

Introduced by Council Member Gay:

**ORDINANCE 2025-794**

AN ORDINANCE CONCERNING ANIMAL CARE AND PROTECTIVE SERVICES; INCORPORATING RECITALS; REPEALING AND REPLACING PART 10 (PET SHOPS AND ANIMAL DEALERS), CHAPTER 462 (ANIMALS), *ORDINANCE CODE*, TO CONSOLIDATE WITH CERTAIN PROVISIONS CURRENTLY PROVIDED IN PART 11 (HOBBY BREEDERS AND CASUAL SELLERS), TO AMEND THE DEFINITIONS OF PET SHOP AND ANIMAL DEALER, AND TO ESTABLISH A MANDATORY MINIMUM NUMBER OF EMPLOYEES TO NUMBER OF ANIMALS RATIO; REPEALING AND RESERVING PART 11 (HOBBY BREEDERS AND CASUAL SELLERS), CHAPTER 462 (ANIMALS), *ORDINANCE CODE*; AMENDING SECTION 462.1803 (FEE SCHEDULE), PART 18 (FINE AND FEE SCHEDULES), CHAPTER 462 (ANIMALS), *ORDINANCE CODE*, TO ADD PERMITS FOR ANIMAL DEALERS AND HOBBY BREEDERS AND TO REMOVE PERMITS FOR PET SHOPS FROM THE LIST OF FEES; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City finds it in the best interests of the public to provide minimum standards that protect the health and welfare of animals housed and bred in the City of Jacksonville and to periodically update those standards to address the changing needs of the community and individuals and entities housing and/or breeding animals; and

**WHEREAS**, the City further finds that one such standard of

1 particular importance is the ratio of employees/persons present and  
2 available within an animal care organization to appropriately  
3 maintain animals in its care; and

4 **WHEREAS**, the City has determined the formula provided by the  
5 American Society for the Prevention of Cruelty to Animals ("ASPCA")  
6 Capacity for Care Calculator is the most appropriate to determine how  
7 many staff an animal care organization must reasonably employ to  
8 effectively maintain the animals in its care; and

9 **WHEREAS**, that formula provides - [Staffing Capacity = Average  
10 number of animals housed per day multiplied by .25 and then divided  
11 by the number of hours per shift];

12 **WHEREAS**, application of the aforementioned formula, by way of  
13 example, provides: 32 animals X .25 =8 and divided by an 8-hour  
14 typical workday equals 1 employee which forms the basis for certain  
15 revisions to Chapter 462, *Ordinance Code*, as provided herein; now  
16 therefore

17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Incorporation of Recitals.** The above recitals  
19 are true and correct and are incorporated herein by this reference.

20 **Section 2. Repealing and Replacing Part 10 (Pet Shops and**  
21 **Animal Dealers), Chapter 462 (Animals), Ordinance Code.** Part 10 (Pet  
22 Shops and Animal Dealers), Chapter 462 (Animals), *Ordinance Code*, a  
23 copy of which is attached hereto as **Exhibit 1**, is hereby repealed in  
24 its entirety and replaced with the following:

25 **CHAPTER 462 - ANIMALS**

26 \* \* \*

27 **PART 10. - ANIMAL BREEDERS AND SELLERS.**

28 **Sec. 462.1001. - Definitions.**

29 As used in this Part, unless the context clearly requires  
30 otherwise:

31 (a) *Animal Dealer* means any person or entity that breeds and/or

1 offers for sale any animals to be kept as pets including, but  
2 not limited to dogs, cats, rabbits, birds, fish, rodents, and  
3 reptiles. Hobby breeders in compliance with the provisions of  
4 this Part are excluded from this definition.

5 (b) *Health Certificate* means "Official Certificate of Veterinary  
6 Inspection (OCVI)" (Form DACS-09085 and in accordance with  
7 Section 828.29, *Florida Statutes*) issued by a Florida  
8 licensed veterinarian accredited by the United States  
9 Department of Agriculture (U.S.D.A.).

10 (c) *Hobby Breeder* means any person or entity that breeds two or  
11 fewer female dogs or cats per year.

12 **Sec. 462.1002. - Exemptions.**

13 Except as otherwise provided in this Chapter, the following  
14 shall be exempt from regulations by this Part: animal shelters,  
15 veterinary hospitals, clinics and schools, and the Jacksonville  
16 Zoological Gardens.

17 **Sec. 462.1003. - Permit Requirement and Application.**

18 (a) No animal dealer or hobby breeder shall operate without a  
19 current permit for its operation that has been issued to its  
20 owner by ACPS.

