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Chapter 14 - ANIMALS

ARTICLE IV. STANDARDS OF CARE FOR ANIMAL-RELATED BUSINESSES AND ORGANIZATIONS; BREEDERS;
AND RODEOS

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Sec. 14-76. Purpose of Ordinance.

The purpose of this Ordinance is to create the Standards of Care authorized by Section Twelve of the Collier County Animal Control Ordinance. This Ordinance is expressly limited to animal-related businesses, animal-related organizations, commercial breeders, non-commercial breeders, and rodeos and is to be read in conjunction with the Collier County Animal Control Ordinance.

(Ord. No. 2013-55, § 1)

Sec. 14-77. General Standards of Care.

Anyone who owns or maintains an animal-related business, animal-related organization, commercial breeder, non-commercial breeder, or rodeo must provide that animal:

1. Freedom from hunger or thirst by ready access to fresh water and a diet to maintain full health and vigor;
2. Freedom from discomfort by providing an appropriate environment including shelter and a comfortable resting area;
3. Freedom from pain, injury or disease by prevention or rapid diagnosis and treatment;
4. Freedom to express normal behavior by providing sufficient space, proper facilities and company of the animal's own kind; and
5. Freedom from fear and distress by ensuring conditions and treatment which avoid mental suffering.

(Ord. No. 2013-55, § 2)

Sec. 14-78. Proper Animal Husbandry.

Anyone who owns or maintains an animal-related business, animal-related organization, commercial breeder, non-commercial breeder, or rodeo must exercise proper Animal Husbandry, which includes the following practices:

1. Animal enclosures must be safe, sanitary, dry, and must protect the animals from the elements.

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2. Animal enclosures shall be large enough for each animal contained therein to stand up, sit down, lie down, and turn around simultaneously.
3. Where an enclosure is used sequentially for more than one animal during the course of a day, the enclosure will be cleaned, sanitized and dried between each animal.
4. Airline-type containers normally used for shipping and transporting animals shall not be used to permanently house animals.
5. Where animals are incompatible, they shall be contained separately in appropriate enclosures.
6. Housing facilities for animals must be clean and sufficiently ventilated at all times when animals are present to provide for their health, comfort and well-being.
7. Housing facilities for animals must be sufficiently heated and cooled when necessary to protect the animals from cold and hot temperatures and to provide for their health, comfort and well-being.
8. Premises where animals are housed shall have sufficient lighting and provide a diurnal lighting cycle, by either natural or artificial light, corresponding to the natural period of daylight and night. If artificial light is provided, it must emulate natural light.
9. Premises where animals are housed shall be clean, orderly and free of garbage, toxic substances, unused food, standing water, sharp objects, litter or refuse.
10. Garbage shall be kept in garbage cans with properly fitting lids and disposed of regularly.
11. Bodies of dead animals must be disposed of according to applicable county and state regulations, policies and laws.
12. Food shall be stored in such a way as to prevent contamination by rodents, pests and moisture. Food storage containers shall be clearly and properly labeled as to contents.
13. Any poisonous plants growing in or near where herbivorous animals are being housed should be removed.
14. All chemicals, pesticides, cleaning solutions and disinfectants shall be stored and used in accordance with manufacturers' instructions, properly labeled as to content and kept away from contact with animals and animal food.
15. All animal feces shall be removed and disposed of properly. Livestock manure which has been removed from animal enclosures shall be maintained the maximum feasible distance from animal housing. Animal feces shall not be allowed to contaminate surrounding waters.
16. Food dishes and water bowls shall be cleaned daily.
17. When communal feeding containers are used, there shall be sufficient space to feed all the animals simultaneously.
18. Animals shall be provided with food of sufficient quantity and quality to allow for normal growth and maintenance of a healthy body weight.
19. Fresh water shall be available to all animals daily and shall be maintained in a container in such a manner that animals cannot turn the container over.
20. Food and water shall be fresh, appropriate for the animal, and free from contamination.
21. Animals must be given exercise appropriate for their species, breed, and size.

