

**GREYHOUND PROTECTION ACT**

**SECTION 1.**

The definition of "Commercial kennel" of Section 20.01. - Definitions, of Article I of Part I of Chapter 20 of the Seminole County Code of Ordinances is hereby amended as follows:

*Commercial kennel:* Any premises operation or business used for the commercial boarding, breeding, buying, selling or rearing of animals, including greyhound racing kennels: providing that said term shall not include animal hospitals unconnected with boarding, beauty parlors unconnected with boarding, or incidental breeding, buying, selling or rearing of animals by noncommercial kennels.

**SECTION 2.**

Section 20.16. - Cruelty to Animals. of Article 1 of Part 1 of Chapter 20 of the Seminole County Code of Ordinances is hereby amended as follows:

Section 20.16. - Cruelty to animals.

(a) It shall be unlawful for any animal owner or person to cruelly deprive food, water, shelter, and protection to any animal under his control and/or custody, or to abandon, poison, cruelly beat, cruelly whip or kill any animal under his, another's or no one's control and/or custody, or to mutilate, overdrive, overload, overwork, torment, torture or otherwise cruelly ill-use any animal. Adequate shelter shall be provided to allow the confined or tethered animal to remain dry and protected from the elements at all times, and shall provide either natural or artificial shade that gives relief from direct sunlight, when sunlight is likely to cause overheating, serious injury, or death of the animal. If the shelter is an enclosure, the enclosure shall allow for adequate ventilation so as to prevent stress or discomfort to the animal. Potable water shall be available at all times,

either free flowing, or in a clean receptacle. This section shall not apply to wild animals killed in the hunt by customary and nonbrutal methods nor to wild rats, mice, insects, fish, arthropods or vermin; nor shall this section apply to medical research organizations duly licensed and/or otherwise recognized or supported by state or federal law.

(b) Greyhound racing kennels shall maintain records of the injuries and disposition of racing dogs.

(i) “Injuries” are those incurred while racing in the County, in official and schooling races. Injury records shall include the following:

- (1) the greyhound’s registered name, right and left ear tattoo numbers;
- (2) the owner, trainer and kennel operator's name and business address;
- (3) the color, weight, and sex of the greyhound;
- (4) where the injury took place on a race track or other area;
- (5) the race track where the injury occurred, along with the distance, grade, race and post position when the injury occurred; the weather conditions, time, temperature, and track condition when the injury occurred; the specific type of injury, the cause of the injury, the estimated recovery time, and the location of injury on the greyhound.

All injury forms shall be completed and signed by the greyhound’s owner, trainer or kennel operator. Whoever makes a false written statement on an injury form shall be punished according to Part 2 of this code.

(ii) The word “disposition” shall mean euthanasia, transfer to another race track, transfer to a breeding farm, adoption, or donation or sale for medical research or other purpose. Disposition records shall include the following:

(1) the greyhound's registered name, left and right ear tattoos, the name and business address of the greyhound's owner, trainer, and kennel operator at the time of disposition, and the name and address of the race track where the greyhound last raced prior to disposition;

(2) if the greyhound has been transferred to another race track, the name and address of the race track that received the greyhound and the name and business address of the person who received the greyhound on behalf of the receiving race track;

(3) if the greyhound has been retired for breeding, the name and address of the facility that received the greyhound and the name and business address of the person who received the greyhound on behalf of the receiving facility;

(4) if the greyhound has been adopted or placed for adoption, the name and address of the person or entity that received the greyhound and, if applicable, the name and business address of the person who received the greyhound on behalf of the adoption facility;

(5) if the greyhound has been euthanized, the name, address, professional title and professional affiliation of the person performing the euthanasia, the manner of euthanasia, and a detailed statement of reasons why the greyhound was euthanized rather than adopted or placed for adoption;

(6) if the greyhound has been sold or donated to an individual, corporation or entity, the name and address of the individual, corporation or entity purchasing or receiving the greyhound, the purpose for which the greyhound is being purchased or received, and the name and business address of the person who received the greyhound on behalf of the receiving individual, corporation or entity;

(7) if the greyhound's disposition does not fit into any of the above categories, the owner, trainer or kennel operator must state, in detail, the greyhound's destination, the name and business address of the person who received the greyhound, and the specific purpose for which the greyhound has been received, sold, transferred or donated.

All disposition forms shall be completed and signed by the greyhound's owner, trainer or kennel operator. Whoever makes a false written statement on a disposition form shall be punished according to Part 2 of this code.

The Animal Services Department shall obtain and maintain greyhound injury and disposition records for a period of 7 years and such records shall be made readily available to the public upon oral or written request.

### **SECTION 3.**

Section 20.38 - Animals exempt from Part. of Article 1 of Part 1 of Chapter 20 of the Seminole County Code of Ordinances is hereby amended as follows:

Section 20.38 - Animals exempt from Part.

