

**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

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

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

116 . . .

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

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

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

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

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

142 . . .

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

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

153 . . .

154 **Sec. 4-3. Dogs at large prohibited.**

155 . . .

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

162 . . .

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

170 . . .

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

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

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

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

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

181 . . .

182 (3) The dog or cat has been abandoned. ~~A dog or cat shall be deemed~~  
183 ~~abandoned if it has been placed in the custody of a licensed veterinarian or~~  
184 ~~kennel and it has not been redeemed after a period of more than ten (10)~~  
185 ~~days after written notice is given to the owner or the owner's agent at the~~  
186 ~~last known address. Any such dog or cat may be turned over to the Division~~  
187 ~~for disposition in any lawful manner at the discretion of the Director or~~  
188 ~~designee, as provided in Section 705.19, Florida Statutes, as amended, or~~  
189 ~~as otherwise defined in this chapter.~~ Abandonment shall constitute the  
190 relinquishment of all rights and claims by the owner to such dog or cat;

191 (4) An ~~animal care specialist~~ officer finds that the dog or cat is or will be without  
192 proper care because the owner is unable to care for the dog or cat due to  
193 injury, illness, incarceration, or other involuntary absence; or

194 . . .

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

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

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

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

208 . . .

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

213 . . .

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

221 . . .

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

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

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

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

245 another animal shelter to be scanned for a microchip and checked for a  
246 tattoo, and provide proof to the Division that this requirement was met;  
247 (2) Provide the Division with clear identifying color photographs showing the  
248 animal from a side view and a front view;  
249 (3) Post a publicly accessible found advertisement on at least one (1) social  
250 media platform for at least thirty (30) consecutive days;  
251 (4) Complete the Division's found form, which provides all appropriate  
252 identifying information for the animal; and  
253 (5) Pay all necessary veterinary expenses if the animal becomes injured or sick  
254 while under the finder's care. If the finder is unable or unwilling to pay the  
255 veterinary expenses, the animal must be relinquished to the Division, and  
256 the finder will lose all rights and claims to the animal.  
257 (g) The finder must relinquish the animal to the owner upon presentation of  
258 proof of ownership within thirty (30) days of the animal being found, or until the Division  
259 approves and releases the animal to the finder. The finder must also relinquish the found  
260 animal to the Division upon request.  
261 (h) The finder must notify the Division if the animal is placed with another  
262 person.  
263 (i) The finder may become the owner of the animal pursuant to this section  
264 after complying with the above procedures and ensuring that the animal has been  
265 vaccinated, has a rabies registration tag, has been sterilized, and has been implanted  
266 with a microchip.

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

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

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

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

278 . . .

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

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

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

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

297 ~~(2)~~ (3) Clean and dry bedding material.

298 ~~(3)~~ (4) Sufficient space for each dog or cat to comfortably stand up, sit down, lie  
299 down, and turn around in the shelter, without touching the top or sides of  
300 the shelter. If the shelter is used for more than one (1) dog or cat at the  
301 same time, it must provide enough space for both animals to comfortably  
302 stand up, sit down, lie down, and turn around simultaneously.

303 ~~(4)~~ (5) A solid weatherproof roof, a solid sanitary floor, and adequate ventilation.

304 ~~(5)~~ (6) All areas where dogs and cats are kept must be cleaned and the fecal  
305 matter disposed of in a sealed trash receptacle so as not to attract insects  
306 or rodents, become unsightly, or cause objectionable odor.

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

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

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

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

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

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

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

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

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

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

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

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

- 356 (2) For a period of at least three (3) years, keep ~~veterinary~~ records of: rabies  
357 vaccinations, and all other inoculations, ~~and~~ any medical condition(s) of  
358 each dog, cat, puppy, or kitten bred or acquired to be sold, given away, or  
359 otherwise conveyed; and deaths that occurred during the duration of the  
360 breeder or pet trader permit;
- 361 (3) ~~On a yearly basis~~ Within thirty (30) days after conveyance, provide to the  
362 Division the name, address, and telephone number of the new owner of  
363 each dog, cat, puppy, or kitten sold, given away, or conveyed that remains  
364 within Broward County;
- 365 (4) Furnish to each new owner of a dog, cat, puppy, or kitten the breeder or pet  
366 trader permit number, providing proof and assurance that the animal was  
367 legally bred or obtained for the conveyance, the microchip number of the  
368 animal, and a copy of the OCVI Health Certificate;
- 369 . . .
- 370 (8) List the breeder or pet trader permit number on all social media posts,  
371 advertisements, and literature concerning the sale or gift of any dog, cat,  
372 puppy, or kitten ~~of the breeder~~. For purposes of this section, advertise (or  
373 advertisement) includes, but is not limited to, announcements, listings,  
374 displays, entries, or other written statements containing the name of the  
375 permit holder or identifying the services offered by the permit holder or by a  
376 person or entity subject to this section and that are placed in a magazine or  
377 periodical, newspaper or inserts, direct mail pieces, audio broadcasting or  
378 telephone directory, on the internet, or on vehicles or equipment;

- 379 (9) Adhere to minimum standards regarding the care and manner of keeping of  
380 animals, as provided in Section 4-6 of this article Code;  
381 . . .
- 382 (12) Present a copy of a valid, current OCVI Health Certificate to any ~~animal care~~  
383 ~~specialist~~ officer upon demand for review, provided, however, that animal  
384 shelters and rescue groups offering animals for adoption are exempt from  
385 this requirement; ~~and~~
- 386 (13) Allow an ~~animal care specialist~~ officer to view each animal that is the subject  
387 of a breeder or pet trader permit and to inspect the premises unannounced  
388 and unscheduled where the animal is maintained. Such inspection will be  
389 limited to that necessary to ascertain compliance with Section 4-6. If a  
390 breeder or pet trader refuses to allow the ~~animal care specialist~~ officer to  
391 perform such inspection, the Division may apply for a warrant pursuant to  
392 applicable provisions of Chapter 933, Florida Statutes, as amended; and
- 393 (14) Conduct sales only in locations authorized in the permit and not in any  
394 public thoroughfare, public common area, parking lots open to the public, or  
395 flea markets.
- 396 (f) *Obtaining a breeder or pet trader permit.*
- 397 (1) A person seeking a breeder or pet trader permit shall apply to the Division  
398 on a form approved by the Division.
- 399 (2) The permit application shall include, but not be limited to, the following  
400 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

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

426 (g) *Permit procedures.*

427 . . .