21 (b) Individuals or entities seeking a permit to operate as an  
22 animal dealer or hobby breeder shall pay an application fee,  
23 the amount of which may be found in Part 18 of this Chapter.  
24 The fee is non-refundable and shall be retained even if the  
25 applicant is denied a permit.

26 (c) No permit or renewal or reinstatement of a permit shall be  
27 issued to any person who has been convicted of cruelty to  
28 animals under any federal, State or local law, including all  
29 provisions of Part 2 of this Chapter, or to any entity owned  
30 by or employing any person who has been convicted of cruelty  
31 to animals under any federal, State, or local law.

- 1 (d) Application for a permit to operate as an animal dealer or  
2 hobby breeder should be made to ACPS.
- 3 (e) The signature of the applicant shall constitute agreement  
4 that the prospective permittee assumes responsibility for the  
5 management of the animal dealer or hobby breeder operation in  
6 accordance with the requirements of this Part and all  
7 applicable provisions of this Chapter.
- 8 (f) The application for issuance, renewal or reinstatement of a  
9 permit shall include such information and documentation as  
10 ACPS may reasonably require including, but not limited to,  
11 the following:
- 12 (1) Name, address and telephone number of the applicant;  
13 (2) Name, date of birth, home and business addresses, and  
14 telephone numbers of the permittee and the individual(s)  
15 having primary management responsibility. If permittee  
16 is a corporation or partnership or other organization,  
17 the name, date of birth, home and business address and  
18 home and business telephone numbers of each officer,  
19 principal or partner; and
- 20 (3) The animal cruelty conviction histories and any civil  
21 fines for animal cruelty, if any, for each of the above  
22 listed persons.
- 23 (g) Each permittee and each prospective permittee shall notify  
24 ACPS promptly of any and all changes in the information  
25 submitted in the application for issuance, renewal or  
26 reinstatement of a permit. Each permittee and each  
27 prospective permittee shall also promptly notify ACPS of any  
28 enlargement to or remodeling of the animal care facilities,  
29 except where a hobby breeder is operating out of his/her  
30 primary residence.
- 31 (h) No permit shall be transferable, and the location of a

permitted animal dealer shall not change unless the permittee has applied for and received a new permit for the new location.

**Sec. 462.1004. - Regulations and Standards.**

(a) General:

- (1) Every animal shall be cared for appropriately for its genus, species, age, sex, and individual health and nutritional needs.
- (2) Every animal shall be provided with sufficient wholesome food appropriate for its genus, species, age, sex, and individual health and nutritional needs.
- (3) Every animal shall be provided with sufficient fresh, potable water, except for saltwater animals.
- (4) An animal dealer or hobby breeder is not required to obtain City licenses for animals but must inform the prospective owner or purchaser of the requirement to license the animal in accordance with Section 462.502, *Ordinance Code*.

(b) Animal Habitat:

- (1) Every animal shall be provided with appropriate shelter that protects it from the weather, extreme temperatures and direct sunlight.
- (2) Enclosures shall be constructed of nonporous, non-absorbent, impervious material. Floors shall be fiberglass, concrete, tile or other nonporous and impervious material. Dog and cat enclosures may be covered throughout with a minimum of three inches of gravel.
- (3) Enclosures shall be kept in safe and sanitary conditions appropriate for the animal(s) they house. Enclosures with wire or grid floors shall not:

- (i) Permit the animal's feet to pass through the openings,
- (ii) Sag under the animal's weight, or
- (iii) Otherwise pose a risk of injury to the animal's feet, toes, or legs.
- (4) When an enclosure becomes empty through sale or other transfer of its occupant(s), the enclosure shall not be used to hold or house another animal until it has been thoroughly cleaned and disinfected.
- (5) Cat enclosures shall contain no less than 30 cubic feet of space per cat housed within and shall contain a spill-resistant litter pan of sufficient size and with sufficient litter for the number of cats within the enclosure.
- (6) Every animal shall have sufficient space to stand fully erect, lie down fully outstretched, and turn completely around in a natural position without touching the sides or top of the enclosure with any part of its body, including ears and tail, and without touching any other animal in the enclosure. If the animal cannot access additional indoor or outdoor space for exercising, then this enclosure must provide adequate space for exercising.
- (7) Animals shall not be commingled inappropriately for their genus and species, except that rodents may be placed in enclosures containing reptiles when being used as reptile food. No enclosure shall be overcrowded. No combination of dogs, cats, and birds shall be commingled in the same enclosure and every dog or cat over six months of age shall be kept in its own enclosure. However, where an animal dealer, or hobby breeder is

operating out of his/her primary residence, animals may be comingled within the residence if they are compatible including dogs and cats over the age of six months.

