

ITEM #19₍₂₎

**ADDITIONAL MATERIAL
10:00 A.M. REGULAR MEETING
NOVEMBER 7, 2017**

**SUBMITTED AT THE REQUEST OF
COMMISSIONER CHIP LaMARCA**

ORDINANCE NO. 2017-

1 AN ORDINANCE OF THE BOARD OF COUNTY
2 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
3 PERTAINING TO RABIES REGISTRATION; AMENDING
4 SECTIONS 4-10 AND 4-11 OF THE BROWARD COUNTY
5 CODE OF ORDINANCES ("CODE"), ESTABLISHING
6 TIMEFRAMES FOR LICENSED VETERINARIANS TO
7 REMIT RABIES VACCINATION CERTIFICATES TO
8 BROWARD COUNTY AND FOR PET OWNERS TO
9 OBTAIN RABIES REGISTRATION TAGS; AND
10 PROVIDING FOR SEVERABILITY, INCLUSION IN THE
11 CODE, AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Chip LaMarca)

9 WHEREAS, pursuant to Article VIII, Section 1, of The Florida Constitution, and
10 Chapter 125, Florida Statutes, Broward County is authorized to protect the public
11 health, safety, and welfare of its residents and has the power and authority to enact
12 regulations for valid governmental purposes that are not inconsistent with general or
13 special law; and

14 WHEREAS, Section 828.30, Florida Statutes, specifically authorizes the County
15 to enact ordinances relating to animal care and rabies control; and

16 WHEREAS, Chapter 4 of the Broward County Code of Ordinances ("Code")
17 requires that all dogs and cats, four (4) months of age or older, in Broward County must
18 be vaccinated against rabies by a licensed veterinarian and must maintain a current
19 rabies registration tag; and

20 WHEREAS, very often dogs and cats are vaccinated for rabies by a licensed
21 veterinarian, but the rabies certificates are not expeditiously provided to the Broward
22 County Animal Care and Adoption Division; and

1 WHEREAS, Section 828.30(3), Florida Statutes, states that, upon vaccination
2 against rabies, the licensed veterinarian shall provide the animal's owner and the animal
3 control authority with a rabies vaccination certificate; and

4 WHEREAS, rabies vaccination certificates provide quick access to pet owner
5 information and rabies vaccination status, which is critical in the event of a bite, scratch,
6 or rabies exposure incident with an animal; and

7 WHEREAS, Section 4-11 of the Code requires owners of dogs and cats that are
8 over four (4) months of age to have their pets registered with Broward County, obtain
9 rabies registration tag(s), and keep the rabies registration tags current; and

10 WHEREAS, Sections 828.30, Florida Statutes, and 4-11 of the Code do not
11 currently establish timeframes within which veterinarians and pet owners must comply
12 with the applicable requirements; and

13 WHEREAS, the Broward County of County Commissioners Board deems it in the
14 best interest of the citizens of Broward County to establish timeframes for licensed
15 veterinarians who administer rabies vaccinations to provide rabies vaccination
16 certificates to Broward County, and for pet owners to obtain rabies registration tags,

17 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
18 BROWARD COUNTY, FLORIDA:

19 Section 1. Section 4-10 of the Broward County Code of Ordinances is hereby
20 amended to read as follows:

21 **Sec. 4-10. Rabies vaccination required for dogs, cats, and ferrets.**

22 . . .

23 (c) Evidence of a rabies vaccination shall consist of a fully completed rabies
24 vaccination certificate, in conformance with Florida Statutes, in a format provided by the

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1 Division, and signed by the veterinarian administering the vaccine. One (1) copy of the
2 certificate shall be retained by the veterinarian for at least one (1) year after the
3 vaccination expires, and the other copies shall be distributed to the owner and to the
4 Division. In the event a rabies registration tag is not provided or a pet owner declines to
5 purchase a rabies registration tag from the veterinarian pursuant to Section 4-11, the
6 veterinarian shall write "DECLINED NOT APPLICABLE" in the space on the rabies
7 vaccination certificate where the pet license number is normally entered, prior to
8 delivering the certificate to the Division. All veterinarians shall deliver completed rabies
9 vaccination certificates to the Division as follows:

10 (1) Electronic submissions. Veterinarians may electronically submit monthly
11 rabies vaccination data to the Division for each dog or cat vaccinated in
12 the previous month, including the veterinarian's actual signature or
13 signature stamp. This data shall include all the information found on the
14 physical certificate. Electronic rabies certificate data from the previous
15 month shall be sent to the Division no later than the tenth (10th) day of the
16 month following the date when the vaccination was administered.
17 Veterinarians using this method shall deliver physical copies of rabies
18 vaccination certificates to the Division no less often than on a quarterly
19 basis for the calendar year.