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

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

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

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

448 . . .

449 (i) *Violations.*

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

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

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

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

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

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

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

466 . . .

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

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

472 . . .

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

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

480 ~~(2)~~ (3) No permit fee shall be refunded for a permit that is revoked or suspended.

481 ~~(3)~~ (4) If a permit application is denied or the Division intends to revoke or suspend  
482 an existing breeder or pet trader permit, the Division shall provide written  
483 notification of the denial or intended revocation or suspension to the  
484 applicant or permit holder, ~~in writing, and in accordance with the notice~~  
485 ~~provisions of Section 162.12, Florida Statutes.~~ The denial or notice of intent  
486 to revoke or suspend a breeder or pet trader permit shall ~~state~~ be in  
487 substantially the following form:

488 YOU HAVE TWENTY (20) DAYS FROM THE DATE OF RECEIPT OF THIS  
489 NOTIFICATION TO APPEAL THE ACTION, IN WRITING, BEFORE A  
490 BROWARD COUNTY HEARING OFFICER. IF NO WRITTEN NOTICE OF  
491 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.

513        ~~(5)~~ (6)        *Owner requirements following notice of adverse action or appeal process.*

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

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

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

529            . . .

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

531            . . .

532            (b)        Dogs and cats that have been impounded shall be released to their owners  
533        upon presentation of proof of ownership, as outlined in Section 4-5, and upon payment of  
534        fees, including a redemption fee, rabies vaccination fee, rabies registration ~~license~~ fee,  
535        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.

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

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

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

574 **Sec. 4-7.5. Programs.**

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

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

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

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

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

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

602 . . .

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

605 **Sec. 4-8.5. Tethering of dogs.**

606           . . .

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

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

636 **Sec. 4-9. Unwanted dogs or cats.**

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

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

646 . . .

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

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

658 . . .

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

666 (d) Vaccination is excused where a licensed veterinarian certifies in writing that  
667 a vaccination would be injurious to the animal's health. However, such animal shall be  
668 vaccinated against rabies as soon as its health permits, and said dog, cat, or ferret shall  
669 wear a registration tag as required by Section 4-11. An exemption that extends beyond  
670 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~~

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

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

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

738 . . .

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

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

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

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

754 . . .

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

761 . . .

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

767 . . .

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

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

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

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

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

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

788 . . .

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

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

802 . . .

803 (b) *Dangerous Dog Owner Requirements.*

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

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

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

827 . . .

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

831 . . .

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

834 . . .

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

844 . . .

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

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

855 . . .

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

862 . . .

863 **Sec. 4-12.5. Hearings.**

864 . . .

865 (c) *Hearing Procedures.*

866 . . .

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

870 (d) *Subpoenas.*

871 . . .

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

875 . . .

876 (g) *Obligation to Pay the Hearing Officer's Fee; Deposit.*  
877 . . .  
878 (3) Notwithstanding Subsections (1) and (2) ~~immediately~~ above, if the appellant  
879 owner submits documentation to the Division demonstrating that the owner  
880 meets the applicable federal low-income guidelines, the Division shall not  
881 require the ~~appellant~~ owner to pay a deposit or the Hearing Officer's fee in  
882 connection with the hearing.

883 . . .

884 **Sec. 4-13. Guard dogs.**

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

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

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

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

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

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

905           ...

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

910           ...

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

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

923 . . .

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

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

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

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

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

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

955            . . .

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

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

960            . . .

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

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

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

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

974 . . .

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

985 . . .

986 (7) Any person who uses the service of a guard dog shall be responsible to  
987 ~~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)~~ (j) *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 ~~(j)~~ (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 . . .

1032 (4) Any person with a guilty adjudication of animal cruelty within the past five  
1033 (5) years may not hold a permit to operate a guard dog service in the  
1034 Broward County.

1035 **Sec. 4-14. Bites from dogs, cats, or ferrets.**

1036 (a) It shall be a violation of this section for the owner, possessor, or harbinger of  
1037 a dog, cat, or ferret to ~~not~~ fail to prevent the animal from biting a human being who does  
1038 not ordinarily reside on the premises. An owner, possessor, or harbinger of a dog, cat, or  
1039 ferret shall not be deemed to be in violation if the animal was subject to provocation or if  
1040 the victim was trespassing, ~~as defined in Section 4-2.~~

1041 (b) ~~The owner, possessor, or harbinger of a dog, cat, or ferret that has bitten a~~  
1042 ~~human being; any person who has been bitten by a dog, cat, or ferret; or any person who~~  
1043 ~~has knowledge of or treats any person bitten by any dog, cat, or ferret shall report the~~  
1044 ~~incident to the Florida Department of Health and to the Division within twelve (12) hours~~  
1045 ~~after the earlier of the occurrence or learning of the incident.~~

