



Broward County

Legislation Text

File #: 21-2272, Version: 1

Broward County Commission Regular Meeting

Director's Name: Andrew J. Meyers

Department: County Attorney

Information

Requested Action

A. MOTION TO ENACT Ordinance, the title of which is as follows:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO BREEDER PERMITS AND REQUIREMENTS; AMENDING SECTION 4-6.5 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); ALLOWING CIVIL PENALTIES FOR FIRST-TIME VIOLATIONS OF SECTION 4-6.5(a) OF THE CODE TO BE APPLIED TO FEES FOR A NEW BREEDER PERMIT; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

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

*(Per the Tuesday Agenda Memorandum, **Commissioner Furr requests to be added as a cosponsor.**)*

(Parts A and B were taken up together and voted on separately.)

ACTION: (T-12:02 PM) Filed proof of publication and enacted Ordinance No. 2022-05 to become effective as provided by law. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Furr voted in the affirmative telephonically.

B. MOTION TO ADOPT Resolution Amending the Broward County Administrative Code, the title of which is as follows:

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)

(Per the Tuesday Agenda Memorandum, Commissioner Furr requests to be added as a cosponsor.)

(Parts A and B were taken up together and voted on separately.)

ACTION: (T-12:02 PM) Approved Resolution No. 2022-033. (Refer to minutes for full discussion.)

VOTE: 9-0. Commissioner Furr voted in the affirmative telephonically.

Why Action is Necessary

Resolutions directing the County Administrator to publish notices of public hearing to consider enactment of the Ordinance and adoption of the Resolution were adopted by the Board of County Commissioners at its meeting of December 7, 2021.

What Action Accomplishes

Allows the Board to consider enactment of the proposed Ordinance and adoption of the proposed Resolution relating to breeder permits.

Is this Action Goal Related

No

Previous Action Taken

Summary Explanation/Background

THE RESILIENT ENVIRONMENT DEPARTMENT AND THE ANIMAL CARE AND ADOPTION DIVISION RECOMMEND APPROVAL OF THIS ITEM.

On October 22, 2021, the Animal Care Advisory Committee (the “Committee”) Chairperson, Grace Johns, sent a letter on behalf of the Committee to the Board of County Commissioners and to the County Administrator regarding the Committee’s recommendations relative to the fees charged by Broward County for obtaining a dog or cat breeder permit (“Breeder Permit”).

The recommendations of the Committee are for the County to reduce the cost of a Breeder Permit and to increase the civil penalties for failing to obtain a Breeder Permit. In addition, the Committee recommends allowing the civil penalty imposed for a first-time failure to obtain a Breeder Permit to be applied toward the cost of the Breeder Permit, if the violator seeks to obtain the permit and otherwise complies with all conditions to obtain one. It is the Committee’s belief that the reduction in Breeder Permit fees, the increase in civil penalties for violations, and the ability to have the civil penalty imposed on first-time offenders used to offset the cost of a Breeder Permit will encourage those engaged in dog or cat breeding to come into compliance with the Code requirements. The Committee further believes these changes would promote the humane treatment of cats and dogs and would reduce the number of homeless animals.

MOTION A: The proposed Ordinance, if enacted, will provide for the civil penalty imposed for a first-time violation of Section 4-6.5(a) of the Code (failure to obtain a Breeder Permit) to be used by the

violator to offset the cost of a new Breeder Permit, provided the violator complies with all conditions for a new Breeder Permit application within fifteen (15) days after the violation notice is issued. Currently, Section 4-6.5(l) of the Code requires that all fees and fines associated with violations of Section 4-6.5 must be utilized for spay and neuter programs.

MOTION B: The proposed Resolution, if approved, will amend Section 40.9 of the Administrative Code to reduce the fees for obtaining a Breeder Permit and to increase the civil penalties for failure to obtain a Breeder Permit. In addition, this item will allow the fine from the first offense for failure to obtain a Breeder Permit to be applied to offset the violator's fee to obtain a new Breeder Permit.

Source of Additional Information

Nathaniel A. Klitsberg, Senior Assistant County Attorney, 954-357-7600

Fiscal Impact

Fiscal Impact/Cost Summary

Per the Office of Management and Budget, the estimated impact on the budget does not exceed the threshold required for a Fiscal Impact Statement.