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**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.

1  
2       **Section 2.** The Town Council hereby amends Chapter 4, "Animals," of the  
3 Town Code of Ordinances to read as follows (additional language underlined and  
4 deleted language is ~~stricken through~~):

5  
6       **Sec. 4-1. Definitions.**

7  
8       The following words, terms, and phrases, when used in this  
9 chapter, shall have the following meanings, except where the context  
10 clearly indicates a different meaning:

11  
12       Animal rescue organization means a duly incorporated non-profit  
13 organization devoted to the rescue, care and adoption of stray,  
14 abandoned or surrendered animals and which does not breed animals.

15  
16       Animal shelter means a public animal shelter or shelter operated by  
17 an animal rescue organization.

18  
19       Cat means an animal of the Felidae family of the order Carnivora.

20  
21       Dog means an animal of the Canidae family of the order Carnivora.

22  
23       Pet store means any retail establishment whether operated  
24 separately or in conjunction with another business enterprise open to the  
25 public that sells or transfers, or offers for sale or transfer, dogs and/or cats  
26 regardless of the age of the animal.

27  
28       Pet store operator means a person who owns or operates a pet  
29 store.

30  
31       Puppy or kitten mill means a facility where dogs or cats are bred for  
32 the purpose of selling them and where any two of the following conditions  
33 are found to exist:

- 34  
35       (1) More than twenty (20) puppies under the age of twelve (12)  
36 weeks or more than twenty kittens under the age of sixteen  
37 (16) weeks are kept at a single time;  
38  
39       (2) No genetic (heredity) health testing appropriate for the breed  
40 is conducted;  
41  
42       (3) No long-term (over one (1) year) guarantees are offered;  
43  
44       (4) A single female is bred every cycle;  
45  
46       (5) A single female is bred over five (5) times;

1  
2           (6)   There is no record of the dogs' or cats' parents; or

3  
4           (7)   More than eight (8) dogs or kittens are kept in a single cage  
5           or kennel area.

6  
7       **Sec. 4-12.   Dogs and cats running at large prohibited; license and**  
8       **leash required on public property.**

9  
10           (a)   No owner or keeper of any dog or cat shall permit such dog  
11           or cat to run at large.

12  
13           (b)   No owner or keeper of any dog or cat shall permit such dog  
14           or cat on any public street, parkway, walkway or any public park or  
15           recreation area unless said dog or cat is properly licensed with a tag and  
16           collar and accompanied by a person who has a leash on such dog or cat.

17  
18       **Sec. 4-23.   Waste; pickup and disposal.**

19  
20           It shall be unlawful and prohibited for any person to aid, abet, assist  
21           or allow any dog or cat under his custody to leave any deposit of offal or  
22           excreta on any public or private premises, pavement or streets, parkways  
23           or walkways, or in any public parks or recreation areas, or ways on the  
24           oceanfront devoted to the use of the public, other than on premises owned  
25           by the owner or custodian or such dog or cat. All waste matter must be  
26           picked up and disposed of by the custodian walking such dog or cat.

27  
28       **Sec. 4-5.    Breeding and retail sale of dogs and cats.**

29  
30           (a)   Puppy or Kitten Mills. It shall be unlawful for any person or  
31           entity to establish, operate or maintain a puppy or kitten mill within the  
32           corporate limits of the town.

33  
34           (b)   Sale or transfer of dogs or cats. It shall be unlawful for a pet  
35           store to display, sell, deliver, barter, lease, rent, auction, give away,  
36           transfer, offer for sale or transfer, or otherwise dispose of dogs or cats  
37           within the corporate limits of the town.

38  
39           (c)   Exemptions. This section shall not apply to:

40  
41           (1)   A person who sells, deliver, offers for sale, trades, barter,  
42           leases, rents, auctions, gives away or otherwise transfers or  
43           disposes of a dog or cat that was bred and reared on  
44           property owned by the person provided that the person is not  
45           operating a puppy or kitten mill, the person is not a pet

1                   dealer as defined in chapter 828 F.S., and the property is not  
2                   a pet store.