1046 (1) ~~Owners of dogs, cats, or ferrets that have been reported to have bitten any~~  
1047 ~~person shall be charged an animal bite investigation fee, as set by~~  
1048 ~~resolution, when Division staff investigates an animal bite by telephone or~~  
1049 ~~by review of correspondence or records to determine the vaccination status~~  
1050 ~~and quarantine requirements for the animal, and it has been proven by clear~~  
1051 ~~and convincing evidence that the dog, cat, or ferret has bitten any person.~~  
1052 ~~Such fee shall not be assessed in those instances where the owner and the~~  
1053 ~~victim are the same, are within the immediate family, or are living in the~~  
1054 ~~same household.~~

- 1055           (2)   ~~Owners of dogs, cats, or ferrets that have been reported to have bitten any~~  
1056           ~~person shall be charged a field investigation fee in the amount set by~~  
1057           ~~resolution when Division staff is not able to obtain all necessary information~~  
1058           ~~pursuant to Subsection (1) above and an animal care specialist is~~  
1059           ~~dispatched to conduct a field investigation. If the animal care specialist is~~  
1060           ~~required to make a visit to the victim of the animal bite to verify the dog, cat,~~  
1061           ~~or ferret bite or wound and obtain copies of all medical treatment provided~~  
1062           ~~by a hospital or doctor treating the bite victim, an additional field~~  
1063           ~~investigation fee will be charged, as set by resolution.~~
- 1064           (3)   ~~If a quarantine is required at a quarantine facility and the owner of the dog,~~  
1065           ~~cat, or ferret has failed to submit the dog, cat, or ferret to the facility after a~~  
1066           ~~period of twenty-four (24) hours after notice of a quarantine requirement at~~  
1067           ~~a quarantine facility, the Division shall have the right to pick up the dog, cat,~~  
1068           ~~or ferret and transport said animal to the quarantine facility. The owners of~~  
1069           ~~animals shall be charged a transportation fee in the amount set by~~  
1070           ~~resolution when the Division transports the dog, cat, or ferret after the owner~~  
1071           ~~has failed to transport said animal to a quarantine facility within twenty-four~~  
1072           ~~(24) hours after notification of said requirement.~~
- 1073           (4)   ~~At the end of each quarantine period for rabies observation, owners of a~~  
1074           ~~dog, cat, or ferret that has been reported to have bitten any person are~~  
1075           ~~required to call the Division to verify that the dog, cat, or ferret reported to~~  
1076           ~~have bitten any person is alive and healthy to assure that it is free of a rabies~~  
1077           ~~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

1100 with Chapter 64D-3, Florida Administrative Code (Control of Communicable Diseases &  
1101 Conditions Which May Significantly Affect Public Health), as amended.

1102 (d) It shall be a violation of this section for any person to refuse to produce or  
1103 surrender any animal for quarantine.

1104 (e) Any dog or cat that dies or is humanely euthanized while under quarantine  
1105 shall undergo a pathological examination performed by the Florida Department of Health.

1106 It shall be a violation of this section for any person to refuse to surrender the body of a  
1107 deceased animal while under quarantine.

1108 (f) It is a violation of this section for anyone to kill or remove from Broward  
1109 County, without the express written consent of the Division or the Florida Department of  
1110 Health, any of the following:

1111 (1) A rabid animal;

1112 (2) An animal suspected of having rabies or any other infectious or contagious  
1113 disease;

1114 (3) An animal exhibiting unusual behavior;

1115 (4) An animal that scratches or bites a person; or

1116 (5) An animal under quarantine.

1117 (g) It shall be the duty of any person having knowledge that an animal has bitten  
1118 or otherwise exposed a person or animal to rabies to report the incident immediately to  
1119 the Florida Department of Health.

1120 **Sec. 4-14.5. Dog and cat bites with injuries.**

1121 (a) It shall be a violation of this section for the owner or keeper of any dog or  
1122 cat to ~~not~~ fail to prevent the dog or cat from inflicting severe injuries, as defined in

1123 Section 4-2, or attacking or killing a domestic animal while unprovoked. The owner or  
1124 keeper of such dog or cat shall be subject to the provisions of Section 4-14 ~~above~~. If the  
1125 Division concludes, following an animal bite investigation, that the dog or cat inflicted  
1126 severe injuries while unprovoked, the owner or keeper shall, at all times that the dog or  
1127 cat is not securely confined indoors or confined in an enclosure:

1128 . . .

1129 (b) Failure to comply with the requirements above shall constitute a violation of  
1130 this section. Any person cited for an infraction ~~for~~ involving a dog or cat bites and or  
1131 unmuzzled dog(s) or cat(s) shall be assessed ~~the a~~ a civil penalty ~~or penalties in the amount~~  
1132 ~~set~~ established by the Commission by resolution. A dog or cat owner or keeper cited for  
1133 a dog or cat bite may elect to pay the victim's medical expenses. If such expenses are  
1134 paid within fifteen (15) calendar days after the bite, and the dog or cat owner or keeper  
1135 complies with all applicable provisions of ~~this Chapter 4 of the Broward County Code of~~  
1136 ~~Ordinances~~, the ~~fine~~ civil penalty to be assessed pursuant to Chapter 40 of the Broward  
1137 County Administrative Code shall be reduced by the amount of medical expenses paid,  
1138 up to a maximum of three hundred dollars (\$300).

1139 (c) The owner of any animal subject to a muzzle order issued by an officer may  
1140 submit a written request to the Division Director for review of the muzzle order within  
1141 ten (10) days after receipt of the muzzle order. The Division Director's decision regarding  
1142 the muzzle order is final.

1143 . . .

