a fee set established by the Commission by resolution ~~of the Commission~~.
1543 Such sterilizations shall be performed based upon the health, age, and general condition
1544 of the dog or cat.

1545 **Sec. 4-34. Animal Care and Adoption Victim Trust Fund.**

1546 (a) There is hereby created a Broward County Animal Care ~~and Adoption~~
1547 Victim Trust Fund for the purpose of accepting and disbursing a portion of dog or cat bite
1548 fees, gifts, grants, awards of money, and other revenue to pay the full or partial medical
1549 expenses of dog or cat bite victims.

1550 (b) The Broward County Animal Care ~~and Adoption~~ Victim Trust Fund shall be
1551 self-perpetuating from year to year unless specifically terminated by the Commission. In
1552 the event of termination, the Commission shall have sole discretion concerning the
1553 distribution of trust assets, provided, however, that any trust assets received and
1554 accepted subject to a condition shall be utilized and expended strictly in accordance with
1555 such condition.

(c) All fees, gifts, grants, awards of money, or property, and other revenue received hereunder from either public or private entities shall be deposited in the Broward County Animal Care and ~~Adoption~~ Victim Trust Fund, which shall be separately established and maintained apart from the general revenue funds and accounts of Broward County and held in trust and inure to Broward County, its successors and assigns, and shall be expended, utilized, and disbursed only for the use and benefit of Broward County dog or cat bite victims.

(d) Three hundred dollars (\$300.00) of every first bite fine paid shall be deposited into the Broward County Animal Care and ~~Adoption~~ Victim Trust Fund to assist victims of dog or cat bites with documented, paid medical expenses.

(e) Monies deposited in and credited to the Broward County Animal Care and ~~Adoption~~ Victim Trust Fund and not expended by the close of any fiscal year shall be carried forward into the succeeding fiscal year. Any fees, gifts, grants, donations, awards, and other revenue received subject to a condition shall be utilized and expended strictly in accordance with such condition.

(f) There is hereby created a Broward County Animal Care and ~~Adoption~~ Victim Trust Fund Committee consisting of four (4) members, three (3) of whom shall be Broward County residents appointed by the County Administrator. The Director shall serve as the fourth (4th) member, but shall be a ~~non-voting~~ nonvoting member. No trust monies shall be disbursed from the Broward County Animal Care and ~~Adoption~~ Victim Trust Fund unless such expenditures have been authorized by a majority of the Victim Trust Fund Committee. Within its discretion, the Victim Trust Fund Committee shall determine and ascertain the best utilization of trust funds for the benefit of victims.

(g) ~~The dog or cat owner or keeper cited for a dog or cat bite may elect to pay the victim's medical expenses if such expenses are paid within fifteen (15) calendar days of the bite. In the event the violator pays the victim's medical expenses and complies with all applicable provisions of Chapter 4 of the Broward County Code of Ordinances, the fine to be assessed pursuant to Chapter 40 of the Broward County Administrative Code shall be reduced by three hundred dollars (\$300.00).~~

(h) (g) The Animal Care Victim Trust Fund shall be capped at twenty thousand dollars (\$20,000.00) in annual revenue. Notwithstanding any provision to the contrary in this chapter, all Animal Care Victim Trust Funds exceeding twenty thousand dollars (\$20,000.00) at 11:59 p.m. on September 30th of each year shall be deposited into the Animal Care Sterilization Trust Fund, to be used for sterilization programs, as determined by the Director.

Sec. 4-35. Animal Care Sterilization Trust Fund.

(a) There is hereby created an Animal Care Sterilization Trust Fund for the purpose of accepting and disbursing funds received by the County from the following sources:

(1) Three dollars (\$3.00) from each rabies registration license tag sold for ~~sterilized and unsterilized~~ dogs and cats shall be deposited into the Animal Care Sterilization Trust Fund.

(2) Pursuant to ~~Subsection~~ 4-11(d), fees collected for rabies registration license sales over the baseline of one hundred thousand (100,000) licenses per year shall be deposited in the Animal Care Sterilization Trust Fund.

1601 (3) Pursuant to ~~Subsection 4-33(b), unsterilized intact impound~~ reclaim fees
1602 shall be deposited into the Animal Care Sterilization Trust Fund.

1603 (4) Pursuant to ~~Subsections 4-6.5(g)(1) and 4-6.5(i),~~ breeder permit fees and
1604 fines shall be deposited into the Animal Care Sterilization Trust Fund.

1605 (5) Pursuant to ~~Subsection 4-34(h)(g),~~ excess funds in the Animal Care Victim
1606 Trust Fund shall be deposited into the Animal Care Sterilization Trust Fund.

1607 (6) Sterilization grants, gifts, donations, awards of money, and other revenue
1608 intended to fund sterilization programs shall be deposited into the Animal
1609 Care Sterilization Trust Fund.

1610 . . .