20 (2) Physical submissions. In lieu of electronically submitting monthly rabies
21 vaccination data, with quarterly submission of rabies vaccination
22 certificates, veterinarians shall deliver to the Division, on a monthly basis,
23 the completed rabies vaccination certificate for each dog or cat vaccinated
24 the previous month. Said certificates shall be postmarked no later than

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1 the tenth (10th) day of the month following the date when the vaccination
2 was administered.

3 (3) Violations. Any Broward County veterinarian who fails to deliver rabies
4 vaccination certificates to the Division as prescribed in the methods above
5 shall be deemed to be in violation of this section and may be issued a
6 citation and subject to a civil penalty in an amount set by resolution of the
7 Commission. Upon written request, the Director or the Director's designee
8 may grant a submission extension not to exceed thirty (30) days from the
9 original due date.

10 ...

11 Section 2. Section 4-11 of the Broward County Code of Ordinances is hereby
12 amended to read as follows:

13 **Sec. 4-11. Registration of dogs and cats.**

14 (a) Any ~~person~~ owner who owns or keeps, in Broward County ~~who owns or~~
15 ~~keeps~~, a dog or cat four (4) months of age or older shall have such dog or cat registered
16 by and in Broward County and shall obtain and keep a current rabies registration
17 ~~license tag~~. The Division shall provide suitable dog and cat rabies registration ~~licenses~~
18 tags for sale through veterinarians providing services in Broward County, authorized
19 representatives, or ~~through~~ the Division. Each owner of a dog or cat shall obtain a
20 Broward County rabies registration tag within thirty (30) days after the dog or cat has
21 been vaccinated against rabies. A separate rabies registration ~~license tag~~ shall be
22 issued for each dog or cat, and a rabies registration ~~license tag~~ issued for one (1) dog
23 or one (1) cat is not valid for any other dog or cat. Failure to obtain the rabies
24 registration tag within the timeframe provided herein shall be a violation of this section.

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1 and the owner of the dog or cat may be issued a citation and subject to a civil penalty in
2 an amount set by resolution of the Commission.

3 . . .

4 (c) The rabies registration ~~license~~ tag required by this section shall be
5 renewed annually by the owner of the dog or cat, by paying the applicable fee, and by
6 providing documentation that said dog or cat has a current rabies vaccination or is
7 exempt from such vaccination under the terms of this chapter.

8 (d) The Commission shall establish by resolution the fees to be charged for
9 rabies registration ~~licenses~~ tags. This may include discount fees for sterilized dogs or
10 cats. Any such discount shall be allowed only upon presentation of a certificate of
11 sterilization signed by a veterinarian licensed in any state or other documentation of
12 the dog's or cat's inability to reproduce, or upon presentation of proof of prior issuance
13 of a rabies registration ~~license~~ tag for the dog or cat at a similarly discounted fee.
14 Dogs and cats that are sterilized and vaccinated in connection with County programs
15 to encourage sterilization may also be eligible for a discount rabies registration ~~license~~
16 tag fee. The Division shall provide free rabies registration ~~licenses~~ tags to all
17 individuals with disabilities for animals that the Division has recognized as official
18 service animals. The Director shall establish the guidelines for approving and denying
19 free or discounted rabies registration ~~licenses~~ tags. The fees collected for rabies
20 registration ~~license~~ tag sales, over the baseline of one hundred thousand (100,000)
21 ~~licenses~~ tags per year, shall be deposited in the Animal Care Sterilization Trust Fund
22 to be used for sterilization programs, as determined by the Director.

23 . . .

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1 Section 3. SEVERABILITY.

2 If any portion of this Ordinance is determined by any Court to be invalid, the
3 invalid portion shall be stricken, and such striking shall not affect the validity of the
4 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
5 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
6 or circumstance(s), such determination shall not affect the applicability hereof to any
7 other individual, group, entity, property, or circumstance.

8 Section 4. INCLUSION IN CODE.

9 It is the intention of the Board of County Commissioners that the provisions of
10 this Ordinance shall become and be made a part of the Broward County Code; and that
11 the sections of this Ordinance may be renumbered or relettered and the word
12 "ordinance" may be changed to "section," "article," or such other appropriate word or
13 phrase in order to accomplish such intentions.

14 Section 5. EFFECTIVE DATE.

15 This Ordinance shall become effective as provided by law.

16 ENACTED

17 FILED WITH THE DEPARTMENT OF STATE

18 EFFECTIVE

19
20
21 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

22
23 By /s/ Maite Azcoitia 11/3/17
Maite Azcoitia (date)
24 Deputy County Attorney

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