

Animal Ordinances Passed Unanimously
West Palm Beach, FL – March 15, 2011
Michelle Rivera, examiner.com

The Palm Beach County Board of County Commissioners voted unanimously today to put some teeth in the laws meant to protect animals. Tethering, once allowed under certain conditions, is now banned unless the owner is outdoors and watching the animal, as in such cases when an owner is gardening or washing the car. Furthermore, there are new minimum standards in the care of guard dogs, including a mandatory 100 sq ft enclosure and 50 sq ft of living space for each additional dog with proper shelter to allow the dog to choose between a sheltered area and non-enclosed area. Dogs that are intact are not allowed to be housed together to reduce the chances of an unplanned pregnancy, resource guarding or aggression. If, in the hot Florida sun, the temperature rises above 85 degrees Fahrenheit, owners must provide some kind of relief in the form of air conditioning or electrical fans. Furthermore, guard dogs must be seen by a licensed veterinarian twice a year who will attest to the dog's condition and fitness for work. Companion animals are to be given an 80 sq ft enclosure and comparable exchange of air modifications.

These mandates passed much to the chagrin of hunters, a handful of whom attended the hearing to voice their opposition, stating that, in essence, "hunting' dogs" can't be kept in larger cages, and the hunters can't afford new cages. Two owners of a protection-dog agency and an attorney representing a third offered several arguments about how their dogs are highly aggressive, an argument Commissioner Karen Marcus shot down by saying that "dogs are not born aggressive," a remark that earned her applause from the floor.

Don Anthony, representing the Animal Rights Foundation of Florida, spoke in support of the slate of new ordinances and made the point that among its 5,000 members, ARFF has many who live in Palm Beach County who have been asking for help for animals they see abused and mistreated. Without the new legislation, Animal Care and Control officers were unable to cite those who many felt were in violation of humane standards, if not the law.

One of the most important pieces of today's new legislation has to do with pet stores. Pet store owners now must prominently display the origin of the birth of their puppies and kittens as well as any dealers who have been involved in their procurement. Furthermore, there must be prominent signage regarding the pet lemon law, meant to protect consumers. Under the new law, pet store owners can no longer ask customers to unwittingly waive their rights awarded to them under the pet lemon law. In addition, all puppies and kittens sold from pet stores must have a micro-chip and customers are to be educated in the importance of spaying and neutering and pet-overpopulation. Local pet store owners were conspicuously absent. Their presence may have tipped off customers that the puppies are indeed, puppy mill puppies. The public should not let down their guard, however. The fact is, pet store owners will continue to insist that the breeders from whom they buy their puppies are not puppy millers and motivated and gullible consumers will want to believe that. But if the disclosure signs display information from breeders in Missouri, Kansas, Ohio, Pennsylvania, Mississippi and Iowa, the fact is, they are puppy millers, not private breeders. A [puppy mill](#) is any large-scale commercial breeding operation. Another tip-off is the presence of those signs that announce that the puppies are all "USDA certified." The USDA only certifies for large-scale commercial operations, not private breeders. Therefore, if the USDA is certifying the puppy, it came from a puppy mill. Those seeking to add a puppy to their family would still do better to adopt from a shelter, breed-specific rescue organization or local breeder with parents on the property. That is the only way they can be absolutely sure they are not aiding and abetting the puppy mill industry.

While [Senator Nan Rich's](#) proposed bestiality bill continues to slog through the state legislator's offices and committees, Palm Beach County has made bestiality illegal via this new ordinance. In Palm Beach County at least, it is finally illegal to have sexual relations with a non-human animal. Did we seriously need to legislate that? Apparently we did. Prosecutors trying to bring charges under existing animal-cruelty laws against those who were molesting their dogs or cats had a tough time proving injury under the current statutes. The ordinance does not go far enough, however, as it is a civil penalty that carries with it a mere \$500 fine.

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In an e-mail to local animal-rights activists and other advocates of the new ordinance, Palm Beach County Animal Care and Control Executive Director Dianne Sauve said she owes "...thanks to our many supporters for this historical passage and to our commissioners who stood behind us in doing the right thing. We also owe a special thanks to Commissioner Shelly Vana in her perseverance in the pet store ordinance and her tenacity in keeping us moving forward. Thanks should also go to Assistant County Attorney Shannon Fox who is brave and strong and fair. I also must thank ...Vince Bonvento – who trusts in us to make right and moral decisions."

Sauve has been an outspoken proponent of this legislation. "The revisions to existing ordinance language combined with new proposals to protect animals will place our county ahead of the curve in improving animal welfare," Sauve said on March 1st, after the first reading of the new ordinance, "Although many people continue to accept chaining of dogs as a solution to confinement, the reality is that the majority of dogs kept continually chained will eventually become part of the landscape, neither embraced into a family nor attended to with compassion."

It is a good day for animals in Palm Beach County today, March 15, 2011