1611 **Sec. 4-36. Animal Care Adoption Trust Fund.**

1612 (a) There is hereby created an Animal Care Adoption Trust Fund for the
1613 purpose of accepting and disbursing funds received by the County from the following
1614 sources:

1615 (1) One dollar (~~\$1.00~~) from each rabies registration ~~license tag~~ tag sold for
1616 ~~sterilized and unsterilized~~ dogs and cats shall be deposited into the Animal
1617 Care Adoption Trust Fund.

1618 (2) Pursuant to ~~Subsection 4-30(e)(f),~~ interest income from the Animal Care
1619 General Trust Fund shall be deposited into the Animal Care Adoption Trust
1620 Fund.

1621 (3) Grants, gifts, donations, and awards of money designated for adoption
1622 programs shall be deposited into the Animal Care Adoption Trust Fund.

1623 . . .

(d) On or before December 1st of ~~every~~ each year, the Division shall file an annual report with the ~~Board of County Commissioners~~ describing funds deposited into and disbursed from the Animal Care Adoption Trust Fund for the prior fiscal year.

Sec. 4-37. Feeding of dogs and cats outdoors.

(a) Dogs and cats, except for community cats, shall only be permitted to be fed outdoors as follows:

- (1) Any food provided outdoors shall only be ~~provided for such~~ placed outdoors for the time required necessary for daily consumption, ~~after which time the~~ ~~food and~~ shall be removed thereafter. In no event shall food remain outdoors more than three (3) hours in any twenty-four (24) hour period.

...

- (5) Any person violating any of the provisions of this section shall be subject to a fine in an amount established by the Commission by resolution ~~of the Commission~~. Each violation of this section shall be considered a separate infraction.

Sec. 4-38. Colony management.

...

(c) Community cats living in colonies shall be sterilized, ear-tipped, and vaccinated for rabies. Community cats living in colonies shall be exempt from rabies registration ~~license tag~~ requirements of Section 4-11 and the stray animal provisions of Section 4-23.

(d) Food shall be provided in ~~the proper~~ a quantity appropriate for the number of cats being managed and ~~is to~~ shall be supplied no less than once per day. Food must

be placed in feeding containers ~~that are maintained and secure~~ and shall not be placed on the ground. Food shall not be left out for more than three (3) hours in any twenty-four (24) hour period.

...

Sec. 4-39. Community cat management programs.

(a) Broward County acknowledges the need to address the permanent presence of community cats living in an outdoor environment, independent of human intervention. Management programs to reduce the uncontrolled reproduction of community cats shall be implemented by the Director to provide for the sterilization and return-to-field of all healthy community cats entering ~~the County shelter~~ Broward County Animal Care.

(1) All community cats entering ~~the County shelter~~ Broward County Animal Care shall be counted toward intake and, upon return-to-field, shall be counted as a live-release.

(2) All community cats entering ~~the County shelter~~ Broward County Animal Care shall be examined for temperament to evaluate their ability to survive in an outdoor environment with or without assistance from a community cat caregiver.

(3) Community cats shall be sterilized, ear-tipped, vaccinated, and returned to a safe location in close proximity to the original point of pick-up by an officer or released to an approved rescue group. ~~However, any community cat determined to be a nuisance by the Division shall be relocated to an alternate suitable outdoor location.~~

(4) ~~Community cats shall be exempt from the rabies registration license requirements of Section 4-11 and the stray animal provisions of Section 4-23.~~

(b) Community cats shall be exempt from the rabies registration tag requirements of Section 4-11 and the stray animal provisions of Section 4-23.

~~(b)~~ (c) *Trap-neuter-return*. Broward County recognizes there are community cats that may not enter the shelter or be under the care of a community cat caregiver. Management programs to curtail breeding of community cats may be implemented, funded, or otherwise supported by the Director to provide for trapping, sterilization, and return-to-field of healthy community cats.

(1) Community cats shall be sterilized, ear-tipped, vaccinated, and returned to a safe location in close proximity to the original point of pick-up. ~~However, any community cat determined to be a nuisance shall be relocated to a suitable outdoor location.~~

~~(2) Community cats shall be exempt from the rabies registration license requirements of Section 4-11 and the stray animal provisions of Section 4-23.~~

~~(3)~~ Community cats may be returned-to-field by an officer or a community cat caregiver in accordance with the provisions of this section.

Section 2. Severability.

If any portion of this Ordinance is determined by any court to be invalid, the invalid portion will be stricken, and such striking will not affect the validity of the remainder of this Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be legally applied to any individual, group, entity, property, or circumstance, such determination will not affect the applicability of this Ordinance to any other individual, group, entity, property, or circumstance.

Section 3. Inclusion in the Broward County Code of Ordinances.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance become part of the Broward County Code of Ordinances as of the effective date. The sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase to the extent necessary to accomplish such intention.

1702 Section 4. Effective Date.

1703 This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ De'Anne A. Jackson 01/05/2026
De'Anne A. Jackson (date)
Senior Assistant County Attorney

By: /s/ Maite Azcoitia 01/05/2026
Maite Azcoitia (date)
Deputy County Attorney

DAJ/cv
Chapter 4 Updates Ordinance
01/05/2026
#:1177906v26

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.