1144 **Sec. 4-20. Fighting or baiting animals prohibited.**

1145 (a) ~~As used in this section:~~

1146           (1) ~~Animal fighting shall mean fighting between dogs or any other wild or~~  
1147           ~~domestic animals.~~

1148           (2) ~~Baiting shall mean to attack with violence, to provoke, or to harass an~~  
1149           ~~animal with one (1) or more animals for the purpose of training an animal~~  
1150           ~~for, or to cause an animal to engage in, fights with or among other animals~~  
1151           ~~or as further defined in Section 828.122, Florida Statutes.~~

1152           (3) ~~Person shall mean every natural person, firm, partnership, association,~~  
1153           ~~corporation, or other legal entity.~~

1154           (b) Any natural person, firm, partnership, association, corporation, or other  
1155 legal entity ~~who~~ that commits any of the following acts shall be in violation of this section:

1156           . . .

1157           (3) Owning, possessing, or selling equipment with intent to use it in any activity  
1158           described in ~~sub~~Section (b) (a)(1) above.

1159           . . .

1160           (e) (b) The provisions of this section shall not apply to:

1161           . . .

1162           (d) (c) Any person violating this section shall be issued a citation by an officer.

1163 Pursuant to Section 4-28, a citation may be appealed by filing a written request for an  
1164 administrative hearing with the Division within ten (10) days after receiving the citation.

1165 The Division may, pursuant to Section 828.073, Florida Statutes, as amended, impound  
1166 any dogs ~~or~~, cats, or equipment used in committing the violation and shall provide for

1167 appropriate and humane care or disposition of the dogs or cats.

1168       (e) (d)     When any wild animal, used for the purpose of fighting or baiting, appears  
1169 to be injured or otherwise in need of human intervention, an appropriate wildlife  
1170 rehabilitation center shall be notified for proper care, handling, and disposition.

1171             . . .

1172     **Sec. 4-24.   Dogs and cats in state of pain and suffering.**

1173             (a)     In the event any untagged, ~~non-registered~~ nonregistered dog or cat ~~shall be~~  
1174 is found in a state of pain and suffering that cannot be alleviated or managed in the opinion  
1175 of the County veterinarian, or becomes so during confinement, the Division is authorized  
1176 to dispose of such dog or cat in a humane manner without complying with the  
1177 seventy-two (72) hour waiting period set forth in Section 4-5 ~~of this chapter~~.

1178             (b)     Notwithstanding Section 4-5 ~~of this chapter~~, in the event any registered dog  
1179 or cat shall be found in a state of pain and suffering that cannot be alleviated or managed  
1180 in the opinion of the County veterinarian, or becomes so during confinement, the Division  
1181 is authorized to dispose of such dog or cat in a humane manner after a reasonable and  
1182 diligent effort to contact the owner.

1183     **Sec. 4-25.   Interference with officer prohibited.**

1184             . . .

1185             Nothing contained herein shall be construed to authorize an ~~animal care specialist~~  
1186 officer to enter upon private property without consent of the property owner or without a  
1187 valid warrant where such warrant is required; provided, however, that an ~~animal care~~  
1188 ~~specialist~~ officer or law enforcement officer may take custody of a neglected or mistreated  
1189 animal as provided in Section 828.073, Florida Statutes, as amended.

1190             . . .

1191 **Sec. 4-27. ~~Dogs or cats prohibited in parks and on beaches.~~**

1192 ~~No person owning or having charge, care, custody, or control of any dog or cat~~  
1193 ~~shall permit or allow the dog or cat into or upon any public park or beach in the County;~~  
1194 ~~however, this section shall not apply to parkways, wayside parks, beach areas, or other~~  
1195 ~~park areas in which dogs or cats are specifically authorized, provided said dog or cat has~~  
1196 ~~been registered pursuant to Section 4-11 and the owner, or designee, is present with~~  
1197 ~~proof of said pet registration.~~

1198 **Sec. 4-28. Enforcement of violations; liens.**

1199 . . .

1200 (b) An officer who has probable cause to believe that a person ~~has committed~~  
1201 ~~an act in violation of~~ violated this chapter shall issue a citation for a civil penalty as  
1202 specified in Section 4-29 in an amount set established by the Commission by resolution.  
1203 Notwithstanding any provision to the contrary in this chapter, before issuing a citation for  
1204 a violation of Sections 4-10 or 4-11, an officer may provide a warning notice to the violator  
1205 identifying the violation ~~of this chapter~~ and establishing a thirty (30) day time period within  
1206 which ~~time~~ the violation must be corrected. If, upon investigation, ~~it is determined that the~~  
1207 violator has not corrected the violation within the time specified, a citation may be issued  
1208 to the violator. Additional warning notices ~~need not be provided to the violator~~ are not  
1209 required for the same violation prior to the issuance of additional citations. In addition,  
1210 notwithstanding any provision to the contrary in this chapter, before issuing a citation for  
1211 a violation of Section 4-3, an officer may provide a one-time warning notice to the violator.

1212 (c) The citation form shall include, but not be limited to, the following:

1213 . . .

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~~

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

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~~

1260 of a payment plan agreement between the Division and the pet owner, the pet may be  
1261 released to the owner. The form of the payment plan agreement shall be approved by the  
1262 Director.

1263 (t) ~~Notwithstanding any provision to the contrary in this chapter, applicable~~  
1264 ~~fees, as set forth in Section 40-38 (except Subsection 40-38(n)), Broward County~~  
1265 ~~Administrative Code, may be waived or reduced by the Division for individuals who meet~~  
1266 ~~federal low income guidelines.~~

1267 **Sec. 4-29. Amount of civil penalties.**

1268 (a) Any person cited for an infraction under this chapter shall pay the civil  
1269 penalty specified for such infraction as ~~set~~ established by the Commission by resolution.

1270 (b) Any person cited for an infraction under this chapter, for which no amount  
1271 has been specified in Chapter 40 of the Broward County Administrative Code, shall pay  
1272 the general civil penalty amount as established by the Commission by resolution.

