TOWN OF JUNO BEACH

ORDINANCE NO. 671

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JUNO
BEACH, FLORIDA, AMENDING CHAPTER 4, “ANIMALS,” OF THE
TOWN CODE OF ORDINANCES TO ADOPT DEFINITIONS, PROHIBIT
THE RETAIL SALE OF DOGS AND CATS AND REGULATE BREEDING
ACTIVITIES WITHIN THE TOWN; PROVIDING FOR CODIFICATION,
SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.

WHEREAS, according to the Human Society of the United States, hundreds of
thousands of dogs and cats have been housed and bred at substandard breeding
facilities, known as “puppy or kitten mills” that mass-produce animals for sale to the
public, primarily at pet stores; and

WHEREAS, cats and dogs bred in puppy or kitten mills often suffer from health,
social and/or temperament problems that sometimes result in costly treatment or death;
and

WHEREAS, in addition to the congenital and hereditary conditions resulting from
substandard breeding facilities, dogs and cats bred at these facilities may arrive in pet
stores and their new homes with giardia, parvovirus and distemper, illnesses that can
be transmitted to healthy animals; and

WHEREAS, while not all dogs and cats sold in retail pet stores are the product of
inhuman breeding conditions and not every commercial breeder selling dogs or cats to
pet stores operates a puppy or kitten mill, these facilities continue to exist in part
because of public demand for the sale of dogs and cats in pet stores; and

WHEREAS, according to the Humane Society of the United States, Florida has
the largest number of consumer complaints and the highest number of complaints about
puppies purchased from pet stores; and

WHEREAS, the Town Council determines that prohibiting puppy and kitten mills
and the retail sale of dogs and cats in the Town will promote community awareness of
animal welfare and will encourage pet consumers to adopt dogs and cats from shelters,
thereby saving the lives of animals and reducing the cost to the public of sheltering
animals.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF JUNO BEACH, FLORIDA as follows:

Section 1. The foregoing “Whereas” clauses represent the legislative findings
of the Town Council supporting the need for this Ordinance and are hereby ratified and
incorporated herein.
Section 2. The Town Council hereby amends Chapter 4, "Animals," of the Town Code of Ordinances to read as follows (additional language underlined and deleted language is stricken through):

Sec. 4-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the following meanings, except where the context clearly indicates a different meaning:

Animal rescue organization means a duly incorporated non-profit organization devoted to the rescue, care and adoption of stray, abandoned or surrendered animals and which does not breed animals.

Animal shelter means a public animal shelter or shelter operated by an animal rescue organization.

Cat means an animal of the Felidae family of the order Carnivora.

Dog means an animal of the Canidae family of the order Carnivora.

Pet store means any retail establishment whether operated separately or in conjunction with another business enterprise open to the public that sells or transfers, or offers for sale or transfer, dogs and/or cats regardless of the age of the animal.

Pet store operator means a person who owns or operates a pet store.

Puppy or kitten mill means a facility where dogs or cats are bred for the purpose of selling them and where any two of the following conditions are found to exist:

1. More than twenty (20) puppies under the age of twelve (12) weeks or more than twenty kittens under the age of sixteen (16) weeks are kept at a single time;
2. No genetic (heredity) health testing appropriate for the breed is conducted;
3. No long-term (over one (1) year) guarantees are offered;
4. A single female is bred every cycle;
5. A single female is bred over five (5) times;
(6) There is no record of the dogs' or cats' parents; or

(7) More than eight (8) dogs or kittens are kept in a single cage or kennel area.

Sec. 4-42. Dogs and cats running at large prohibited; license and leash required on public property.

(a) No owner or keeper of any dog or cat shall permit such dog or cat to run at large.

(b) No owner or keeper of any dog or cat shall permit such dog or cat on any public street, parkway, walkway or any public park or recreation area unless said dog or cat is properly licensed with a tag and collar and accompanied by a person who has a leash on such dog or cat.

Sec. 4-23. Waste; pickup and disposal.

It shall be unlawful and prohibited for any person to aid, abet, assist or allow any dog or cat under his custody to leave any deposit of offal or excreta on any public or private premises, pavement or streets, parkways or walkways, or in any public parks or recreation areas, or ways on the oceanfront devoted to the use of the public, other than on premises owned by the owner or custodian or such dog or cat. All waste matter must be picked up and disposed of by the custodian walking such dog or cat.

Sec. 4-5. Breeding and retail sale of dogs and cats.

(a) Puppy or Kitten Mills. It shall be unlawful for any person or entity to establish, operate or maintain a puppy or kitten mill within the corporate limits of the town.

(b) Sale or transfer of dogs or cats. It shall be unlawful for a pet store to display, sell, deliver, barter, lease, rent, auction, give away, transfer, offer for sale or transfer, or otherwise dispose of dogs or cats within the corporate limits of the town.

(c) Exemptions. This section shall not apply to:

(1) A person who sells, deliver, offers for sale, trades, barters, leases, rents, auctions, gives away or otherwise transfers or disposes of a dog or cat that was bred and reared on property owned by the person provided that the person is not operating a puppy or kitten mill, the person is not a pet
dealer as defined in chapter 828 F.S., and the property is not a pet store.

(2) An animal shelter.

(3) An animal rescue organization; or

(4) An animal shelter or animal rescue organization that operates out of or in conjunction with a pet store.

(e) Adoption of shelter and rescue animals. Nothing in this section shall prevent a pet store or its owner, operator or employee from providing space and appropriate care for animals owned by an animal shelter or animal rescue organization and maintained at the pet store for the purpose of offering the animals for adoption by members of the public.

(f) Violations, enforcement.

(1) Code enforcement personnel are authorized to enforce this article in accordance with all remedies set forth in division 2 of article II of chapter 2 of this code.

(2) Law enforcement personnel are authorized to enforce this article in accordance with all remedies set forth in division 2 of article II of chapter 2 of this code, section 1-14 of this code, and any other provision of state or local law.

(3) In addition to the remedies set forth above, whether civil or criminal, the town may also pursue temporary or permanent injunctive relief or any other legal or equitable remedy authorized by law in a court of competent jurisdiction to enforce the provisions of this section.

Sec. 4-36. Keeping of livestock and poultry prohibited.

It shall be unlawful to raise or keep any animal generally considered as livestock or poultry, such as chickens, horses, goats, sheep, pigs, cows or any other animal or fowl generally kept or maintained on a farm, within the town limits.

Sec. 4-47. Protection of turtles, beaches.

For the protection of turtles and of the beach and beach dune system, no mechanical beach-cleaning methods may be used within the incorporated limits of the town; provided, however, that the county may utilize mechanical beach-cleaning methods within county-owned parks.
Hand cleaning methods to remove nonvegetative debris may be utilized without a town permit; however, no removal of seaweed from the beach and beach dune system shall be permitted. An annual town permit shall be required to relocate seaweed, in addition to any required state permit for beach cleaning.

**Section 3.** The provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Juno Beach, Florida.

**Section 4.** If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of the Ordinance.

**Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach, Florida, which are conflict with this Ordinance, are hereby repealed to extent of such conflict.

**Section 6.** This Ordinance shall be effective immediately upon adoption.

FIRST READING this 25th day of June, 2014.

SECOND, FINAL READING AND ADOPTION this 23rd day of July, 2014.

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MORTON LEVINE, MAYOR

ELLEN ANDERSON, VICE MAYOR

BILL GREENE, VICE MAYOR PRO TEM

JIM LYNCH, COUNCILMEMBER

JASON HASSELKORN, COUNCILMEMBER

ATTEST:

LEONARD G. RUBIN
TOWN ATTORNEY