



Legislation Details (With Text)

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Type:	Ordinance	Status:		Agenda Ready	
File created:	12/22/2016	In control:		City Commission	
On agenda:	1/10/2017	Final action:			
Title:	ORDINANCE NO. 01-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 91, "ANIMALS", BY REPEALING SECTION 91.18, "RETAIL SALE OF DOGS AND CATS" AND READOPTING SAME, AS REVISED IN ORDER TO REQUIRE PERMITS FOR ADOPTION EVENTS, PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 91. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)				
Sponsors:	City Attorney Department				
Indexes:					
Code sections:					
Attachments:	1. Ord 01-17 amending Retail Sale of Dogs and Cats				

Date	Ver.	Action By	Action	Result
1/10/2017	1	City Commission	approved on first reading	Pass

TO: Mayor and Commissioners
FROM: Max Lohman, City Attorney
DATE: January 10, 2017

ORDINANCE NO. 01-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 91, "ANIMALS", BY REPEALING SECTION 91.18, "RETAIL SALE OF DOGS AND CATS" AND READOPTING SAME, AS REVISED IN ORDER TO REQUIRE PERMITS FOR ADOPTION EVENTS, PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 91. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:

Motion to Adopt Ordinance No. 01-17, amending section 91.18 in order to limit the number of adoption events that may be hosted by a pet store. Such events shall now require a permit prior to hosting an adoption event. If passed, a public hearing will be held on January 24, 2017.

Background:

On March 15, 2016, the City Commission adopted Ordinance No. 07-16 making it unlawful for a pet store or other retailer to display, sell, trade, deliver, barter, lease, rent, auction, give away, transfer, offer for sale, or otherwise dispose of dogs or cats in the City of Delray Beach. One exception to the Ordinance provided that animal shelters and animal rescue organizations, as were defined in the ordinance, were permitted to operate on their own or out of or in connection with a pet store.

Since its passing, Ordinance No. 07-16 has left open various channels for Pet Rescue organizations to operate as *de facto* pet stores. This amendment is necessary in order to carry out the City Commission's original intentions. By imposing reasonable requirements for businesses hosting adoption events, the City's goal of encouraging adoption and compliance with section 91.18 will be furthered. In addition, by limiting the number of events hosted per calendar year and requiring permits for same, the City will ensure that consumers will be offered legitimately rescued, abandoned and surrendered animals for adoption.