

Legislation – What's Hot

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“Florida Fanciers Fight”:

Things have been heating up this year in Florida. Fanciers have worked hard to modify a serious mandatory spay/neuter ordinance in Lee County. We need help to take on a bad anti-breeding proposal that would revise and expand breeder requirements in the Miami--Dade County Animal Code.

Lee County Mandatory Spay Neuter -

Domestic Animal Services Director, Donna Ward, in 2013 proposed a completely revised ordinance for Lee County with the expectation that this would also be adopted by all Cities in the County (Ft.Myers, Cape Coral. Etc.) The ordinance was clearly a mandatory spay/neuter (MSN) law with sterilization required for all dogs and cats over 6 months of age. Pedigreed cats and purebred dogs whose owners obtained a “Breeder Certificate” were the only animals exempted.

The Breeder Certificate provision meant complicated requirements, including proof that the cat/dog was registered with a recognized registry, agreement to unannounced inspections, record keeping and quarterly reports to Animal Services. Probably the worst provision was Violation for Non-possession of a Breeder Certificate. Any unsterilized animals over 6 months could be impounded by Animal Services. The owner would have to pay all fees, including sterilization for redemption if a Breeder Certificate was not obtained or approved within 5 consecutive days of impoundment.

With little notice and only a few dog fanciers at the final hearing on February 4th as well as one cat fancier there to testify in opposition, the Lee County Board of Commissioners passed the complete rewrite of the County Animal Ordinance #14-04. This ordinance would affect all Cities in the County and could spread to other parts of Florida and beyond.

The fanciers were able to achieve two concessions. The Commissioners agreed to a one year sunset review and they agreed that the breeders could work with Donna Ward to suggest improvements to the language before the ordinance would go into effect on May 1, 2014. A meeting with Ms. Ward was set up for March 6th.

The dog fanciers went into action and by mid February they had organized the **Lee Alliance for Responsible Dog & Cat Owners**, which includes several members of the Platinum Coast Cat Fanciers, a CFA club. Regular communication began through emails and a Facebook List. A CFA Alert was posted on February 18th asking for emails with objections to be sent to the Commissioners and Ms. Ward. With guidance from the CFA Legislative Group, NAIA and AKC Government Relations Department, the Alliance prepared alternatives for the meeting.

Charlene Campbell and Linda Anderson represented the cat fanciers. They prepared folders for all Commissioners and Ms. Ward, including a CFA letter, list of objections and other information provided by CFA. Much of this was an education process regarding cats. We needed to make Ms. Ward aware that reputable breeders of pedigreed cats are not businesses and are not commercial entities. There were several issues in the

ordinance that would be detrimental to random-bred cats and stray or feral cats as well as pedigreed cats. The turnout at the meeting was large and with NBC and CBS coverage. Many people in the area were made aware of dissatisfaction with the ordinance.

By March 29th, after three more meetings, Donna Ward had issued revision notes. The entire Breeder Certificate Section has been removed!! There were changes in licensing requirements. Definitions for “kennel”, “commercial” and “non-commercial” were also scrapped. The new definition for “breeder” provides a simple exemption from sterilization and microchipping for those “breeding purebred or pedigreed domestic animals that are registered or registration eligible with a nationally or internationally recognized dog or cat registry”.

There are several provisions that are still not ideal and a few quite detrimental for stray/free-roaming cats. Animals cannot roam at large and “any person may seize an animal”. They must then surrender the animal to Animal Services. This will be a death sentence for many cats. Dogs without identification are held for 3 days. Cats without identification (microchip, collar/tag or ear tipped) have a holding period of ZERO days!

The revised ordinance has now been submitted to the County Attorney and we expect it to be ready for the Commissioners **May 20, 2014** meeting.

The accomplishments of the Alliance shows that, with a tremendous amount of motivation and effort, even an ordinance initially approved by a County Board can be changed for the better after passage.

Miami—Dade County Retail Pet Sale Regulation:

This ordinance came up suddenly in early April. CFA's first opposition to the existing Miami –Dade Animal Code was in 1998. Eventually the law passed in 2007 and went into effect in 2008 with breeders living in the County grandfathered. The current law is so onerous that most dog and cat breeders have left the County and no new breeders would choose to live in this county. Now animal rights advocates have influenced two Commissioners who proposed the “Puppy Mill Cruelty Ordinance”. It amends sections of the Miami-Dade County Code governing the breeding and selling of dogs and cats, licensing of kennels, breeders, pet dealers, pet care centers and hobby breeders.

Unfortunately the existing ordinance has not achieved the goals of reducing cats and dogs in the shelter. We have suggested that the commissioners first assess the effects of the existing ordinance before passing more mandates that are counterproductive.

The definition of “hobby breeder” in the current code is a person “who sells no more than 2 litters per year.” This means that all conscientious cat breeders with a breeding program and several breeding females must be licensed as a breeder and pet dealer. A pet dealer must agree to allow warrantless inspections or face violation and fines. All cats and dogs sold in the County must have microchips registered/enrolled in a national registry and with the Department of Animal Services. A seller must also notify the Department within 48 hours of the sale and provide personal contact information for the new owner.

The newly proposed revisions expand the standards of care and record keeping for pet dealers (all breeders except “hobby”). Cats and dogs are limited to one litter every 12 months. This is not healthy for some cat breeds or individual cats who come in heat continuously and are at risk for uterine infections. A mating/breeding is not always

successful and a veterinarian may advise another mating on a female's next heat cycle. Each female cat/dog used for breeding must now be microchipped. A breeder's license number must be in every published advertisement. Penalties for violations have been added. Failure to microchip a female is \$500. Breeding a female more than once every 12 months is \$500. Failure to keep records for a cat or dog or to advertise without a license number is \$500 and all other violations of the Section relating to sales of dogs and cats are \$500 each

Added to the sales section of the new revisions breeders have been labeled with the derogatory terms, "puppy mills and kitten factories". We object to this terminology codified in law. Shelters and rescue organizations (do not need to be 501 (c) (3)) are exempted from the ordinance. ,

CFA and AKC put out alerts immediately and a CFA letter of opposition was sent to the Commissioners. There were only two dog fanciers who spoke against the ordinance at the County Commissioners meeting on April 8th . So far, we have not been able to locate a single cat breeder who is willing to work with CFA or TICA to stop this onerous ordinance. Current status - the ordinance was adopted on its first reading on April 8th and is scheduled for a public hearing before the Public Safety and Animal Services Committee on **Wednesday, June 11, 2014**. If you can work with CFA, talk with Committee member aides or speak at this hearing please contact the CFA Legislative Group at Legislation@cfa.org .