

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER VI OF THE CITY OF NORTH MIAMI BEACH CODE OF ORDINANCES, “ANIMALS AND FOWL,” SECTION 6-9 “RESTRICTIONS ON RETAIL PET SALES AND PET MILLS” TO CLARIFY EXEMPTIONS, ENHANCE REGULATIONS AND ENFORCEMENT; PROVIDING FOR CONFLICTS; SEVERABILITY; CODIFICATION; AND FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of North Miami Beach seeks to promote the health, safety, and welfare of its residents and animals within the community; and

WHEREAS, the City recognizes that inhumane breeding practices commonly associated with so-called “pet mills” often result in significant animal cruelty, substandard living conditions, and long-term health and behavioral issues in animals; and

WHEREAS, retail pet sales sourced from irresponsible breeding operations contribute to the overpopulation of animals and place an additional burden on local animal shelters and rescue organizations; and

WHEREAS, the City Commission desires to encourage the adoption of animals from reputable animal shelters and rescue organizations as a humane and socially responsible alternative to purchasing pets from commercial breeders; and

WHEREAS, the existing Section 6-9 of the City Code includes exemptions and provisions that may be duplicative, unclear, or inconsistent, thereby creating potential enforcement challenges; and

WHEREAS, the City Commission finds it necessary to clarify and streamline the exemptions set forth in Section 6-9 to eliminate redundancies and ensure consistent application of the law; and

WHEREAS, the City Commission further finds that strengthening regulations on retail pet sales will help prevent the indirect support of pet mills and promote transparency in the sourcing of animals offered to the public; and

WHEREAS, requiring clear documentation and disclosure of an animal’s source enhances consumer awareness and supports ethical animal acquisition practices; and

WHEREAS, the City Commission desires to amend Section 6-9 to better reflect best practices in animal welfare, improve enforceability, and align with similar regulations adopted by other municipalities; and

WHEREAS, the proposed modifications will continue to allow legitimate operations, including animal shelters, rescue organizations, veterinary offices, and responsible hobby breeders, while restricting commercial practices that undermine animal welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA:

SECTION 1.

The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by this reference as the legislative intent of this Ordinance.

SECTION 2.

Amendment to Section 6-9, “RESTRICTIONS ON RETAIL PET SALES AND PET MILLS” of the Code of Ordinances of the City of North Miami Beach, Florida, is hereby amended as follows.

6-9 - RESTRICTIONS ON RETAIL PET SALES AND PET MILLS.

(a) Prohibition.

(1) Retail Pet Sales Restricted. No pet store shall display, sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of pets in the City on or after the effective date of this Section.

(2) Pet Mills Prohibited. No pet mills shall be permitted to operate in the City of North Miami Beach.

(b) Exemptions. This Section shall not apply to:

(1) An Animal Shelter;

(2) Animal rescue organization;

~~(3) An Animal Shelter or Animal rescue organization, which operates out of or in connection with a pet or other retail store; (Already stated in #1, #2 exemptions.)~~

(4) An Animal Hospital or Veterinarian's Office;

(5) A pet store engaged in the display, sale, delivery, offer for sale, barter, auction, gifting, or transfer of pets other than cats, dogs, ferrets, gerbils, hamsters, or rabbits;

~~(6) A pet store that certifies that the dog or cat comes from one of the following sources:
a. An animal rescue organization; or b. A public animal shelter. (Already stated in #1, #2 exemptions.)~~

~~(7) Hobby Breeders.~~

(c) Certificate of Source. A pet store that obtains dogs or cats from a permitted source shall post conspicuously on the cage of each dog and cat:

- (i) A copy of the certificate of source shall also be provided to the purchaser or transferee of any pet;
- (ii) The name and address of the source from which the dog or cat was obtained and date thereof;
- (iii) A description of the dog or cat including species breed, sex, color, and distinctive markings, physical condition and health, and age (if known); and
- (iv) For each dog or cat receiving medical care while in the custody or control of the pet dealer or pet shop, the type of service rendered, date, and veterinarian's name.

(d) Penalties.

Any person who violates this section shall be subject to a fine of two hundred fifty (\$250.00) dollars per day per pet for the first violation within a twelve (12) month period. Any subsequent violation within a twelve (12) month period shall, upon conviction, be punished by a fine not to exceed five hundred (\$500.00) dollars per day per animal or imprisonment for a term not to exceed sixty (60) days, or by both such fine and imprisonment. Each day any violation of any provision of this Section shall continue shall constitute a separate offense.

(e) Adoption of Shelter and Rescue Animals. Nothing in this Section shall prevent a pet store or its owner, operator or employees from providing space and appropriate care for animals owned by a publicly operated animal control agency, nonprofit humane society, or nonprofit animal rescue agency and maintained at the pet store for the purpose of adopting those animals to the public.

SECTION 3.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall in no way affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 5.

It is the intention of the City Commission of the City of North Miami Beach, Florida, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-

lettered to accomplish such intention, and the word “Ordinance” may be changed to “Section,” “Article,” or other appropriate word.

SECTION 6.

This Ordinance shall become effective immediately upon adoption.

APPROVED on first reading this ____ **day of** _____, 2026

APPROVED AND ADOPTED on second reading this ____ **day of** _____, 2026.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM &
LANGUAGE & FOR EXECUTION

GREENSPOON MARDER
CITY ATTORNEY

SPONSORED BY: Commissioner Phyllis Smith