(8) All indoor areas of the premises in which animals are housed shall be well-ventilated and provide for wholesome change of air.

(9) Interior lighting shall be provided in reasonable cycles conducive to the animals' natural biological rhythms.

(10) Birds

(i) Every birdcage and enclosure shall have appropriate and sufficient food and water for each bird it houses.

(ii) Every enclosure for large birds shall be wide enough to allow any bird in the enclosure to extend both its wings fully at the same time without any part of its body, including its tail, touching the top of or any side of the enclosure and shall be at least twice the height of the tallest bird in the enclosure.

(iii) Every enclosure for small birds shall be large enough for all the birds in it to perch at the same time.

(iv) Every bird shall be provided with sufficient perching space. In each birdcage, perches shall be parallel, aligned horizontally and not vertically, and perches shall be mounted so that the tail of any perched bird will not touch the bottom of the enclosure.

(v) Birds shall be housed at least 12 inches above the floor.

(vi) Large and small birds shall not be comingled in

the same enclosure.

- (11) Every fish tank shall, for each fish and/or aquatic animal within, have appropriate and sufficient water, food, plant life, lighting, aeration, filtration, and heating and shall be free from excessive algae. Every fish tank shall be cleaned as needed.

(c) Sanitation:

- (1) Every animal dealer or hobby breeder operation shall be maintained in a safe and sanitary manner in order to promote a healthy environment for its animals, personnel and patrons and to limit the risk of disease transmission to animals and to humans.

- (2) Every animal dealer or hobby breeder operation shall have a readily accessible sink whose use shall be limited to hand washing. The sink shall be equipped with adequate hot and cold running water, hand cleaning soap, and sanitary toweling or a sanitary drying device.

- (3) Every animal dealer operation shall have a readily accessible deep sink with adequate hot and cold running water suitable for the cleaning of equipment, utensils, mops, and cages, and which may be used for the bathing and/or dipping of animals only after the sink has been thoroughly cleaned of any contaminants.

- (4) Every animal dealer operation shall have readily accessible at least one restroom facility containing at least one toilet and one sink that are available for use by personnel and patrons, pursuant to Ch. 381, *Florida Statutes* as may be amended, and applicable State rules and regulations.

- (5) All floors, walls and ceilings shall be kept clean and in good repair.

(6) All structural doors shall be self-closing, and all windows shall be screened; except where a hobby breeder is operating out of his/her primary residence.

(7) Every animal dealer operation shall be distinctly separate from any area used for human habitation or for the preparation of, or the serving of, food for human consumption.

(8) Every animal dealer or hobby breeder operation shall be kept pest-free and vermin-free.

(9) All equipment shall be kept clean, in good repair and in working order.

(d) Employees:

(1) All animal dealers shall have at least one paid employee on site per every 32 cats and dogs on site from 9:00 AM until 5:00 PM each day and during any other time the business is open to the public.

(2) For animals other than cats or dogs, all animal dealers shall have one paid employee on site per every 32 animal enclosures on site from 9:00 AM until 5:00 PM each day and during any other time the business is open to the public.

(e) Vaccinations, Vaccination Records, and Heath Certificates:

(1) Every animal dealer or hobby breeder shall comply with all requirements of Sections 828.29 and 828.30, *Florida Statutes*, including, but not limited to: maintaining records of vaccinations and other preventative medication; maintaining official certificates of veterinary inspection; retaining records; and sale, purchase and return of dogs and cats. Every animal dealer and hobby breeder shall comply with the requirements of Section 462.502, *Ordinance Code* and Section 828.30,

1                   *Florida Statutes.*

2           (2) For every dog and cat kept for the purpose of sale,  
3           trade or gift, the animal dealer or hobby breeder shall  
4           maintain a record of any vaccination, injury, illness,  
5           consultative services, and/or treatment and make  
6           available upon request to any prospective owner the  
7           recorded information and a copy of the official  
8           certificate of veterinary inspection required by Section  
9           828.29, *Florida Statutes* for any such animal.

10          (3) All dogs and cats offered for sale or exchange for  
11          valuable consideration must have valid, current OCVI  
12          Health Certificates at the time they are offered for  
13          sale. These certificates must be presented to any animal  
14          control officer upon demand for review. Animal shelters  
15          and rescue groups offering animals for adoption are  
16          exempt from the provisions of this Section. To qualify  
17          for the exemption, a rescue group must be a not for  
18          profit organized (or operating as an agent of an  
19          organization) under Section 501(c)(3) of the Internal  
20          Revenue Code with the express mission/business function  
21          of adopting sterilized homeless and unwanted animals. A  
22          copy of the I.R.S. letter of designation shall be  
23          provided to ACPS upon request.

