

Sec. 72.44. - Pet breeder regulations.

(a) *Definitions.*

As used in this chapter, the following words and phrases are defined as follows:

Breeder means both hobby breeder and commercial breeder, as defined herein.

Breeder permit shall mean a formal authorization issued by the county which allows a breeder to engage in a breeding of animals as provided for by this section.

Commercial breeder means any person, firm, partnership, corporation, or other association which, in the ordinary course of business, engages in the sale of more than two litters, or 20 or more dogs or cats, per year, whichever is greater, to the public. This definition includes breeders of animals who sell such animals directly to a consumer.

Health certificate means "Official Certificate of Veterinary Inspection" is as defined in F.S. § 828.29.

Hobby breeder means any person, business, or organization who breeds and/or raises dogs or cats for the purposes of transferring ownership with or without monetary compensation of no more than two litters, or 20 dogs or 20 cats, per year, whichever is greater.

(b) *Breeder permit requirements.*

- (1) No breeder shall cause or allow the breeding of a dog or cat, or offer a dog or cat for breeding or stud purposes, without first obtaining a breeder permit issued by the county. The cost of the breeder permit and other related fees shall be established by the board of county commissioners by resolution and shall be maintained in a fee schedule.
- (2) A breeder permit is valid for a period of one year from the date of issuance and must be renewed annually.
- (3) No breeder permit shall be issued or renewed to any applicant that has outstanding and unsatisfied civil penalties or unpaid citations imposed due to violations of this chapter.
- (4) A breeder permit is not transferable, assignable, or refundable. A breeder permit is limited to one per person, per business, and per organization.
- (5) Hobby breeder shall:
 - a. Not breed more than two litters or more than 20 dogs, cats, puppies, or kittens during a 365-day period; and
 - b. Not offer for sale, trade, receive any compensation for or give away more than two litters or more than 20 dogs, cats, puppies, or kittens during a 365-day period.
- (6) Commercial breeders may:
 - a. Breed at least two litters or at least 20 dogs, cats, puppies, or kittens during a 365-day period; and

- b. Offer for sale, trade, receive any compensation for or give away at least two litters or at least 20 dogs, cats, puppies, or kittens during a 365-day period;

(7) All breeders shall comply with the following:

- a. Keep records, for the duration of the breeder permit and for at least the three years from the date a breeder permit was issued, of the birth of each litter of puppies or kittens, and make such records available for review by animal resources upon request; and
- b. Keep veterinary records of rabies vaccinations, all other inoculations, and any medical condition(s) of each dog, cat, puppy, or kitten bred to be sold, given away, or otherwise conveyed, and all other records described herein; and maintain all veterinary and transactional records for each dog, cat, puppy, or kitten sold for a period of one year from the sale of that animal; and
- c. On a yearly basis, provide to animal resources the name, address, and telephone number of the new owner of each dog, cat, puppy, or kitten sold, given away, or conveyed by the breeder; and
- d. Furnish to each new owner of a dog, cat, puppy, or kitten with:
 - i. A copy of the complete record pertaining to the individual animal;
 - ii. The breeder permit number, providing proof and assurance that the animal was legally bred;
 - iii. The microchip number of the animal, and;
 - iv. A copy of the animal's health certificate, which must be signed on the date of examination by the examining veterinarian no more than 30 days before the sale of the animal per F.S. § 828.29(3)(c), and must include the veterinarian's license number. Each dog or cat offered for transfer of ownership must receive vaccines and anthelmintics against the diseases and internal parasites stated in F.S. § 828.29;
- e. Not offer a puppy or kitten under the age of eight weeks for sale, trade, other compensation, or gift, with the exception of animals taken to an animal shelter or an animal welfare organization; and
- f. Recommend to each new owner that any animal sold, transferred, or given away be examined by a veterinarian within one week of the date of transfer and notify the new owner of state and local requirements for rabies vaccinations and county licenses; and
- g. List the breeder permit number on all advertisements and literature concerning the sale or gift of any dog, cat, puppy, or kitten of the breeder; and
- h. Adhere to minimum standards regarding humane treatment and care of animals, as provided in Section 72.10 of this chapter; and
- i. Provide, when available, a medical history of the sire and dam to the new owner; and

- j. Present a copy of a valid, current health certificate to any enforcement officer upon demand for review; and
- k. If a dog or cat dies while in the possession of a breeder, the breeder shall secure the services of a veterinarian who shall document the animal's date of death and known or suspected cause of death; and
- l. Consent to allow an enforcement officer to view each animal that is the subject of a breeder permit and to inspect the premises where the animal is harbored, as well as the location where the breeding operation occurs.