1273 (b) (c) If a citation is contested and the ~~court~~ Hearing Officer finds, by clear and  
1274 convincing evidence, that a violation occurred, the ~~court~~ Hearing Officer shall impose a  
1275 civil penalty of no less than the amount that would have been due under Subsection (a)  
1276 or Section (b) had the citation been uncontested, and no more than one thousand dollars  
1277 (\$1,000) for each citation related to the requirements or responsibilities of a dangerous  
1278 dog owner, and five hundred dollars (\$500-00) each, for all other citations.

1279 (c) ~~In addition to any civil penalties, any person who fails to pay all penalties~~  
1280 ~~imposed within the ten (10) calendar day payment period shall pay a delinquency fee as~~  
1281 ~~set by resolution.~~

1282            (d) Any person who fails to pay the civil penalty or fails to request an  
1283 administrative hearing to contest the citation within the time period allowed shall be  
1284 deemed to have waived his or her right to contest the citation, and judgment may be  
1285 entered against the person for an amount not to exceed the maximum civil penalty of one  
1286 thousand dollars (\$1,000) for each failure to comply with the requirements or  
1287 responsibilities of a dangerous dog owner, and five hundred dollars (\$500) each, for all  
1288 other violations.

1289            ~~(d)~~ (e) Any person who, within ten (10) calendar days after receipt of the citation,  
1290 fails to either come into compliance with any the section of this chapter for which he or  
1291 she is in violation within the ten (10) calendar day payment period or request a hearing,  
1292 shall be subject to additional citations for second and subsequent offense violations of  
1293 the same sections of this chapter.

1294            ~~(e)~~ (f) Any person upon whom a civil penalty is imposed shall also pay a surcharge  
1295 in the amount set as established by the Commission by resolution upon each civil penalty  
1296 so imposed.

1297 **Sec. 4-30. Animal Care General Trust Fund.**

1298            (a) There is hereby created an Animal Care General Trust Fund ~~(Trust Fund)~~  
1299 for the purpose of accepting and disbursing gifts, grants, and awards of money paid to  
1300 Broward County for the use and benefit of dogs and cats in Broward County.

1301            . . .

1302            (d) Eligible recipients of Animal Care General Trust Fund monies must be  
1303 Broward County residents or must have provided or paid for professional services for  
1304 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 fFunds monies shall be subject to the  
1327 following criteria set forth by the Committee, ~~which shall include:~~

1328 (1) The Animal Care General Trust Fund shall ~~provide~~ reimburse persons who  
1329 fund necessary emergency medical or surgical treatment and care ~~to~~ for  
1330 sick or injured dogs and cats in Broward County ~~described in Subsection~~  
1331 ~~(1)a or (1)b, below, who~~ that come to the attention of the Committee, ~~or any~~  
1332 of its members, thereof, or the Division, including:

1333 . . .

1334 (2) In all cases involving the provision of necessary medical or surgical  
1335 treatment or care to dogs or cats described in ~~Subsection (1)a, or (1)b,~~  
1336 ~~above, it shall be the policy of the Committee that the following procedures~~  
1337 must be followed:

1338 a. Any member of the Committee or the Division is empowered to act  
1339 immediately on behalf of an afflicted or endangered dog or cat ~~in the~~  
1340 ~~exercise of sound judgment, independent of any other Committee~~  
1341 ~~member and without a consensus of the Committee or notice to any~~  
1342 ~~other Committee member,~~ in an emergency,

1343 b. ~~A dog or cat qualifying under Subsections (1)a or (1)b, above, may~~  
1344 ~~be taken by a member of the Committee or by Division staff to any~~  
1345 by taking the dog or cat to a licensed veterinarian in Broward County,  
1346 who shall be instructed to provide such veterinary services as ~~in~~ the  
1347 veterinarian's, in sound discretion, ~~are~~ deems necessary to alleviate  
1348 pain and suffering and to stabilize the dog or cat. In such an  
1349 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 ~~Trust~~ Fund simply  
1372 because the dog or cat is adopted by the finder.

1373 e. d. Nothing contained herein shall preclude the Subcommittee from  
1374 carrying out the specific intent of a devise from a donor even if said  
1375 amount exceeds the scope of the foregoing criteria.

1376 f. e. ~~In keeping with the humanitarian philosophy underlying the creation~~  
1377 ~~of the trust fund, the broadest possible application shall be given to~~  
1378 ~~the foregoing principles.~~

1379 g. Extraordinary expenses, including costs of radiological services and  
1380 other services not provided at the County's animal clinic that are  
1381 incurred by the Division in treatment and care of dogs and cats, shall  
1382 be eligible for reimbursement to the Division upon approval of a  
1383 majority of the Subcommittee.

1384 (3) A Persons who adopt a dog or cat adopted from the Division ~~that, and~~  
1385 whose dog or cat develops medical or surgical problems within ~~a period of~~  
1386 thirty (30) days ~~from~~ after the date of adoption, the cost of which exceeds  
1387 the financial resources of the adoptive owner, shall also qualify to receive  
1388 benefits from the Animal Care General Trust Fund. If the medical or surgical  
1389 problems of such a dog or cat cannot be dealt with adequately by the County  
1390 veterinarian and the owner wishes to keep the dog or cat but cannot afford  
1391 treatment, and where such treatment is not the result of apparent abuse or  
1392 neglect by the owner, the Animal Care General Trust Fund may provide for  
1393 necessary additional treatment of the dog or cat by a licensed veterinarian  
1394 ~~in Broward County~~ on a case-by-case basis and at the discretion of the  
1395 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 fFunds 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

1419 emergency stabilization procedures that the Division is unable to perform.  
1420 This includes, but is not limited to, emergencies occurring outside of the  
1421 Division's normal operating hours and in the absence of a contractual  
1422 agreement between the Division and qualified veterinary clinics.  
1423 Reimbursement for these stabilization procedures shall not exceed  
1424 one thousand dollars (\$1,000).