24          (f) Sick Animals and Veterinary Care:

25               (1) Sick animals shall be isolated individually and in such  
26               a manner as to prevent exposure to other animals.  
27               Quarantine and/or restriction of infected animals shall  
28               comply with Ch. 381, *Florida Statutes*, as may be amended,  
29               and with applicable State rules and regulations.

30               (2) No animal dealer or hobby breeder shall sell, trade,  
31               give away, or offer for sale, trade, or gift, any animal

1 that is infected with, or is suspected of being infected  
2 with or of having been exposed to and during the disease  
3 incubation period for, any disease which is communicable  
4 to humans or to other animals including, but not limited  
5 to, rabies, distemper, mange, parvo virus or other  
6 infectious or dangerous diseases as determined by a  
7 veterinarian.

8 (3) Every animal dealer or hobby breeder shall provide  
9 appropriate veterinary care whenever an animal under its  
10 care is found to be sick or injured. Such care may  
11 include euthanasia when approved and performed by a  
12 veterinarian licensed by the State of Florida. It shall,  
13 in a timely fashion, record and report to the DCHD every  
14 incident on its premises of a known or suspected disease  
15 of the type zoonosis.

16 (4) No animal shall be tranquilized for grooming purposes  
17 or for the purpose of keeping the animal in a docile  
18 state except as directed by a veterinarian.

19 (g) Wild Animals:

20 (1) No animal dealer shall sell, trade, give away, or offer  
21 for sale, trade or gift any livestock, game, or other  
22 animal which is not a household pet as defined in this  
23 Chapter unless it is possessed and sold in accordance  
24 with applicable laws and regulations of the Commission.

25 (2) For every animal offered for sale, trade, or gift by the  
26 permittee that is subject to permitting by the  
27 Commission, the permittee shall:

28 (i) House and display the animal in such a manner as  
29 to prevent handling by the general public;

30 (ii) Possess all necessary wildlife permits and comply  
31 with all federal and State rules and regulations;

- (iii) Inform the prospective owner of the animal of the requirement for special Commission permitting;
- (iv) Make available to the new owner at the time of transfer of ownership of the animal an appropriate Commission form of application; and
- (v) Make and retain on the animal dealer operation premises a complete record of the acquisition of and the sale, trade, or gift of all wild animals. Records must be retained on premises for at least two years.

**Sec. 462.1005. - Grounds for suspension and revocation of permit; appeal process; surrender of permit; disposition of animals.**

- (a) ACPS is authorized to suspend or revoke an animal dealer or hobby breeder permit for violation of a provision of this Part or for a violation of Part 2 of this Chapter.
- (b) ACPS may suspend the permit of any animal dealer or hobby breeder found guilty of three or more violations of this Chapter within a six-month period.
- (c) Permit suspension shall be for a period of time not to exceed six months, to be determined at the discretion of ACPS. Revocation shall be for a period of one year. Thirty days before the end of the revocation period, the former permittee may apply for another permit.
- (d) Except as otherwise ordered by the Building Codes Adjustment Board (the "Board"), or by a court of competent jurisdiction, suspension of a permit shall take effect on the fifth business day, and revocation of a permit on the fifteenth business day, after service of written notice by one of the following methods:
- (1) By personal service upon the permittee, a member or officer thereof, or the person having primary management

responsibility for the animal dealer or hobby breeder operation; or

(2) By the prominent posting of a copy of such notice at the main entrance of the permitted premises.

(e) A permittee shall promptly surrender the animal dealer or hobby breeder permit to ACPS upon the effective date of a suspension or revocation, subject to appeal as provided herein.

(f) The permittee may challenge the action of ACPS by appealing to the Board. The permittee's appeal, alleging error in an order, decision or determination of ACPS shall be submitted to the Board in accordance with the provisions of Chapter 56. Final Board decision is subject to appeal to a court of competent jurisdiction.

(g) Upon surrender of a revoked or suspended permit, the permittee shall demonstrate, to the satisfaction of ACPS, that permittee has lawfully arranged new ownership of each animal in its charge as of the effective date of suspension or revocation. If permittee fails to do so, ACPS may, at its sole discretion and at the former permittee's sole expense, seize and impound, sell, adopt or otherwise humanely dispose of any animals still in the possession or control of the former permittee.

(h) Suspension or revocation of a permit shall not relieve the permittee of the responsibility to abide by the provisions of this Part and shall not limit ACPS's authority to inspect the premises and to issue warnings and citations accordingly as otherwise provided in this Part.