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22. The responsible party must follow veterinary instructions for any sick or injured animal. Proof of adequate, timely veterinary care and follow-up must be provided to animal services upon request.
23. Animals having a known or suspected communicable animal-to-human disease shall be maintained in isolation where they cannot directly or indirectly come into contact with any other animals or the public. Applicable county and state health regulations must be followed when caring for any animal harboring an animal-to-human disease.
24. Any animal that cannot stand on its own or that has a life threatening disease must be hospitalized, housed under the direction of a licensed veterinarian or humanely euthanized in accordance with F.S. § 828.058.
25. Animals shall not be worked in a sick, diseased or injured condition.
26. Animals shall not be abused, mistreated, tormented or in any manner made to suffer by any person or any means.
27. Any enclosure used as a primary means of confinement for a dog must meet the definition of proper enclosure as defined in the Collier County Animal Control Ordinance.
28. Cats must be provided access to a receptacle containing sufficient clean litter to contain excreta and body wastes.
29. Cats must be provided solid resting surface(s) that are sufficient to hold all cats at the same time comfortably.
30. Livestock normally maintained in outdoor areas must have access to shelter that provides protection from the direct rays of the sun and the direct effect of wind and rain and is of sufficient size and/or number to provide enough space for each animal to comfortably stand up, sit down, lie down and turn around in the shelter simultaneously.
31. Livestock shall have access to dry ground at all times.
32. Livestock shall be provided access to an appropriately fenced open area for routine exercise.
33. Livestock must be securely confined and not permitted to run at large.
34. Livestock shall not be left unattended while tethered.
35. Equine and ovine shall have hooves trimmed so as to prevent lameness and extreme overgrowth.
36. Equine must have documentation by a licensed veterinarian certifying that the equine has been tested for Equine Infectious Anemia (Coggins test) within the preceding twelve-month period.
37. Animals other than those specifically enumerated herein shall be cared for pursuant to general guidelines and accepted animal husbandry standards for each species.

(Ord. No. 2013-55, § 3)

Sec. 14-79. Regulations for Animal-Related Businesses and Organizations.

- A. *Posting of Permit.* Each animal-related business and organization will prominently display a current, valid county animal services-issued operational permit.
- B. *Safety.*

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1. Each animal-related business or organization which accepts privately owned animals into its custody shall report to animal services any obvious case of neglect or animal abuse pursuant to the Collier County Animal Control Ordinance, these Standards, or F.S. ch. 828, "Cruelty to Animals." Animal services' phone number shall be posted in a prominent location.
2. Each animal-related business or organization will post emergency contact information in a prominent place visible from the exterior of the main entrance to the premises. If an animal-related organization is located in a premises used primarily as a residence, this contact information does not need to be prominently posted, but must be kept current and on file with animal services, the local law enforcement entity, and the local fire department. This contact shall be available at all hours in case of emergencies or other enforcement-related matters.
3. Each animal-related business or organization shall have a written disaster plan to address both immediate and noticed evacuation of all animals in case of an emergency. This plan shall be posted in a prominent location.
4. Each animal-related business or organization shall have a working telephone available at all times in case of an emergency. The name of the establishment's veterinarian and the veterinarian's phone number shall be posted in a prominent location.
5. Each animal-related business or organization shall provide for adequate rodent and insect control.

C. *Records.*

1. Each animal-related business or organization shall keep records on all animals currently under its care. These records shall be maintained on each animal individually.
2. The information in these records shall include but not be limited to rabies vaccination, all other inoculations and prescription or medical treatments administered.
3. Where the animal-related business or organization has a duty to care for, but not a right of ownership in the animal, records shall also include the owner's name, address, emergency telephone number, owner's proof of identification, and name and telephone number of owner's veterinarian. In addition, a medical release must be obtained from the owner or his designee for each animal and shall become part of the animal's record so that emergency treatment can be given if the animal shows signs of illness or is injured while in the care and custody of the animal-related entity. Exceptions to this provision may be made on a case-by-case basis when due to extenuating circumstances it is in the best interest of the animal for the animal owner to remain anonymous.
4. Where the animal-related business or organization has a right of ownership in the animal, records shall indicate where the animal was obtained.
5. A copy of a current (within the previous twelve months) negative Coggins test (equine infectious anemia) shall be on record for each equine (except nursing foals). No equine shall be accepted for board unless a current (within the past twelve months) negative Coggins test record is produced by the owner.
6. All records as described herein shall be kept for a period of two years.
7. All records shall be made available to the inspecting officer upon request.

D. *Groomers.*

1. Clippers, combs, brushes and any other equipment shall be sanitized after each animal grooming.

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2. Animals shall not be left unattended while tethered to grooming stations.
3. Clean, separate drying towels shall be used for each individual animal groomed.
4. Tepid water must be used for the purpose of washing dogs and cats. Cold water is not acceptable.
5. Grooming bathtubs shall be sanitized after each animal grooming. Grooming bathtubs shall be maintained free of mold and mildew.
6. Clippers, dryers, combs, brushes and any other grooming equipment shall be maintained in good repair so that they are appropriate for the intended safe use per the manufacturers' or suppliers' instructions.