3  
4                   (2)   An animal shelter;

5  
6                   (3)   An animal rescue organization; or

7  
8                   (4)   An animal shelter or animal rescue organization that  
9                   operates out of or in conjunction with a pet store.

10  
11                   (e)   Adoption of shelter and rescue animals. Nothing in this  
12                   section shall prevent a pet store or its owner, operator or employee from  
13                   providing space and appropriate care for animals owned by an animal  
14                   shelter or animal rescue organization and maintained at the pet store for  
15                   the purpose of offering the animals for adoption by members of the public.

16  
17                   (f)   Violations, enforcement.

18  
19                   (1)   Code enforcement personnel are authorized to enforce this  
20                   article in accordance with all remedies set forth in division 2  
21                   of article II of chapter 2 of this code.

22  
23                   (2)   Law enforcement personnel are authorized to enforce this  
24                   article in accordance with all remedies set forth in division 2  
25                   of article II of chapter 2 of this code, section 1-14 of this  
26                   code, and any other provision of state or local law.

27  
28                   (3)   In addition to the remedies set forth above, whether civil or  
29                   criminal, the town may also pursue temporary or permanent  
30                   injunctive relief or any other legal or equitable remedy  
31                   authorized by law in a court of competent jurisdiction to  
32                   enforce the provisions of this section.

33  
34                   **Sec. 4-36.   Keeping of livestock and poultry prohibited.**

35  
36                   It shall be unlawful to raise or keep any animal generally  
37                   considered as livestock or poultry, such as chickens, horses, goats,  
38                   sheep, pigs, cows or any other animal or fowl generally kept or maintained  
39                   on a farm, within the town limits.

40  
41                   **Sec. 4-47.   Protection of turtles, beaches.**

42  
43                   For the protection of turtles and of the beach and beach dune  
44                   system, no mechanical beach-cleaning methods may be used within the  
45                   incorporated limits of the town; provided, however, that the county may  
46                   utilize mechanical beach-cleaning methods within county-owned parks.

1 Hand cleaning methods to remove nonvegetative debris may be utilized  
2 without a town permit; however, no removal of seaweed from the beach  
3 and beach dune system shall be permitted. An annual town permit shall  
4 be required to relocate seaweed, in addition to any required state permit  
5 for beach cleaning.  
6

7 **Section 3.** The provisions of this Ordinance shall become and be made a part  
8 of the Code of Ordinances of the Town of Juno Beach, Florida.  
9


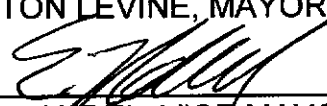



10 **Section 4.** If any section, paragraph, sentence, clause, phrase, or word of this  
11 Ordinance is for any reason held by a court of competent jurisdiction to be  
12 unconstitutional, inoperative or void, such holding shall not affect the remainder of the  
13 Ordinance.

14 **Section 5.** All ordinances or parts of ordinances of the Town of Juno Beach,  
15 Florida, which are conflict with this Ordinance, are hereby repealed to extent of such  
16 conflict.  
17


18 **Section 6.** This Ordinance shall be effective immediately upon adoption.  
19

20 FIRST READING this 25<sup>th</sup> day of June, 2014.  
21


22 SECOND, FINAL READING AND ADOPTION this 23<sup>rd</sup> day of July, 2014.

23	X	_____	
24	AYE	NAY	MORTON LEVINE, MAYOR
25			
26	X	_____	
27	AYE	NAY	ELLEN ANDEL, VICE MAYOR
28			
29	X	_____	
30	AYE	NAY	BILL GREENE, VICE MAYOR PRO TEM
31			
32	X	_____	
33	AYE	NAY	JIM LYONS, COUNCILMEMBER
34			
35	X	_____	
36	AYE	NAY	JASON HASELKORN, COUNCILMEMBER
37			

38  
39  
40 ATTEST:

41  
42   
43 VANESSA M. DUNHAM, MMC  
44 TOWN CLERK  
45

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

  
LEONARD G. RUBIN  
TOWN ATTORNEY