

## Sec. 30-60.31. - Retail sale of dogs and cats.

- (a) *[Generally.]* As of December 9, 2013, pet stores, shops or care centers shall be precluded from displaying, selling, trading, delivering, bartering, leasing, renting, auctioning, give away, transferring, offer for sale or transfer, or otherwise dispose of dogs or cats in the Village of Palmetto Bay, except as provided below:
- (1) A person or pet store that sells, delivers, offers for sale, trades, barter, leases, rents, auctions, gives away, or otherwise transfers or disposes of dogs and/or cats that were bred and reared on property owned by and zoned for the person or pet store.
  - (2) An animal shelter.
  - (3) An animal rescue organization.
  - (4) An animal shelter or animal rescue organization that operates out of or in connection with a pet store.
- (b) *Certificate of source.* A pet store shall post and maintain, on or within three feet of each dog's or cat's kennel, cage or enclosure, a certificate of source of each dog or cat offered for sale or transfer, and shall provide a copy of such certificate to the purchaser or transferee of any dog or cat sold or transferred.
- (c) *Violations—Enforcement.*
- (1) Any person who violates this section shall be subject a \$250.00 daily fine.
  - (2) Additionally, the village may initiate a civil action in court of competent jurisdiction to enjoin any violation of this section.
  - (3) Pet stores or shops that sold dogs or cats prior to December 9, 2013, that did not comply with the terms herein shall be vested. If the use is discontinued for six months or more, the use shall be considered nonconforming, and the use, if re-established is to comply with the foregoing provisions of section 30-60.31.
- (d) *Definitions.* For purposes of this subsection, the following definitions shall apply:
- (1) *"Animal rescue organization"* means a duly incorporated nonprofit organization devoted to the rescue, care and adoption of stray, abandoned or surrendered animals and which does not breed animals.
  - (2) *"Animal shelter"* means a municipal or related public animal shelter or duly incorporated nonprofit organization devoted to the rescue, care and adoption of stray, abandoned or surrendered animals, and which does not breed animals.
  - (3) *"Cat"* means an animal of the Felidae family of the order Carnivora.
  - (4) *"Certificate of source"* means a document declaring the source of origin of the dog or cat sold or transferred or offered for sale or transfer. A certificate of source shall include the name and address of the original source of the dog or cat and license information if the original source breeder is licensed by the United States Department of Agriculture and shall be signed by both the pet store

certifying the accuracy of the certificate and by the purchaser or transferee of the dog or cat acknowledging receipt of the certificate.

- (5) "*Dog*" means an animal of the Canidae family of the Carnivora.
- (6) "*Pet store*" means any retail establishment open to the public that sells or transfers, or offers for sale or transfer, dogs and/or cats, regardless of the age of the dog or cat.
- (7) "*Pet store operator*" means a person who owns or operates a pet store.

(Ord. No. 2013-14, § 1, 12-9-2013)