E. *Long-term Nonresidential (Institutional) Housing of Dogs.*

1. Dogs maintained in a nonresidential setting for a period longer than three months shall be afforded protective measures. The responsible party shall notify animal services regarding all dogs maintained in a nonresidential setting for longer than three months and shall comply with the following requirements:
 - a. A veterinarian will examine the animal once every six months. Dogs not maintained on a heartworm preventative program shall be given an occult heartworm test and started on preventative or treated for same.
 - b. A professional behaviorist or trainer will evaluate the animal once every three months and recommend a behavioral enrichment program.
 - c. The dog will receive a minimum of fifty minutes of play, interaction, grooming and/or training each week or the care stipulated by the recommended behavioral enrichment program, whichever is more stringent. Dogs with medical conditions prohibiting play or training sessions shall be excluded from this requirement upon written certification of the medical condition by a licensed veterinarian.
 - d. Records shall be kept evidencing compliance with the above.

(Ord. No. 2013-55, § 4)

Sec. 14-80. Regulations for Rodeos.

- A. *Posting of Permit.* The operator of a rodeo will prominently display a current, valid county animal services-issued operational permit.
- B. *Safety.*
 1. The operator of a rodeo shall report to animal services any obvious case of neglect or animal abuse pursuant to the Collier County Animal Control Ordinance, these Standards, or F.S. ch. 828, "Cruelty to Animals." Animal services' phone number shall be posted in a prominent location.
 2. The operator of a rodeo event shall meet all fire safety requirements in accordance with the local fire and zoning regulations.
 3. The operator of a rodeo shall have a written emergency plan to address, as is necessary, inclement weather, veterinary medical emergencies, attendee safety, and crowd control. This plan shall be posted in a prominent location.

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- C. *Public Awareness.* The operator of a rodeo event shall make available to attendees literature to be provided by animal services outlining the provisions of the Collier County Animal Control Ordinance.
- D. *Rodeo Regulations.*
1. *The operator of a rodeo shall provide animal services with:*
 - a. A diagram of the arena, showing location of the chutes, catch chutes, and pens; a list of all proposed events and acts; and a copy of the rules and regulations which will govern the conduct of the contestants and events;
 - b. The name and contact information of a veterinarian who will be available for all shows; and
 - c. Evidence of testing for infectious equine anemia within the previous immediate twelve (12) months, with negative results for all equine.
 2. *The operator of a rodeo shall ensure that:*
 - a. A licensed veterinarian shall be available for all shows;
 - b. An ambulance and medical attendants shall be available on the grounds for emergency purposes;
 - c. Any tack, equipment, device, substance or material that is injurious or could cause unnecessary cruelty is prohibited;
 - d. All stock is strong, healthy, and physically sound in order to perform in the assigned events;
 - e. Chutes are so constructed as to prevent injury to the stock, and that the arena is free of rocks, holes, and all obstacles which could cause injury to animals or contestants;
 - f. All flank straps and equipment is removed from stock in catch chutes as soon as possible and that injured animals remain in the catch chute until examined and released by the attending veterinarian; and
 - g. Rowels on spurs of all contestants are short, dull, and free to revolve.

(Ord. No. 2013-55, § 5)

Sec. 14-81. Regulations for Breeders and Pet Shops.

- A. *Permit Notification.*
1. The appropriate permit number shall be provided on all advertisements and promotions concerning the sale or give-away of an animal.
 2. The appropriate permit number shall be provided to all persons who buy or accept ownership of an animal.
- B. *Requirements for Sale of Dogs and Cats.*
1. Dogs, cats, puppies, and kittens acquired for resale must be examined by a licensed veterinarian within five business days of physical acquisition.
 2. Dogs, cats, puppies, and kittens offered for sale must be at least eight weeks of age.
 3. Dogs, cats, puppies and kittens offered for sale must be accompanied by an Official Certificate of Veterinary Inspection (OCVI).
 4. The OCVI must contain the following information:

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- a. The date of the examination by the examining veterinarian.
 - b. The examining veterinarian's license number.
 - c. The examining veterinarian's signature.
 - d. The age, breed, sex, color, and any distinguishing marks of the animal.
 - e. The health record of the animal.
 - f. Any tests performed and their results, and any vaccinations or other treatments administered, including vaccine type, lot number, expiration date, and date of administration, including those not specifically enumerated below.
 - g. A statement that the examining veterinarian warrants, to the best of his knowledge, that the dog or cat has no sign of contagious or infectious diseases and has no evidence of internal or external parasites, including coccidiosis and ear mites, but excluding fleas and ticks.
 - h. A statement concerning whether or not the examining veterinarian has detected any physical abnormalities in the dog or cat, including but not limited to a heart murmur, and umbilical hernia, entropion, and inguinal hernia, and cryptorchidism.
5. The OCVI must document that the following inoculations, tests, and treatments have been administered, unless the veterinarian certifies on the OCVI that to inoculate or deworm the animal is not in the best medical interest of the animal, in which case the vaccine or anthelmintic may not be administered to that particular animal:
- a. *For dogs or puppies:*
 - i. Vaccination against canine distemper, leptospirosis, bordetella, parainfluenza, hepatitis, and canine parvovirus. A rabies inoculation must be provided for any dog over three months of age.
 - ii. Diagnostic tests to detect the following internal parasites: hookworms, roundworms, whipworms, tapeworms, coccidia and giardia. Heartworm detection must occur for dogs six months of age or older. Appropriate treatment for all positive findings must be documented.
 - b. *For cats or kittens:*
 - i. Vaccination against panleukopenia, feline viral rhino tracheitis, and calici virus. A rabies inoculation must be provided for any cat over three months of age.
 - ii. Diagnostic tests to detect the following internal parasites: hookworms, roundworms, tapeworms and coccidia. Appropriate treatment for all positive findings must be documented.
 - iii. Diagnostic test to detect Feline Leukemia with the result listed on the OCVI.
6. If the animal is less than four months of age, the tests, vaccines, and anthelmintics required above must be administered no more than twenty-one days before sale within the county. If the animal is four months of age or older, the tests, vaccines, and anthelmintics required above must be administered at or after three months of age, but no more than one year before sale within the county.
7. The sale of the dog, cat, puppy, or kitten shall take place no more than thirty days after the OCVI has been issued.
8. If a dog, cat, puppy, or kitten is not sold within thirty days of the issuance of the OCVI, then a new examination and OCVI must be obtained.

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9. All dogs, cats, puppies and kittens offered for sale must be implanted with a microchip.

C. *Records.*

1. Breeders shall maintain records of each litter of puppies and kittens born. Such records shall include the date of birth, number of puppies and litters born, and the license tag number of each parent.
2. Pet shops shall maintain records of each animal acquired for sale. Such records shall include the name and address of the source of the animal, the animal's date of birth, and date the animal was received.
3. Breeders and pet shops shall maintain a separate record of each animal sold containing the breed, sex, color, and identifying marks of the animal; all OCVIs and medical records for each animal; the name and address of the purchaser; and the number of the microchip implanted in the animal. If the disposition of the animal is not through sale, the records shall indicate the type and date of disposition, including the name and address of any subsequent owner, if one exists.
4. If a dog or cat dies while in the possession of a breeder or pet shop, the breeder or pet shop shall secure the services of a licensed veterinarian to determine the cause of death or suspected cause of death. The veterinarian shall document the date of death and known or suspected cause of death on an OCVI.
5. Records indicating the disposition of all animals shall be forwarded to animal services on a quarterly basis.
6. All records as described herein shall be kept for a period of two years.
7. All records shall be made available to the inspecting officer upon request.

D. *Disclosures.*

1. At the time of sale, breeders and pet shops must provide the purchaser with:
 - a. A copy of the complete record pertaining to the individual animal as described above;
 - b. Literature to be provided by animal services outlining the provisions of the Collier County Animal Control Ordinance; and
 - c. A copy of F.S. § 828.29, Dogs and cats transported or offered for sale; health requirements; consumer guarantee.
2. The above information must be provided to prospective purchasers upon request.

E. *Pet Lemon Law.*

1. All breeders and pet shops must comply with any applicable provisions of F.S. § 828.29 Dogs and cats transported or offered for sale; health requirements; consumer guarantee. Where any conflict exists between these standards and this section, the more restrictive shall apply.
2. This section does not in any way limit the rights or remedies that are otherwise available to a consumer under any other law.

F. *Exemptions.* Animal services, humane societies, and 501(c)3 rescue organizations shall be exempt from the provisions of this section.

(Ord. No. 2013-55, § 6)

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Sec. 14-82. Penalties.

Failure to abide by this Ordinance may result in penalties as set forth in Section Thirteen of the Collier County Animal Control Ordinance (§ [14-38](#) herein) or denial, revocation, or suspension of an entity's County-issued license as provided in Section Twelve of the Collier County Animal Control Ordinance (§ [14-37](#) herein). Anyone who receives a citation, has been denied a permit or whose permit has been revoked or suspended may appeal this action in a court of competent jurisdiction within thirty calendar days from the date of notice.

(Ord. No. 2013-55, § 7)

Editor's note—

Section nine of Ord. No. 2013-55 states: "This Ordinance shall be effective by November 1, 2013."

Secs. 14-83—14-105. Reserved.