(a) The licensing provision of this Part shall not apply to ~~greyhounds kept, maintained or brought into the County for the purpose of racing at licensed greyhound tracks;~~ animals used as part of non-greyhound racing entertainment acts when properly controlled, nor shall said provisions apply to animals remaining in the County for a period of less than 30 days; or to livestock, or to purebreds kept, maintained or brought into the County for the purpose of training; provided, however, that nothing in this Section shall prohibit the demand for proof of vaccination done in another state, and failure to provide said proof upon demand shall require said animal to be vaccinated under the provisions of Section 20.49 upon order of the animal control official.

(b) During legally declared hunting seasons, as the same shall be designated from year to year by the Florida Game and Fresh Water Fish Commission or the Legislature, hunting dogs shall be exempt from the terms of Section 20.17 when engaged in a hunt or at-large as a result of a hunt.

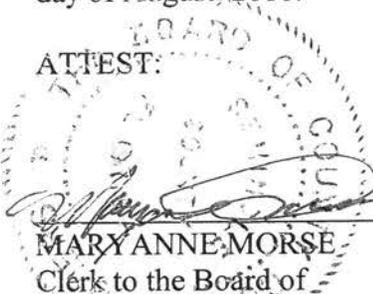
**SECTION 4.**

The several provisions of this Act are independent and severable and if any clause, sentence, paragraph or section of this measure, or an application thereof, is adjudged invalid by a court of competent jurisdiction other provisions shall continue to be in effect to the fullest extent possible.

The effective date of these amendments shall be March 1, 2017.

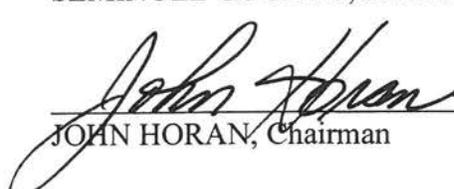
**BE IT ORDAINED** by the Board of County Commissioners of Seminole County, this 9th day of August, 2016.

ATTEST:



MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA



JOHN HORAN, Chairman

Attachment:  
Exhibit A – Ordinance Petition Form

ORDINANCE TEXT TAKEN COMPLETELY FROM ORDINANCE PETITION FORM, ATTACHED AS EXHIBIT A, WITH ONLY ORDINANCE NUMBER, FINAL PARAGRAPH AND SIGNATURES ADDED FOR CODIFICATION PURPOSES.

## EXHIBIT A

### ORDINANCE PETITION FORM

I am a registered voter of Seminole County and hereby petition, pursuant to Section 2.2H of the Home Rule Charter of Seminole County, the Board of County Commissioners of Seminole County to enact the ordinance on file with the Supervisor of Elections for Seminole County or amend or repeal an existing ordinance of Seminole County as detailed in a proposed ordinance on file with the Supervisor of Elections for Seminole County said new, amending or repealing ordinance relating to the following subject and matter:

A. TITLE: Greyhound Protection Act

B. TEXT:

#### SECTION 1.

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*Commercial kennel:* Any premises operation or business used for the commercial boarding, breeding, buying, selling or rearing of animals, including greyhound racing kennels; providing that said term shall not include animal hospitals unconnected with boarding, beauty parlors unconnected with boarding, or incidental breeding, buying, selling or rearing of animals by noncommercial kennels.

#### SECTION 2.

Section 20.16. - Cruelty to Animals. of Article 1 of Part 1 of Chapter 20 of the Seminole County Code of Ordinances is hereby amended as follows:

Section 20.16. – Cruelty to animals.