1425 (6) For expenditures from the Animal Care General Trust Fund not covered by  
1426 the foregoing sections, the Director may present to the Subcommittee  
1427 requests to use a specific amount of money from the Animal Care General  
1428 Trust Fund to pay for expenses incurred or to be incurred to implement a  
1429 community outreach program or other program that benefits the dogs and/or  
1430 cats of Broward County. A community outreach program includes activities  
1431 such as entering communities or participating in public events to distribute  
1432 dog- and cat-related goods and services to residents, including pet food,  
1433 supplies, medications, sterilization vouchers, and veterinary services. For  
1434 all programs funded under this section, the Director's request to the  
1435 Subcommittee shall include a description of the program, the program's  
1436 anticipated or actual benefits, and an itemization of the actual or planned  
1437 expenditures. For actual expenditures made prior to the funding request,  
1438 payment receipts must be presented to the Subcommittee at the time the  
1439 funding is requested. For all programs funded through the Animal Care  
1440 General Trust Fund under this section, an accounting of the benefits  
1441 provided to residents during the program and the paid receipts for

1442 expenditures must be presented to the Subcommittee at the next properly  
1443 scheduled meeting following the conclusion of the program. The money  
1444 requested may be funded through the Animal Care General Trust Fund  
1445 upon approval of a majority of the Subcommittee members at a properly  
1446 noticed meeting.

1447 (7) Any expenditure from the Animal Care General Trust Fund not covered by  
1448 the foregoing sections shall be presented for consideration by the  
1449 Committee at any properly scheduled meeting.

1450 (e) (g) The Animal Care General Trust Fund shall be a separate account  
1451 established and maintained apart from the general revenue fund and accounts of Broward  
1452 County.

1453 Monies obtained hereunder for the Animal Care General Trust Fund may be  
1454 accepted on behalf of Broward County ~~by the Director or such other person or persons~~  
1455 ~~as may be designated by resolution of the Commission and, upon receipt of said monies,~~  
1456 ~~shall cause the same to be delivered to the Broward County Records, Taxes and Treasury~~  
1457 ~~Division, which shall cause the same to be deposited into the Animal Care General Trust~~  
1458 ~~Fund pursuant to Sections 18.63 (Donations) or 20.31 (Grants) of the Broward County~~  
1459 Administrative Code, as applicable and as amended.

1460 Funds deposited or credited to the Animal Care General Trust Fund and not  
1461 expended by the close of any fiscal year shall be carried forward to the next succeeding  
1462 fiscal year.

1463 Any gifts, grants, donations, and awards received subject to a condition shall be  
1464 deposited in a trust fund specifically designated for that purpose. Interest accrued on the

1465 Animal Care General Trust Fund monies shall be ~~maintained apart from the general~~  
1466 ~~revenue fund and other accounts of Broward County to provide and be~~ deposited in the  
1467 Animal Care Adoption Trust Fund and used for adoption programs, including training,  
1468 marketing, and other necessary expenditures, as determined by the Director.

1469 (f) (h) To be eligible to receive funds pursuant to ~~Subsections 4-30(d)(f)(3) and~~  
1470 (4), a dog or cat owner must prepare a request indicating why the owner cannot afford to  
1471 pay the expenses. All requests indicating that an owner cannot afford to pay the expenses  
1472 must be verified, and the information provided shall be reliable. Such information may  
1473 include, but not be limited to, documentation demonstrating that the owner meets the  
1474 applicable federal low-income guidelines, receives needs-based public benefits, or  
1475 submission of an affidavit regarding the owner's inability to pay. In addition, the ~~dog or~~  
1476 ~~cat~~ owner must agree to have the dog or cat sterilized to reduce dog or cat overpopulation,  
1477 and ~~have or obtain~~ ensure that the dog or cat has a current rabies vaccination and a  
1478 current Broward County rabies registration ~~license~~ tag. Any exemptions from these  
1479 criteria must be made by the Subcommittee. The amount payable from the Animal Care  
1480 General Trust Fund may be amended by the Subcommittee subject to the availability of  
1481 funding.

1482 (g) (i) The Animal Care Advisory Committee, through its Subcommittee, shall  
1483 administer the Animal Care General Trust Fund in accordance with this section. Any  
1484 person or entity that meets the conditions prescribed above ("Claimant") may apply to the  
1485 Subcommittee for disbursement from the Animal Care General Trust Fund of eligible  
1486 expenditures. Such application shall be on a form provided by the Division. In addition to  
1487 completing the form, the Claimant shall include documentation related to the claim

1488 including, but not limited to, veterinary records, estimates, invoices, and receipts. Upon  
1489 receipt of the application materials from the Claimant, the Division shall provide all  
1490 documentation and information in its records relevant to the claim to the Subcommittee.  
1491 The application form shall include the Claimant's notarized attestation of the information  
1492 contained therein, including that the amount requested for disbursement has not been  
1493 otherwise reimbursed from alternate sources such as insurance, donations, or funding  
1494 solicitations.

1495 (h) ~~No Animal Care General Trust Fund monies, with the exception of accrued~~  
1496 ~~interest as provided in Subsection (e) above, shall be disbursed from the Animal Care~~  
1497 ~~General Trust Fund unless such expenditures have been authorized by a majority of the~~  
1498 ~~Subcommittee at a meeting called upon proper notice.~~

1499 **Sec. 4-31. Rules, regulations, and fees.**

1500 . . .

