

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO TRADE OF FUR PRODUCTS; CREATING NEW ARTICLE X IN CHAPTER 26 OF THE ORANGE COUNTY, FLORIDA CODE OF ORDINANCES; PROHIBITING THE SALE, OFFER FOR SALE, DISPLAY FOR SALE, TRADE, OR OTHER DISTRIBUTION FOR MONETARY OR NONMONETARY CONSIDERATION OF FUR PRODUCTS; PROVIDING EXCEPTIONS; PROVIDING LEGISLATIVE INTENT, FINDINGS AND PURPOSES; PROVIDING DEFINITIONS; PROVIDING APPLICABILITY; PROVIDING PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

**WHEREAS**, animals that are slaughtered for their fur endure tremendous suffering; and

**WHEREAS**, animals raised on fur farms typically spend their entire lives in cramped and filthy cages; and

**WHEREAS**, fur farmers typically use the cheapest killing methods available, including suffocation, electrocution, gas, and poison; and

**WHEREAS**, fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases, including SARS coronaviruses, that threaten public health, including in Orange County; and

**WHEREAS**, COVID-19 infections have been confirmed at fur farms in Europe and the United States, and scientific studies have linked mink, raccoon dogs, and foxes – the animals most commonly farmed for their fur – to a variety of coronaviruses; and

**WHEREAS**, the fur production process is energy intensive and has a significant environmental impact, including air and water pollution; and

**WHEREAS**, runoff from the fur production process contains high concentrations of phosphorus and nitrogen, which are the most common forms of water pollution in the United States, including Florida ; and

**WHEREAS**, the tanning and dying processes used in fur production use toxic chemicals and heavy metals like chromium and formaldehyde; and

**WHEREAS**, considering the wide array of alternatives for fashion and apparel, the Board of County Commissioners finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals, harm to the environment, and the public health risks to the people of Orange County caused by these practices; and

**WHEREAS**, the Board of County Commissioners believes that eliminating the sale of fur products in Orange County will decrease the demand for these cruel and environmentally harmful products and promote community awareness of animal welfare and, in turn, will foster a more humane environment in Orange County and enhance the reputation of the County,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:**

**Section 1.** Article X of Chapter 26 of the Orange County Code is hereby created to read as follows:

**CHAPTER 26. MISCELLANEOUS PROVISIONS AND OFFENSES**

**Article X. Trade of Fur Products.**

**Sec. 26-176. Legislative Intent, Findings, and Purposes.**

The Board of County Commissioners of Orange County finds that:

(a) Animals that are slaughtered for their fur endure tremendous suffering. Animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically use the cheapest killing methods available, including suffocation, electrocution, gas, and poison.

(b) Fur farms are reservoirs and transmission vectors for dangerous zoonotic diseases, including SARS coronaviruses, that threaten public health, including in Orange County. COVID-19 infections have been confirmed at fur farms in Europe and the United States, and scientific studies have linked mink, raccoon dogs, and foxes – the animals most commonly farmed for their fur – to a variety of coronaviruses.

(c) The fur production process is energy intensive and has a significant environmental impact, including air and water pollution. Runoff from the fur production process contains high concentrations of phosphorus and nitrogen, which are the most common forms of water pollution in the United States, including in Florida. In addition, the tanning and dyeing processes used in fur production use toxic chemicals and heavy metals like chromium and formaldehyde.

(d) Considering the wide array of alternatives for fashion and apparel, the Board of County Commissioners finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals, harm to the environment, and the public health risks to the people of Orange County caused by these practices.

(e) The Board of County Commissioners believes that eliminating the sale of fur products in Orange County will decrease the demand for these cruel and environmentally harmful products and promote community awareness of animal welfare and, in turn, will foster a more humane environment in Orange County and enhance the reputation of the County.

This article is enacted under the constitutional, statutory and charter home rule powers of the county to ensure the health, safety, welfare and morals of the citizens and residents of the county.

**Sec. 26-177. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section:

(a) *Fur* means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.

(b) *Fur product* means any article of clothing or covering for any part of the body, or any fashion accessory, including but not limited to handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:

(1) An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed;

(2) Cowhide, deerskin, goatskin, or sheepskin with the hair attached thereto; or

(3) The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.

(c) *Non-profit organization* means any corporation that is organized under 26 U.S.C. § 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.

(d) *Taxidermy* means the practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.

(e) *Ultimate consumer* means an individual who buys a fur product for their own use, or for the use of another, but not for resale or trade.

(f) *Used fur product* means a fur product that has been worn or used by an ultimate consumer.

**Sec. 26-178. Prohibitions.**

Notwithstanding any other provision of law, a person may not sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in Orange County. For purposes of this article, the sale of a fur product shall be deemed to occur in Orange County if:

(a) The buyer takes physical possession of the fur product in the County; or

(b) The seller is located in the County.

**Sec. 26-179. Exceptions.**

The prohibitions in section 26-178 do not apply to the sale, offer for sale, display for sale, trade, or distribution of:

- (a) A used fur product by an individual (excluding a retail transaction), non-profit organization, or second-hand store, including a pawn shop; or
- (b) A fur product where the activity is expressly authorized by federal or state law.

**Sec. 26-180. Penalties.**

Any violation of this article shall be a noncriminal violation, punishable by a fine not to exceed \$500. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

**Section 2.** It is hereby declared to be the intention of the board of county commissioners that the paragraphs, sentences, clauses, phrases, and sections of this article are severable, and if any section, phrase, clause, sentence, or paragraph of this article shall be declared invalid, unconstitutional, or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such invalidity, unconstitutionality, or unenforceability shall not affect any of the remaining sections, phrases, clauses, sentences, or paragraphs of this article.

**Section 3.** This ordinance shall become effective six (6) months after the date of enactment.