**Sec. 462.1006. - Inspections.**

(a) The signature of the applicant on the animal dealer or hobby breeder permit application constitutes consent by the

1        permittee or prospective permittee for ACPS, or its designee,  
2        to perform unannounced inspections during reasonable hours  
3        of:

4        (1)        The entire premises where the animals are housed and  
5                    maintained,

6        (2)        Every vehicle routinely used for transporting the  
7                    animals, and

8        (3)        All pertinent records including sales transactions  
9                    and veterinary records.

10       (b)       The animal dealer operation or hobby breeder operation shall  
11                allow ACPS or its designee access to inspect the areas and  
12                documents listed in subsection (a). If access is not provided  
13                within 24-hours of request by ACPS, an Animal Control Officer  
14                may petition for an inspection or search and seizure warrant  
15                in accordance with Ch. 933, *Florida Statutes*.

16       (c)       No animal dealer or hobby breeder permit shall issue or  
17                reissue without inspection by ACPS or its designee of the  
18                entire premises where the animals are or will be housed and  
19                maintained and every vehicle routinely used for or that will  
20                be routinely used for transporting the animals.

21       (d)       The permittee shall notify ACPS in advance of any alteration,  
22                remodeling or physical expansion to the animal dealer  
23                operation in order to allow ACPS the opportunity to inspect  
24                such remodeling.

25       **Sec. 462.1007. - Citations for violations.**

26       Every animal dealer and hobby breeder shall comply with the  
27       provisions of this Part. Each failure to comply with any shall be a  
28       separate violation. Where the violation is not severe in nature,  
29       defined by the imminent risk of suffering or harm to the animal(s)  
30       or humans, an Animal Control Officer shall issue a warning for the  
31       first violation with a reasonable time to cure the violation. The

Animal Control Officer, where practicable, shall perform a follow-up investigation to determine whether the situation has been corrected and shall issue a citation for any continuing or subsequent violation. All fees and fines associated with this Section shall be deposited in the Spay and Neuter Trust Fund.

**Sec. 462.1008 - Enhanced penalties for violations of this Chapter.**

A permitted animal dealer or hobby breeder found guilty of violating any provision of this Chapter other than those contained in this Part shall be subject to the maximum available fine for the violation in question.

\* \* \*

**Section 3. Repealing and Reserving Part 11 (Hobby Breeders and Casual Sellers), Chapter 462 (Animals), Ordinance Code.** Part 11 (Hobby Breeders and Casual Sellers), Chapter 462 (Animals), Ordinance Code, a copy of which is attached hereto as **Exhibit 2**, is hereby repealed in its entirety and reserved.

**Section 4. Amending Section 462.1803 (Fee Schedule), Part 18 (Fine and Fee Schedules), Chapter 462 (Animals), Ordinance Code.** Section 462.1803 (Fee Schedule), Part 18 (Fine and Fee Schedules), Chapter 462 (Animals), Ordinance Code, is hereby amended to read as follows:

**CHAPTER 462 - ANIMALS**

\* \* \*

**PART 18. - FINE AND FEE SCHEDULES**

\* \* \*

**Sec. 462.1803. - Fee Schedule.**

The fees listed below can be found electronically on the following City of Jacksonville webpage: [www.coj.net/fees](http://www.coj.net/fees).

Fee Item/ Service/Function

Reclaim/Intake (1st Reclaim free for City licensed pets)

Daily Boarding

Quarantine Fee (10 days or any portion thereof)  
Owner Surrender (per animal)  
Owner Surrender (out of City)  
Rabies Vaccination  
Medical Expenses/Sterilization  
Spay/Neuter Deposit  
Microchip (RFID)  
Dangerous Dog Investigation (includes up to 14 days board)  
Dangerous Dog Hearing Appeal (Paid only if appeal is upheld to  
cover fees)  
Annual Dangerous Dog Permit  
Annual Animal Dealer Permit ~~Annual Pet Shop Permit~~  
Annual Hobby Breeder Permit  
Annual Guard Dog Registration Fee (per animal)

\* \* \*

**Section 5. Codification Instructions.** The Codifier and the Office of General Counsel are authorized to make all chapter and division "tables of contents" consistent with the changes set forth herein. Such editorial changes and any others necessary to make the *Ordinance Code* consistent with the intent of this legislation are approved and directed herein, and changes to the *Ordinance Code* shall be made forthwith and when inconsistencies are discovered.

**Section 6. Effective Date.** This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

1 Form Approved:  
2  
3 /s/ Laura Hartung  
4 Office of General Counsel  
5 Legislation Prepared by: Laura Hartung  
6 GC-#1712342-v3-ACPS\_Hobby\_Breeder\_and\_Pet\_Shops\_Ord\_.docx