1501 (c) The County may impose such fees necessary to for the implementation and  
1502 administration of this chapter as ~~are approved~~ established by the Commission by  
1503 resolution ~~of the Commission.~~

1504 **Sec. 4-32. Dogs and cats in vehicles.**

1505 . . .

1506 (b) An officer may remove and impound a dog or cat from a vehicle if its safety  
1507 appears to be in immediate danger from heat ~~or~~<sub>1</sub> cold<sub>1</sub> or lack of adequate ventilation. The  
1508 officer is authorized to take all steps reasonably necessary for the removal of such dog  
1509 or cat, including, but not limited to<sub>1</sub> breaking into the vehicle. Neither the officer nor his or  
1510 her agency shall bear civil liability for damage.

1511 (c) No person shall transport any dog or cat in a motor vehicle unless the dog  
1512 or cat is safely enclosed within the vehicle or, if travelling in an unenclosed vehicle  
1513 (including, but not limited to, convertibles, pickup trucks, open-bed trucks, and flat-bed  
1514 trucks), is confined by a container, cage, or other device that will prevent the dog or cat  
1515 from falling from or jumping from the motor vehicle. Any such container or cage shall be  
1516 securely anchored to the vehicle in order to prevent movement about the vehicle.

1517 **Sec. 4-33. Unsterilized intact dogs and cats impound reclaim fee.**

1518 (a) An ~~unsterilized intact dog or cat impound reclaim fee in an amount set as~~  
1519 established by the Commission by resolution of the ~~Commission~~ shall be imposed on the  
1520 owner of every reclaimed, impounded, ~~unsterilized intact~~ dog or cat at the time the  
1521 ~~unsterilized intact~~ dog or cat is reclaimed from the Division. ~~Payment of the unsterilized~~  
1522 ~~dog or cat impound fee shall be waived if the owner has the dog or cat sterilized by a~~  
1523 ~~licensed veterinarian and presents proof of such sterilization to the Division within thirty~~  
1524 ~~(30) calendar days after reclaiming the dog or cat. The Division shall deposit all intact dog~~  
1525 or cat reclaim fees, collected pursuant to this section, into the Animal Care Sterilization  
1526 Trust Fund to be used for sterilization programs and other necessary expenditures, as  
1527 determined by the Director.

1528 (b) ~~If the dog or cat owner does not have the dog or cat sterilized, or does not~~  
1529 ~~present proof of sterilization, within the thirty (30) calendar day period, the unsterilized~~  
1530 ~~dog or cat impound fee shall become due and payable at that time. If the dog or cat is~~  
1531 ~~sterilized and the owner does not present proof of such sterilization to the Division within~~  
1532 ~~the thirty (30) calendar days allotted for presenting proof of sterilization, the owner~~  
1533 ~~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 (e) (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.

1556 (c) All fees, gifts, grants, awards of money, or property, and other revenue  
1557 received hereunder from either public or private entities shall be deposited in the Broward  
1558 County Animal Care ~~and Adoption~~ Victim Trust Fund, which shall be separately  
1559 established and maintained apart from the general revenue funds and accounts of  
1560 Broward County and held in trust and inure to Broward County, its successors and  
1561 assigns, and shall be expended, utilized, and disbursed only for the use and benefit of  
1562 Broward County dog or cat bite victims.

1563 (d) Three hundred dollars (\$300.00) of every first bite fine paid shall be  
1564 deposited into the Broward County Animal Care ~~and Adoption~~ Victim Trust Fund to assist  
1565 victims of dog or cat bites with documented, paid medical expenses.

1566 (e) Monies deposited in and credited to the Broward County Animal Care ~~and~~  
1567 ~~Adoption~~ Victim Trust Fund and not expended by the close of any fiscal year shall be  
1568 carried forward into the succeeding fiscal year. Any fees, gifts, grants, donations, awards,  
1569 and other revenue received subject to a condition shall be utilized and expended strictly  
1570 in accordance with such condition.

1571 (f) There is hereby created a Broward County Animal Care ~~and Adoption~~  
1572 Victim Trust Fund Committee consisting of four (4) members, three (3) of whom shall be  
1573 Broward County residents appointed by the County Administrator. The Director shall  
1574 serve as the fourth (4th) member, but shall be a ~~non-voting~~ nonvoting member. No ~~trust~~  
1575 monies shall be disbursed from the Broward County Animal Care ~~and Adoption~~ Victim  
1576 Trust Fund unless such expenditures have been authorized by a majority of the Victim  
1577 Trust Fund Committee. Within its discretion, the Victim Trust Fund Committee shall  
1578 determine and ascertain the best utilization of trust funds for the benefit of victims.

1579           (g) ~~The dog or cat owner or keeper cited for a dog or cat bite may elect to pay~~  
1580 ~~the victim's medical expenses if such expenses are paid within fifteen (15) calendar days~~  
1581 ~~of the bite. In the event the violator pays the victim's medical expenses and complies with~~  
1582 ~~all applicable provisions of Chapter 4 of the Broward County Code of Ordinances, the fine~~  
1583 ~~to be assessed pursuant to Chapter 40 of the Broward County Administrative Code shall~~  
1584 ~~be reduced by three hundred dollars (\$300.00).~~

1585           (h) (g) The Animal Care Victim Trust Fund shall be capped at twenty thousand  
1586 dollars (\$20,000.00) in annual revenue. Notwithstanding any provision to the contrary in  
1587 this chapter, all Animal Care Victim Trust Funds exceeding twenty thousand dollars  
1588 (\$20,000.00) at 11:59 p.m. on September 30<sup>th</sup> of each year shall be deposited into the  
1589 Animal Care Sterilization Trust Fund, to be used for sterilization programs, as determined  
1590 by the Director.

