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**PARTIAL TRANSCRIPT OF PROCEEDINGS**  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

**SUBJECT:** HOBBY KENNEL/AVICULTURE

**DATE:** September 26, 1995

**LOCATION:** Orlando, Florida

**BOARD MEMBERS PRESENT:**

Linda Chapin, County Chairman

Bob Freeman

Tom Staley

Mary Johnson

Clarence Hoenstine

Bill Donegan

Mable Butler

**ALSO PRESENT:**

Joanne McMurray, Code Enforcement Supervisor

Paul Chipok, Assistant County Attorney

1 **Chairman Chapin:** We are going to open the public hearing on an  
2 additional ordinance that we wish to cover tonight. Although this is  
3 simply the first hearing on this zoning ordinance. I will ask Joanne  
4 McMurry to discuss with you our goal here which is to delete from the  
5 zoning code the reference to the numbers of animals. Ms. McMurray.

6 **Joanne McMurray:** Thank you. I do believe this amendment will be well  
7 received. As you stated this is the first of two public hearings regarding  
8 an amendment to Chapter 38 of the Orange County Code. This  
9 amendment proposes to delete all references to the definition or other  
10 references regarding hobby kennels which as you at the current time  
11 limits the pet owner as to the number of pets they can have without board  
12 approval. It also eliminates the definition of the aviculture hobbyist as  
13 well. We also with that have amended the definition of kennel which I  
14 will put on the screen ...

15 **Chairman Chapin:** I think you're just going to have to explain it Joanne.  
16 It's not going to be anything we can read.

17 **Joanne McMurray:** OK, I'll go ahead and leave it up there. Basically, what  
18 we did was to take out any reference to number of animals as it relates to  
19 the definition of a commercial kennel. What this states is that a kennel  
20 shall mean any building, lot, structure or premise wherein animals,

1 excluding livestock and exotic animals regulated by the Florida Game  
2 and Freshwater Fish Commission, are kept for sale, breeding, boarding,  
3 buying, letting for hire, or training for a fee. Then it provides an  
4 exclusion of that definition for commercial kennel which includes pet  
5 shops, animal or pet hospitals, pet beauty parlors, veterinarian facilities  
6 ... and Commissions, if you will, I have one addition to the copy that you  
7 have ... breeding at a residence of two or twenty animals per year which  
8 ever is greater . The purpose of that change is we have in Florida Statutes  
9 a definition of a pet dealer which identified when you became a  
10 commercial operation and we used that as a guide in our definition as  
11 well for clarification. Also in this amendment is a clean up for the  
12 agricultural property to include goats. Other than that ... That's the long  
13 and the short of the amendment. The amendment was approved and  
14 adopted by the Planning and Zoning Commission as well as the local  
15 Planning Agency on August 17<sup>th</sup> '95. And I'm available for any  
16 questions.

17 **Chairman Chapin:** Thank you Joanne. I'm going to ask Commissioner  
18 Donegan ... Boy there's a lot of echo in this room ... Commissioner  
19 Donegan, could you give us a brief but meaningful description of what  
20 this does.

1 **Commissioner Donegan:** Well, basically, in our current ordinance in  
2 zoning we have limited to the public three pets per residence under a  
3 special exception for hobby kennel. It was determined through public  
4 hearings that the county shouldn't have any right to tell people how many  
5 pets they own if their responsible pet owners.

6 (Applause.)

7 **Commissioner Donegan:** However, the board needs to remember that  
8 unless we pass part of this ordinance that deals with nuisance then we'll  
9 have no way to regulate animals who are a problem. We have a two  
10 edged sword here. That's about it.

11 **Chairman Chapin:** Well, that's very meaningful to me because in  
12 anticipation of this ordinance passing – the one about three pets – I  
13 recently adopted a kitten from animal services and I am now over the  
14 limit. So ...

15 (Laughter.)

16 **Chairman Chapin:** So, don't turn me in folks. Maybe we can get this done  
17 and we'll all be legal.

18 (Applause.)

19 **Chairman Chapin:** Alright, we're going back to the order of the hearings  
20 we had ... Well, I'm going to ask you all to feel free to comment on that

1 proposal as well as you come forward to discuss the animal services  
2 ordinance please add any comments that you wish about the zoning  
3 ordinance. I thought it would be handy if we dealt with both of them at  
4 the same time rather than hearing from all of you once and then hearing  
5 from all of you again. Mr. Chipok?

6 **Paul Chipok:** Madame Chairman, just a house-keeping item for the record.  
7 Paul Chipok Assistant County Attorney. The second public hearing on  
8 the kennel ordinance will be October 10<sup>th</sup> at 1:45 at the board of county  
9 commissioner chambers.

10 **Chairman Chapin:** Thank you very much. Alright, let's return to the sign-  
11 up sheets. And we will hear from Diane Jones.

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**CERTIFICATE**

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I, David Foley, Appellant, do hereby certify that I am authorized to and did re-write, through computer-aided transcription, from an official video recording, the foregoing proceeding, which did take place on the date and at the location herein designated. Further, I certify that the foregoing pages, numbered 2 through 5 inclusive, constitute a true, complete and accurate transcription, to the best of my ability.

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