

PROPOSED

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO ANIMAL CARE AND ADOPTION DIVISION FEES; AMENDING SECTION 40.9 OF THE BROWARD COUNTY ADMINISTRATIVE CODE (“ADMINISTRATIVE CODE”); REDUCING BREEDER PERMIT FEES; INCREASING CIVIL PENALTIES FOR FAILURE TO OBTAIN A BREEDER PERMIT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Vice-Mayor Lamar P. Fisher, and
Cosponsored by Senator Nan H. Rich)

WHEREAS, Section 40.9 of the Broward County Administrative Code (“Administrative Code”) is the fee schedule for the Animal Care and Adoption Division (“Division”) and also provides various civil penalties for violations of Chapter 4 of the Broward County Code of Ordinances (“Code”);

WHEREAS, Section 4-6.5(a) of the Code requires that prior to breeding or studing a dog or cat, selling a dog or cat, or offering a dog or cat for sale, breeding, or studing purposes, an individual or entity must first obtain a breeder permit issued by the Division;

WHEREAS, Section 40.9(i)(3) of the Administrative Code provides for an annual fee of Five Hundred Dollars (\$500.00) to obtain or renew a breeder permit;

WHEREAS, Section 40.9(k)(20) of the Administrative Code sets the civil penalties for violations of Section 4-6.5 of the Code: One Hundred Fifty Dollars (\$150.00) for the first offense, and Three Hundred Dollars (\$300.00) for the second and subsequent offenses;

1 WHEREAS, the civil penalties for the first two offenses for failure to obtain a
2 breeder permit are less than the cost to comply with the permitting requirements of
3 Section 4-6.5 of the Code and obtain a breeder permit;

4 WHEREAS, the Animal Care Advisory Committee (“Committee”), in a letter to the
5 Board and County Administration dated October 22, 2021, recommends changes to
6 Section 40.9 of the Administrative Code to reduce the fees to obtain a breeder permit and
7 increase the civil penalties for those involved in dog or cat breeding or studing without a
8 breeder permit;

9 WHEREAS, the Board deems it in the best interests of the citizens of Broward
10 County to accept the recommendations of the Committee, and amend Section 40.9 of the
11 Administrative Code in accordance therewith, NOW, THEREFORE,

12
13 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
14 BROWARD COUNTY, FLORIDA:

15
16 Section 1. Section 40.9 of the Broward County Administrative Code is hereby
17 amended to read as follows:

18 **40.9. Animal Care and Adoption Division Fee Schedule.**

19 The following fee schedule is hereby adopted:

20 . . .

21 i. *Permit Fees.*

22	1. Guard Dog Owner	\$200.00
23	2. Guard Dog Service	1,000.00
24	3. Breeder	500.00 <u>300.00</u>

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

1 . . .

2 k. *Civil Penalties.* Any person cited for an infraction of Chapter 4 shall pay a
3 civil penalty for each infraction. Offenses are determined by the owner’s
4 name, not the animal’s name.

5 . . .

6 20. Failure to Obtain a Breeder Permit (4-6.5).

7	(a) First Offense	150.00	<u>350.00</u>
8	(b) Second and Subsequent Offenses	300.00	<u>500.00</u>

9 . . .

10

11 Section 2. Severability.

12 If any portion of this Administrative Code Resolution is determined by any court to
13 be invalid, the invalid portion will be stricken, and such striking will not affect the validity
14 of the remainder of this Administrative Code Resolution. If any court determines that this
15 Administrative Code Resolution, in whole or in part, cannot be legally applied to any
16 individual, group, entity, property, or circumstance, such determination will not affect the
17 applicability of this Administrative Code Resolution to any other individual, group, entity,
18 property, or circumstance.

19

20 Section 3. Inclusion in the Broward County Administrative Code.

21 It is the intention of the Board of County Commissioners that the provisions of this
22 Administrative Code Resolution become part of the Broward County Administrative Code
23 as of the effective date. The sections of this Administrative Code Resolution may be
24 renumbered or relettered and the word “resolution” may be changed to “section,” “article,”

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