1591 **Sec. 4-35. Animal Care Sterilization Trust Fund.**

1592           (a) There is hereby created an Animal Care Sterilization Trust Fund for the  
1593 purpose of accepting and disbursing funds received by the County from the following  
1594 sources:

1595           (1) Three dollars (\$3.00) from each rabies registration license tag sold for  
1596 ~~sterilized and unsterilized~~ dogs and cats shall be deposited into the Animal  
1597 Care Sterilization Trust Fund.

1598           (2) Pursuant to ~~Subsection~~ 4-11(d), fees collected for rabies registration license  
1599 sales over the baseline of one hundred thousand (100,000) licenses per  
1600 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 . . .

1624 (d) On or before December 1<sup>st</sup> of ~~every~~ each year, the Division shall file an  
1625 annual report with the ~~Board of County Commissioners~~ describing funds deposited into  
1626 and disbursed from the Animal Care Adoption Trust Fund for the prior fiscal year.

1627 **Sec. 4-37. Feeding of dogs and cats outdoors.**

1628 (a) Dogs and cats, except for community cats, shall only be permitted to be fed  
1629 outdoors as follows:

1630 (1) Any food provided outdoors shall only be ~~provided for such~~ placed outdoors  
1631 for the time required necessary for daily consumption, ~~after which time the~~  
1632 ~~food and~~ shall be removed thereafter. In no event shall food remain  
1633 outdoors more than three (3) hours in any twenty-four (24) hour period.

1634 . . .

1635 (5) Any person violating any of the provisions of this section shall be subject to  
1636 a fine in an amount established by the Commission by resolution ~~of the~~  
1637 ~~Commission~~. Each violation of this section shall be considered a separate  
1638 infraction.

1639 **Sec. 4-38. Colony management.**

1640 . . .

1641 (c) Community cats living in colonies shall be sterilized, ear-tipped, and  
1642 vaccinated for rabies. Community cats living in colonies shall be exempt from rabies  
1643 registration ~~license tag~~ requirements of Section 4-11 and the stray animal provisions of  
1644 Section 4-23.

1645 (d) Food shall be provided in the ~~proper~~ a quantity appropriate for the number  
1646 of cats being managed and ~~is to~~ shall be supplied no less than once per day. Food must

1647 be placed in feeding containers ~~that are maintained and secure~~ and shall not be placed  
1648 on the ground. Food shall not be left out for more than three (3) hours in any twenty-four  
1649 (24) hour period.

1650 . . .

1651 **Sec. 4-39. Community cat management programs.**

1652 (a) Broward County acknowledges the need to address the permanent  
1653 presence of community cats living in an outdoor environment, independent of human  
1654 intervention. Management programs to reduce the uncontrolled reproduction of  
1655 community cats shall be implemented by the Director to provide for the sterilization and  
1656 return-to-field of all healthy community cats entering ~~the County shelter~~ Broward County  
1657 Animal Care.

1658 (1) All community cats entering ~~the County shelter~~ Broward County Animal  
1659 Care shall be counted toward intake and, upon return-to-field, shall be  
1660 counted as a live-release.

1661 (2) All community cats entering ~~the County shelter~~ Broward County Animal  
1662 Care shall be examined for temperament to evaluate their ability to survive  
1663 in an outdoor environment with or without assistance from a community cat  
1664 caregiver.

1665 (3) Community cats shall be sterilized, ear-tipped, vaccinated, and returned to  
1666 a safe location in close proximity to the original point of pick-up by an officer  
1667 or released to an approved rescue group. ~~However, any community cat~~  
1668 ~~determined to be a nuisance by the Division shall be relocated to an~~  
1669 ~~alternate suitable outdoor location.~~

1670 (4) ~~Community cats shall be exempt from the rabies registration license~~  
1671 ~~requirements of Section 4-11 and the stray animal provisions of~~  
1672 ~~Section 4-23.~~

1673 (b) Community cats shall be exempt from the rabies registration tag  
1674 requirements of Section 4-11 and the stray animal provisions of Section 4-23.

1675 ~~(b)~~ (c) *Trap-neuter-return*. Broward County recognizes there are community cats  
1676 that may not enter the shelter or be under the care of a community cat caregiver.  
1677 Management programs to curtail breeding of community cats may be implemented,  
1678 funded, or otherwise supported by the Director to provide for trapping, sterilization, and  
1679 return-to-field of healthy community cats.

1680 (1) Community cats shall be sterilized, ear-tipped, vaccinated, and returned to  
1681 a safe location in close proximity to the original point of pick-up. However,  
1682 ~~any community cat determined to be a nuisance shall be relocated to a~~  
1683 ~~suitable outdoor location.~~

1684 ~~(2) Community cats shall be exempt from the rabies registration license~~  
1685 ~~requirements of Section 4-11 and the stray animal provisions of~~  
1686 ~~Section 4-23.~~

1687 ~~(3)~~ Community cats may be returned-to-field by an officer or a community cat  
1688 caregiver in accordance with the provisions of this section.

1689           Section 2.    Severability.

1690           If any portion of this Ordinance is determined by any court to be invalid, the invalid  
1691 portion will be stricken, and such striking will not affect the validity of the remainder of this  
1692 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be  
1693 legally applied to any individual, group, entity, property, or circumstance, such  
1694 determination will not affect the applicability of this Ordinance to any other individual,  
1695 group, entity, property, or circumstance.

1696           Section 3.    Inclusion in the Broward County Code of Ordinances.

1697           It is the intention of the Board of County Commissioners that the provisions of this  
1698 Ordinance become part of the Broward County Code of Ordinances as of the effective  
1699 date. The sections of this Ordinance may be renumbered or relettered and the word  
1700 “ordinance” may be changed to “section,” “article,” or such other appropriate word or  
1701 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.