

**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, STATE OF FLORIDA
CIVIL DIVISION**

ANA CAMPOS, an individual, and
PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INC., a
Virginia non-stock corporation,

Plaintiffs,

V.

Case No. _____

CITY OF FORT LAUDERDALE, a Florida municipal corporation; CC FT. LAUDERDALE LLC, a Florida limited liability company; NOAH'S ARK SANCTUARY INC., a Florida not for profit corporation; and STEPHANIE ANGEL, an individual,

Defendants.

**VERIFIED COMPLAINT FOR DECLARATORY, EMERGENCY TEMPORARY AND
PERMANENT INJUNCTIVE RELIEF, AND MANDAMUS RELIEF**

Plaintiffs Ana Campos (“Campos”) and People for the Ethical Treatment of Animals, Inc. (“PETA,” and together with Campos, “Plaintiffs”), by and through undersigned counsel, file this Verified Complaint for Declaratory, Emergency Temporary and Permanent Injunctive Relief, and Mandamus Relief against Defendants the City of Fort Lauderdale (the “City”), CC Ft. Lauderdale LLC, Noah’s Ark Sanctuary Inc., and Stephanie Angel (“Angel,” and together with CC Ft. Lauderdale LLC and Noah’s Ark Sanctuary Inc., the “Capybara Defendants,” and together with the City, “Defendants”). PETA further seeks mandamus relief against the City under Florida’s Public Records Act. In support thereof, Plaintiffs allege as follows:

NATURE OF THE PROCEEDINGS

1. In this action, Plaintiffs seek declaratory and injunctive relief challenging Defendants' violations of City ordinances in connection with an unlawful wild animal petting zoo that operates as the "Capybara Café." The zoo, where the Capybara Defendants keep the animals during business hours, is located at 744 NW 5th Avenue in Fort Lauderdale (the "Fort Lauderdale Café").

2. At other times, the Capybara Defendants keep the animals at a home in a residential neighborhood at 3110 SW 15th Court in Fort Lauderdale (the "Fort Lauderdale Holding Site," and together with the Fort Lauderdale Café, the "Properties"). Neither of the Properties is zoned for use in keeping wild animals, and both the Capybara Defendants and the City know this.

3. Yet the Capybara Defendants are persisting in their violations. And the City is allowing the Capybara Defendants to do so, including by issuing the Capybara Defendants a business tax receipt (the "Receipt") that it can only legally issue if the business conforms with City zoning ordinances.

4. Accordingly, Plaintiffs seek a declaration that the City is violating its ordinances and an injunction barring the City from continuing to do so. Plaintiffs also seek an injunction against the Capybara Defendants' violations.

5. Additionally, Plaintiff PETA seeks a writ of mandamus against the City for failure to produce public records, as required by Chapter 119, Florida Statutes.

PARTIES

6. Plaintiff Campos is an individual who resides in Fort Lauderdale, Florida.

7. Plaintiff PETA is a Virginia non-stock corporation authorized to transact business in Florida that has over 39,000 members and supporters in Broward County, and more than 7,000 members and supporters in Fort Lauderdale, Florida.

8. Defendant the City of Fort Lauderdale is a municipal corporation organized and existing under the laws of the State of Florida and located in Broward County, Florida.

9. Defendant CC Ft. Lauderdale LLC is a Florida limited liability company with its principal place of business in Fort Lauderdale, Florida.

10. Defendant Noah's Ark Sanctuary Inc. is a Florida not for profit corporation with its principal place of business in St. Augustine, Florida.

11. Defendant Angel is an individual who resides in Hastings, Florida.

JURISDICTION AND VENUE

12. This Court has subject matter jurisdiction over Counts I–III under §§ 26.012(2)(c) and 86.011, Florida Statutes, because those Counts seek equitable injunctive and declaratory relief.

13. This Court has subject matter jurisdiction over Count IV under Article V, Section 5(b), Florida Constitution, because that Count seeks a writ of mandamus.