An inspection the premises where the animal is harbored and where the breeding operation occurs shall not be made between 6:00 p.m. of any day and 8:00 a.m. of the succeeding day or in the absence of the breeder or the owner of the premise who is over the age of 18. Such inspection will be limited to that necessary to ascertain compliance with this section and with Section 72.10. If a breeder refuses to allow the enforcement officer to perform such inspection, animal resources may apply for a warrant pursuant to applicable provisions of F.S. Ch. 933 and the director may revoke the breeder permit as provided in Section 72.44(12). All reports of such inspections shall be in writing and maintained by animal services.

- m. Allow an enforcement officer to view and examine any and all records of the breeder, as described in Section 72.44(a)—(b), upon request.

(8) *Obtaining a breeder permit.*

- a. A person seeking a breeder permit shall apply to animal resources on a form approved by the county. The applicable fee must accompany the application for a breeder permit or its renewal.
- b. The applicant shall provide a completed application to animal resources and supply all information requested by animal resources. The permit application shall include, but not be limited to, the following information:
 - i. The name, address, and telephone number of the applicant;
 - ii. A statement as to whether the applicant has ever been found to have violated the prohibitions in this section, or has been convicted of the offense of cruelty to animals, under state law, or has been the subject of a final judgment entered under F.S. § 828.073, or any other Florida Statutes prohibiting animal neglect or mistreatment;
 - iii. A description (species, breed, sex, age, coloration) of each animal to be bred or used for stud under the permit;
 - iv. The physical address of the premise where the breeding will occur and where the animals will be harbored; and

- v. Verifiable proof that each animal to be bred or used for stud are current on rabies vaccination and county license.

(9) Reserved.

(10) *Exemptions.*

- a. Veterinarians and licensed animal hospitals providing animal reproduction and related veterinary services in the course of their business shall be exempt from this ordinance.
- b. Alachua County, animal services, and animal welfare organizations shall be exempt from the provisions of this section.

(11) *Violations and enforcement.*

- a. Failure by a breeder to obtain a breeder permit prior to using or offering to use an animal for breeding or stud shall constitute a violation.
- b. Counterfeiting a breeder permit or health certificate or maliciously destroying a breeder permit shall constitute a violation.
- c. Failure to comply with the requirements of this section shall constitute a violation. Violations of this section may be enforced pursuant to any mechanism pursuant to Chapter 24 and Section 10.08 of this Code.

(12) *Permit denial, revocation, and appeals.*

- a. The director may deny or revoke, any breeder permit application or breeder permit if it is determined that:
 - i. There has been a material misstatement or misrepresentation in the applicant or permit holder's permit application; or
 - ii. The applicant or permit holder violates any provision of Section 72.44; or
 - iii. The applicant or permit holder has been previously found in violation of Section 72.44 within the preceding two-year period; or
 - iv. The applicant or permit holder has been (a) found in violation of Section 72.10 of this Code or other federal, state or local law or ordinance relating to animal welfare, treatment, and care; (b) criminally charged or convicted of violation of a section of F.S. Ch. 828, including but not limited to, laws involving cruelty to animals; (c) has been enjoined by a court of law for possession or custody of animals or (d) has been subject to a final judgment pursuant to F.S. § 828.073; or
 - v. An animal under the care and responsibility of an applicant or permit holder has been found to be in need of immediate veterinary care that, if not treated, would result in suffering, pain, or death, and the applicant or permit holder did not address the medical need in a timely manner; or
 - vi.

A breeder has exceeded the maximum number of litters or animals permitted in this section; or

- vii. A breeder refused consent to an inspection of the premise identified in the breeder permit as provided in this section.
- b. No permit fee shall be refunded for a permit that is revoked or suspended.
- c. If a permit is either denied or revoked, animal resources shall provide written notification of the denial or revocation to the applicant or permit holder by certified mail, return receipt requested; hand delivery by an enforcement officer; or service in conformance with the provisions of F.S. Ch. 48, relating to service of process.
- d. An applicant or permit holder may contest a denial or revocation of a breeder permit by submitting an appeal in writing, received by the director no later than 5:00 pm on the fifth calendar day after receipt by the applicant or the permit holder of the written notification of the denial or revocation. Failure to timely submit an appeal shall constitute total and complete waiver of the right to appeal. The written appeal shall include a detailed statement of the basis for the appeal and include with it all supporting evidence or documents that substantiate the basis for the appeal. The county manager will consider a timely appeal and may conduct any inquiry that the county manager deems necessary. The county manager will issue a written determination either upholding or rescinding the denial or the revocation and provide a copy to the applicant or permit holder. The determination of the county manager shall be final and not subject to further appeal under this Code.

(Ord. No. 2020-18, § 1, 9-8-20; Ord. No. 2023-11, § 1, 6-13-23)