

PROPOSED

ORDINANCE NO. 2017-

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

(Sponsored by Commissioner Chip LaMarca and Mayor Beam Furr)

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

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

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

WHEREAS, very often dogs and cats are vaccinated for rabies by a licensed veterinarian, but the rabies certificates are not expeditiously provided to the Broward 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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underscored type are additions.

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 "NOT APPLICABLE" in the space on the rabies vaccination
7 certificate where the pet license number is normally entered, prior to delivering the
8 certificate to the Division. All veterinarians shall deliver completed rabies vaccination
9 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. Electronic rabies certificate data from the previous
14 month shall be sent to the Division no later than the tenth (10th) day of the
15 month following the date when the vaccination was administered.

16 (2) Physical submissions. In lieu of electronically submitting monthly rabies
17 vaccination certificates, veterinarians shall deliver to the Division, on a
18 monthly basis, the completed rabies vaccination certificate for each dog or
19 cat vaccinated the previous month. Said certificates shall be postmarked
20 no later than the tenth (10th) day of the month following the date when the
21 vaccination was administered.

22 (3) Violations. Any Broward County veterinarian who fails to deliver rabies
23 vaccination certificates to the Division as prescribed in the methods above
24 shall be deemed to be in violation of this section and may be issued a

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1 citation and subject to a civil penalty in an amount set by resolution of the
2 Commission. Upon written request, the Director or the Director's designee
3 may grant a submission extension not to exceed thirty (30) days from the
4 original due date.

5 ...
6 Section 2. Section 4-11 of the Broward County Code of Ordinances is hereby
7 amended to read as follows:

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

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

22 ...
23 (c) The rabies registration ~~license tag~~ required by this section shall be
24 renewed annually by the owner of the dog or cat, by paying the applicable fee, and by

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1 providing documentation that said dog or cat has a current rabies vaccination or is
2 exempt from such vaccination under the terms of this chapter.

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

18 . . .

19 Section 3. SEVERABILITY.

20 If any portion of this Ordinance is determined by any Court to be invalid, the
21 invalid portion shall be stricken, and such striking shall not affect the validity of the
22 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
23 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
24

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1 or circumstance(s), such determination shall not affect the applicability hereof to any
2 other individual, group, entity, property, or circumstance.

3 Section 4. INCLUSION IN CODE.

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

9 Section 5. EFFECTIVE DATE.

10 This Ordinance shall become effective as provided by law.

11 ENACTED

12 FILED WITH THE DEPARTMENT OF STATE

13 EFFECTIVE

PROPOSED

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15
16
17 Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

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19
20 By /s/ Maite Azcoitia 11/29/17
Maite Azcoitia (date)
Deputy County Attorney

21
22
23 MA/gmb
11/29/17
Exhibit 1 - Final Rabies Tag Sales Ordinance
24 #14-416

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