14. This Court has personal jurisdiction because all Defendants are Florida residents. *See, e.g., Scott-Lubin v. Lubin*, 49 So. 3d 838, 840 n.1 (Fla. 4th DCA 2010).

15. Venue is proper in Broward County, Florida, pursuant to Sections 47.011, 47.021, and 47.051, Florida Statutes, because the Properties and the City are located in Broward County.

BACKGROUND

I. The Capybara Defendants Are Keeping Wild Animals at Two Properties in Fort Lauderdale, in Violation of Multiple City Ordinances.

16. This lawsuit concerns a wild animal petting zoo operation that markets itself as the Capybara Café. While the operation is organized under multiple entities—including CC Ft. Lauderdale LLC and Noah's Ark Sanctuary Inc.—all are part of a single network that the Capybara Defendants operate.

17. The Capybara Defendants' operation is headed by Defendant Stephanie Angel. Among other run-ins with authorities, Angel or the businesses she operates have been charged by the Florida Fish and Wildlife Conservation Commission ("FWC") with failing to report a lemur bite; given three "critical" citations for violations of the federal Animal Welfare Act from the U.S. Department of Agriculture ("USDA"), including after four animals in her care died under shocking circumstances; cited by St. Johns County for unlawfully operating a petting zoo without zoning approval; and charged with resisting an officer when she fled from an officer who came to her petting zoo.¹

18. The Capybara Defendants' operation consists of a network of (i) public-facing locations where they exhibit wild animals to the public during business hours (referred to herein as "Cafés"), and (ii) non-public sites where they keep the animals at other times (referred to herein as "Holding Sites").²

19. Until recently, the Capybara Defendants only operated Cafés in St. Petersburg³ and St. Augustine⁴ and Holding Sites in Hastings (operating under the name "Noah's Ark Sanctuary")⁵ and, on information and belief, in St. Augustine.

20. Recently, the Capybara Defendants expanded their operation to Fort Lauderdale. In doing so, they began unlawfully keeping animals at the Properties.

¹ Exhibit ("Ex.") 1, at 3–21. Page number references are to page numbers in the bottom right of each exhibit page.

² On information and belief, the Capybara Defendants also keep animals overnight at their Café in St. Petersburg, Florida.

³ *St. Petersburg*, Capybara Café, <https://capybaracafestpete.com/> (last visited Oct. 26, 2026).

⁴ *St. Augustine*, Capybara Café, <https://capycafesta.com/> (last visited Oct. 26, 2026). The Capybara Café also operates a petting zoo that it markets as "The Fluffy Cow Café."

⁵ Noah's Ark Sanctuary, <https://nasfl.org/index.html> (last visited Oct. 26, 2026).

A. The Capybara Defendants Violate City Ordinances at the Fort Lauderdale Holding Site.

21. The Capybara Defendants established a Holding Site at 3110 SW 15th Court—a ranch-style, single-family home in a residential neighborhood in Fort Lauderdale, referred to herein as the “Fort Lauderdale Holding Site.”



The Fort Lauderdale Holding Site (Photo from City)

22. The Capybara Defendants posted a job listing for a “Live-In Animal Care & Transport Specialist” that provides a window into their activities (attached as Exhibit 3). In the posting, the Capybara Defendants state that they seek to hire an animal handler who will “live on-site” at the Holding Site and oversee “5 total animal habitats.”⁶ The listing explains that each day, the handler will “transport the animals from the residence to the café,” “[a]ssist[] with animal encounters” at the Café during the day, and “transport the animals back to the residence” at the end of the day, and will do so “up to 6 days per week.”⁷

⁶ Ex. 3, at 2–3.

⁷ *Id.* at 2–6.

23. On September 21, 2026, Porshia L. Garcia, Director of the City's Community Services Department, emailed Angel (the "September 21 Email," attached as Exhibit 18). Ms. Garcia referenced a discussion she had with Angel earlier that day and said:

As discussed, the City's definition of "wild animal" is provided below, along with the City code prohibiting wild animals from being kept at the residential property located at 3110 SW 15th Ct., Fort Lauderdale, FL 33311. Code Enforcement will be issuing violations for both the residential property and the commercial property. Please note that the Business Tax Receipt for the commercial property located at 744 NW 5th Avenue, Fort Lauderdale, has not been issued; therefore, the business should not be operating.

