

ORDINANCE NO. 2021-51

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA AMENDING THE CITY OF LARGO CODE OF ORDINANCES BY AMENDING CHAPTER 5 TO ENACT REGULATIONS FOR THE COMMERCIAL SALE OF DOGS AND CATS WITHIN THE CITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 5 of the City of Largo Code of Ordinances codifies regulations relating to animals within the City; and

WHEREAS, the City Commission determines that it is in the public interest to amend the regulations relating to animals within the City; and

WHEREAS, the City Commission finds that enactment of this ordinance is consistent with its police powers and will protect the public health, safety, and welfare of the residents of the City, and is consistent with, furthers and implements the purposes, goals, policies, and objectives of the City's enacted Comprehensive Plan.

NOW, THEREFORE, THE CITY OF LARGO CITY COMMISSION HEREBY ORDAINS:

SECTION 1. The above recitals are true, correct, and are hereby incorporated by reference as the findings of the City Commission.

SECTION 2. Chapter 5, Article III of the City of Largo Code of Ordinances is hereby enacted as follows:

Article III. - PET STORES

Sec. 5-34.- Pet store regulations

All owners of pet store(s) shall comply with the following regulations:

(a) Sourcing transparency.

(1) All pet store owners shall have the following information on site for all potential purchasers of dogs/cats, the City, and the State:

a. The name of the United States Department of Agriculture (USDA) breeding facility where the dog and/or cat was bred;

b. The license number of the USDA breeding facility; and

c. The city and state of the dog's and/or cat's breeding origin.

(2) The information required by (a)(1) shall be posted and maintained on each animal's cage, kennel, or enclosure, or in reasonable proximity thereof, all within clear view.

(3) In addition, a sign, in poster format, shall be placed in the pet store, in clear view, stating that the information required above is available for review by all potential purchasers, the city, the county, and the state upon request.

(4) Specific contact information for the breeder of the dog and/or cat may be provided at the discretion of the pet store to its potential purchasers, however, this information is required to be provided to the city upon request.

(b) Buying standards.

(1) All pet store owners shall only purchase dogs and/or cats that are intended to be sold to potential purchasers from breeders:

a. Approved and licensed by the USDA; and

b. That have not received any direct violations from the USDA in the past two years; and

c. That have not received more than four indirect violations from the USDA in the past two years; and

d. All breeders have an active state license in good standing with the state where its facility is located.

(2) The information required by (b)(1) above shall be posted and maintained on each animal's cage, kennel, or enclosure, or in reasonable proximity thereof, all within clear view.

(3) All pet store owners shall have readily available for all potential purchasers, the City, and the State and shall maintain for three years, USDA inspection reports in their entirety for the breeders of all dogs and/or cats being offered for retail sale in their pet stores and a current, valid health certificate from a Florida licensed veterinarian. For breeders that have been in business between one year and two years, the USDA pre-licensing inspection, the first USDA post-licensing inspection, and a statement that no other inspections have been completed shall suffice.

(4) In addition, a sign, in poster format, shall be placed in the pet store, in clear view, stating that this information is available for review by all potential purchasers, the City, and the State upon request.

(c) Grandfathering.

(1) The provisions of this Article shall be binding upon all duly licensed and operating pet stores currently engaged in the retail sale of cats or dogs within the City as of the date of its enactment (September 7, 2021).

(2) There shall be no new or additional pet stores engaging in the retail sale of cats or dogs within the City after the effective date of this Article (September 7, 2021).

a. For purposes of this subsection “new or additional pet store” shall mean any pet store established by a different corporation or entity or in a different location than those duly licensed and operating on the effective date of this Article. Notwithstanding the foregoing, “new or additional pet store” shall not include an existing pet store in operation on the effective date of this Article that has sold its corporation, store, or all corporate assets to another pet store corporation or operator so long as the purchaser or operator continues uninterrupted operations in the same location.

b. For purposes of this subsection “retail sale” shall mean any display, sale, barter, or offer for sale of cats or dogs, but shall not include adoption fees to publicly operated animal shelters or publicly operated animal control facilities, adoption fees to a duly incorporated nonprofit organizations operating for the purpose of rescuing and securing adoptions for stray, abandoned or surrendered animals and which do

no breed animals, or a retail establishment providing space for adoption of cats or dogs from a publicly operating animal shelter or duly incorporated nonprofit.

SECTION 3. All ordinances or parts thereof inconsistent herewith are hereby repealed and superseded.

SECTION 4. This ordinance shall be codified and made part of the City of Largo Code of Ordinances, and all existing section numbers in Chapters 5, together with any cross-references thereto including but not limited to cross-references to the use tables of the Comprehensive Development Code, may be revised to accomplish such codification.

SECTION 5. It is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 6. This ordinance shall become effective immediately upon its final passage and adoption.

APPROVED ON FIRST READING _____

PASSED AND ADOPTED ON

SECOND AND FINAL READING _____

CITY OF LARGO, FLORIDA

Louis (Woody) L. Brown, Mayor

REVIEWED AND APPROVED:

ATTEST:

Alan S. Zimmet, City Attorney

Diane Bruner, City Clerk