

ORDINANCE NO. 2017-34

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

(Sponsored by Commissioner Chip LaMarca,  
Mayor Beam Furr, and Commission Nan H. Rich)

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

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

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

20 WHEREAS, very often dogs and cats are vaccinated for rabies by a licensed  
21 veterinarian, but the rabies certificates are not expeditiously provided to the Broward  
22 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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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 (10<sup>th</sup>) 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 (10<sup>th</sup>) 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

12 ENACTED December 5, 2017

13 FILED WITH THE DEPARTMENT OF STATE December 6, 2017

14 EFFECTIVE December 6, 2017

15

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

18

19 By /s/ Maite Azcoitia 12/05/17  
20 Maite Azcoitia (date)  
21 Deputy County Attorney

21

22 MA/gmb  
23 12/05/17  
24 Exhibit 1 - Final Rabies Tag Sales Ordinance  
#14-416

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