Ms. Garcia then quoted the definition of "Wild Animal" from the Ordinances for the City of Fort Lauderdale (the "City Code"), as well as Section 6-13 of the City Code on "Keeping of wild animals," which provides that "[i]t shall be unlawful for any person to keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes" (except at "zoological parks, performing animal exhibitions, or circuses"), and "[i]t shall be unlawful for any person to keep or to permit to be kept any wild or vicious animal as a pet."⁸

24. On September 23, 2026, the City cited the Capybara Defendants for violating Section 6-13(a) of the City Code. The citation stated that the Capybara Defendants were keeping "prohibited wild animals" at the Fort Lauderdale Holding Site, "including [sic] but not limited to, capybaras."⁹ The citation directed the Capybara Defendants to "immediately remove/cease the possession, harboring, or keeping of prohibited animals at this location," and gave them a "Comply By Date" of October 7, 2026.¹⁰

25. As of the date of this filing, the Capybara Defendants are still keeping wild animals at the Fort Lauderdale Holding Site. Their doing so violates Section 6-13 of the City Code.

⁸ Ex. 18, at 1; *see also* § 6-13, City Code.

⁹ Ex. 5, at 2.

¹⁰ *Id.*

26. On September 8, 2026, the City also cited the Capybara Defendants for violating Section 105.1, Florida Building Code, in connection with their operations at the Fort Lauderdale Holding Site.¹¹ The citation stated that the Holding Site “has been illegally altered and construction work illegally performed, without obtaining the required permits,” including “but not limited to” because the Capybara Defendants were constructing “accessory structures and [a] pool/pond.”¹²

B. The Capybara Defendants Violate City Ordinances at the Fort Lauderdale Café.

27. The Capybara Defendants established the Fort Lauderdale Café at 744 NW 5th Avenue.

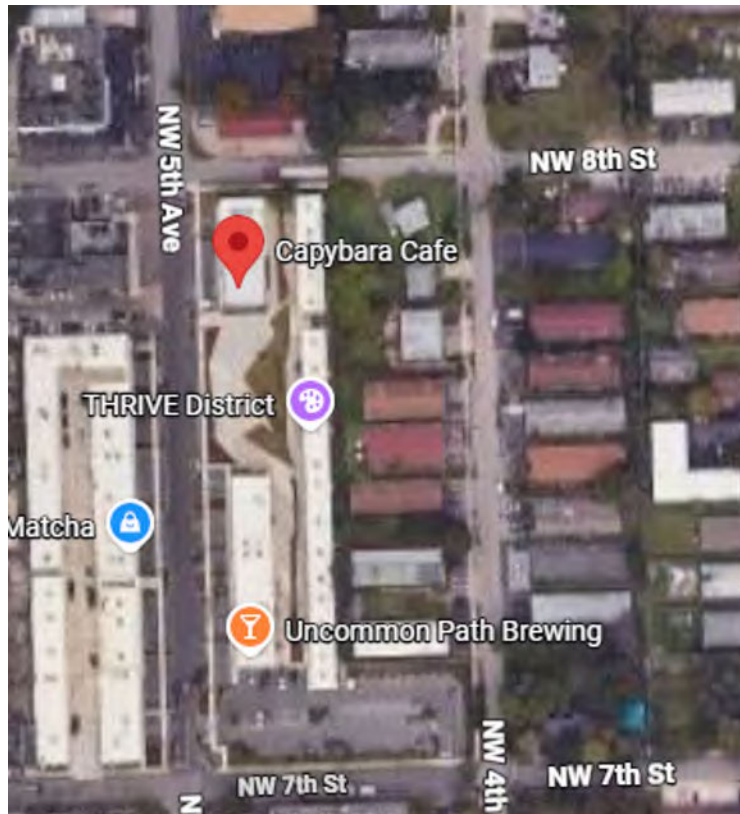


The Fort Lauderdale Café (Photo from City)

28. The Fort Lauderdale Café is a unit in Fort Lauderdale’s “Thrive District”—a complex of shops, restaurants, and art studios adjacent to residences.