- (a) It shall be unlawful for any animal owner or person to cruelly deprive food, water, shelter, and protection to any animal under his control and/or custody, or to abandon, poison, cruelly beat, cruelly whip or kill any animal under his, another's or no one's control and/or custody, or to mutilate, overdrive, overload, overwork, torment, torture or otherwise cruelly ill-use any animal. Adequate shelter shall be provided to allow the confined or tethered animal to remain dry and protected from the elements at all times, and shall provide either natural or artificial shade that gives relief from direct sunlight, when sunlight is likely to cause overheating, serious injury, or death of the animal. If the shelter is an enclosure, the enclosure shall allow for adequate ventilation so as to prevent stress or discomfort to the animal. Potable water shall be available at all times, either free flowing, or in a clean receptacle. This section shall not apply to wild animals killed in the hunt by customary and nonbrutal methods nor to wild rats, mice, insects, fish, arthropods or vermin; nor shall this section apply to medical research organizations duly licensed and/or otherwise recognized or supported by state or federal law.
- (b) Greyhound racing kennels shall maintain records of the injuries and disposition of racing dogs.
- (i) "Injuries" are those incurred while racing in the County, in official and schooling races. Injury records shall include the following:-
- (1) the greyhound's registered name, right and left ear tattoo numbers;
  - (2) the owner, trainer and kennel operator's name and business address;
  - (3) the color, weight, and sex of the greyhound;
  - (4) where the injury took place on a race track or other area;
  - (5) the race track where the injury occurred, along with the distance, grade, race and post position when the injury occurred, the weather conditions, time, temperature, and track condition when the injury occurred; the specific type of injury, the cause of the injury, the estimated recovery time, and the location of injury on the greyhound.
- All injury forms shall be completed and signed by the greyhound's owner, trainer or kennel operator. Whoever makes a false written statement on an injury form shall be punished according to Part 2 of this code.
- (ii) The word "disposition" shall mean euthanasia, transfer to another race track, transfer to a breeding farm, adoption, or donation or sale for medical research or other purpose. Disposition records shall include the following:-
- (1) the greyhound's registered name, left and right ear tattoos, the name and business address of the greyhound's owner, trainer, and kennel operator at the time of disposition, and the name and address of the race track where the greyhound last raced prior to disposition;
  - (2) if the greyhound has been transferred to another race track, the name and address of the race track that received the greyhound and the name and business address of the person who received the greyhound on behalf of the receiving race track;
  - (3) if the greyhound has been retired for breeding, the name and address of the facility that received the greyhound and the name and business address of the person who received the greyhound on behalf of the receiving facility;
  - (4) if the greyhound has been adopted or placed for adoption, the name and address of the person or entity that received the greyhound and, if applicable, the name and business address of the person who received the greyhound on behalf of the adoption facility;
  - (5) if the greyhound has been euthanized, the name, address, professional title and professional affiliation of the person performing the euthanasia, the manner of euthanasia, and a detailed statement of reasons why the greyhound was euthanized

rather than adopted or placed for adoption;

(6) if the greyhound has been sold or donated to an individual, corporation or entity, the name and address of the individual, corporation or entity purchasing or receiving the greyhound, the purpose for which the greyhound is being purchased or received, and the name and business address of the person who received the greyhound on behalf of the receiving individual, corporation or entity;

(7) if the greyhound's disposition does not fit into any of the above categories, the owner, trainer or kennel operator must state, in detail, the greyhound's destination, the name and business address of the person who received the greyhound, and the specific purpose for which the greyhound has been received, sold, transferred or donated.

All disposition forms shall be completed and signed by the greyhound's owner, trainer or kennel operator. Whoever makes a false written statement on a disposition form shall be punished according to Part 2 of this code.

The Animal Services Department shall obtain and maintain greyhound injury and disposition records for a period of 7 years and such records shall be made readily available to the public upon oral or written request.

### SECTION 3.

Section 20.38 – Animals exempt from Part. of Article 1 of Part 1 of Chapter 20 of the Seminole County Code of Ordinances is hereby amended as follows:

Section 20.38 – Animals exempt from Part.

- (a) The licensing provision of this Part shall not apply to ~~greyhounds kept, maintained or brought into the County for the purpose of racing at licensed greyhound tracks;~~ animals used as part of non-greyhound racing entertainment acts when properly controlled, nor shall said provisions apply to animals remaining in the County for a period of less than 30 days; or to livestock, or to purebreds kept, maintained or brought into the County for the purpose of training; provided, however, that nothing in this Section shall prohibit the demand for proof of vaccination done in another state, and failure to provide said proof upon demand shall require said animal to be vaccinated under the provisions of Section 20.49 upon order of the animal control official.
- (b) During legally declared hunting seasons, as the same shall be designated from year to year by the Florida Game and Fresh Water Fish Commission or the Legislature, hunting dogs shall be exempt from the terms of Section 20.17 when engaged in a hunt or at-large as a result of a hunt.

### SECTION 4.

The several provisions of this Act are independent and severable and if any clause, sentence, paragraph or section of this measure, or an application thereof, is adjudged invalid by a court of competent jurisdiction other provisions shall continue to be in effect to the fullest extent possible.

The effective date of these amendments shall be March 1, 2017.

If the Board of County Commissioners does not enact the Ordinance after a sufficient number of electors have signed the petition, then I petition the Board of County Commissioners to call a referendum election on the Ordinance in accordance with Section 2.2H of the Home Rule Charter of Seminole County.

Voter's Name as registered in Supervisor of Election's Office:

\_\_\_\_\_

Place of Residence:

Street \_\_\_\_\_

City, Zip Code \_\_\_\_\_

Voting Precinct Number: \_\_\_\_\_

\_\_\_\_\_  
DATE OF SIGNATURE

X  
\_\_\_\_\_  
SIGNATURE OF REGISTERED VOTER



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

August 19, 2016

Honorable Maryanne Morse  
Clerk of the Circuit Court  
Seminole County  
County Commission Records  
1101 E. First Street, Room 2204  
Sanford, Florida 32771

Attention: Ms. Terri Porter

Dear Ms. Morse:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy for Seminole County Ordinance No. 2016-26, which was filed in this office on August 18, 2016.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb