

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA CREATING A NEW SECTION 4-9, REGULATION OF DOG AND CAT SALES; CREATING DEFINITIONS OF PET STORE, RESCUE OR HUMANE ORGANIZATION, AND RETAIL SALES; BANNING THE SALE OF DOGS AND CATS IN PET STORES UNLESS THEY COME FROM RESCUE OR HUMANE ORGANIZATIONS; CREATING RESTRICTIONS ON THE AGE AND HEALTH OF DOGS AND CATS SOLD IN PET STORES; REGULATING THE DISPLAY OF DOGS AND CATS IN PET STORES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG, FLORIDA DOES ORDAIN:

Section 1: The St. Petersburg City Code is hereby amended by adding a new section 4-9 to read as follows:

Sec. 4-9. – Regulation of Dog and Cat Sales

(a) For the purposes of this section:

- (1) The term “pet store” shall mean any retail establishment, including any use known as, a pet shop, dog beauty parlor, pet hospital, flea market, which is open to the public and engaging in retail sale of pet supplies or services, or dogs or cats or any combination of dogs and cats.
- (2) The term “retail sale” includes display, offer for sale, offer for adoption, barter, auction, or otherwise transfer for compensation of dogs, cats, or both.
- (3) The term “rescue or humane organization” means a pet shelter or pet foster home, a publicly owned animal control facility or animal shelter, or other duly incorporated nonprofit organization devoted to the rescue, care and adoption of stray, abandoned or surrendered animals, which does not breed animals.

(b) Prohibition.

- (1) No pet store shall offer for retail sale any dog or cat in the City.
- (2) No person shall make or offer for retail sale any dog or cat on or in any street, public property, or commercial parking lot.

(c) Exemptions. The retail sale prohibition shall not apply to:

- (1) A person who engages in hobby or home breeding and sale of dogs or cats at their residence;
- (2) A rescue or humane organization;

- (3) A pet store which only displays dogs or cats in accordance with an agreement to display animals for retail sale or adoption on behalf of a rescue or humane organization.
- (d) Display of Dogs and Cats. Any dog or cat displayed or available for retail sale by an exempt person or entity pursuant to this section shall comply with the following:
 - (1) All dog and cat displays must include a placard or other identification including the breed or type of animal (if known), approximate age, source of the dog or cat, and any known health issues of the dog or cat.
 - (2) All identification information and records, including the source of the dog or cat, and the buyer's contact information must be kept on file for at least 365 days after the sale or transfer of ownership of the dog or cat.
 - (3) All dogs or cats must be a minimum of 8 weeks old.
 - (4) All dogs or cats on display for retail sale must have access to fresh water.
 - (5) All display areas shall be kept clean and free of waste.
 - (6) Each dog or cat available for retail sale must be accompanied by a current health certificate of veterinary inspection dated not more than 45 days before the retail sale of any dog or cat.
 - (7) The seller of any dog or cat shall advise the buyer of Florida law that requires all dogs and cats four months of age or older receive a rabies vaccine.
- (e) Penalties. The fine for each violation of this section shall be \$500 per violation. Each dog or cat sold or offered for sale in violation of this section shall constitute a separate offense.

Section 2. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

Section 3. In the event this Ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the mayor notifies the City Council through written notice filed with the City Clerk that the mayor will not veto this Ordinance, in which case this Ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this Ordinance is vetoed by the mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

City Attorney (Designee)