¹¹ Ex. 4, at 3.

¹² *Id.*



Neighborhood Around the Fort Lauderdale Café (Google Maps)

29. At least two City ordinances prohibit the Capybara Defendants from operating at the Fort Lauderdale Café: (1) the zoning provisions of the Unified Land Development Regulations (“ULDR”), and (2) the business tax receipt requirements of Chapter 15 of the City Code.¹³

30. Florida law mandates that “each municipality shall adopt or amend and enforce land development regulations.”¹⁴ The City of Fort Lauderdale has done so by enacting the ULDR. The ULDR is set out in Chapter 47 of the City Code.

¹³ Additionally, the Capybara Defendants’ keeping wild animals at the Properties may violate other City ordinances. Those include Section 6-6, City Code, which provides that “[i]t shall be unlawful for any person to own, keep or maintain or permit to be kept or maintained any animal within seventy-five (75) feet by air-line measurement of any inhabited residence or dwelling or place used for human habitation,” with exceptions only for “pets.”

¹⁴ § 163.3202, Fla. Stat. (2026).

31. The ULDR divides the City into a number of “zoning districts.”¹⁵ For each zoning district, the ULDR sets out a “List of permitted and conditional uses”—that is, the ways that buildings in each zoning district can be lawfully used.¹⁶

32. By default, the ULDR prohibits using a building in a way that does not come within the list of permitted uses for the zoning district in which it sits: it provides that no “building” shall “be used for any purpose other than is permitted in the district in which such building or land is located.”¹⁷

33. The ULDR does allow property owners to seek special permission to use a building in a way that is not ordinarily permitted in its zoning district—but only by exception, by obtaining a “variance.” The standard for obtaining a variance is exceedingly high. The ULDR provides that “[a] variance from the terms of the ULDR shall be granted *only upon demonstrating a unique hardship attributable to the land*,” and “by proving by a preponderance of the evidence all of” several “criteria.”¹⁸ Those criteria include showing that “the unique hardship is not self-created” by the property owner and that without the variance, the property owner will not merely be denied a “more profitable” use of the property, but will be denied *any* “reasonable use.”¹⁹

34. As part of proving those criteria, a property owner seeking a variance must submit a detailed application package. That package must include, among other materials, a “copy of the deed,” a “current survey,” an “affidavit” from the owner, and any “such additional material in

¹⁵ § 47-4, ULDR.

¹⁶ *Id.* §§ 47-5–17.

¹⁷ *Id.* § 47-34.1.A.1.

¹⁸ *Id.* § 47-24.12.A.4 (emphasis added).

¹⁹ *Id.*

support of the application as determined by the department to be appropriate to the relief requested for the property in question.”²⁰

35. The Fort Lauderdale zoning district that encompasses the Fort Lauderdale Café is the “Heavy Commercial/Light Industrial (B-3) District” (the “B-3 District”).²¹ The list of permitted uses for the B-3 District includes various business uses, such as “Retail” stores, “Restaurant[s],” and “Art Studio[s]”²²—that is, the kind of businesses that are currently in Thrive District. But it does *not* include any use that could even arguably encompass the Capybara Defendants’ use of the Fort Lauderdale Café.

36. Indeed, only three of the uses that the ULDR permits in the B-3 District have anything to do with live animals: use as a “Pet Store,” a “Pet Boarding Facility, Domestic Animals only,” and a “Veterinary Clinic.” None applies to the Fort Lauderdale Café.

37. The Fort Lauderdale Café is plainly not a “Pet Store.”

38. The City Code defines a “Pet Store” as “any retail establishment open to the public that sells, or offers for sale pets,” and “Pet” as “any animal that is kept or maintained for pleasure rather than utility.”²³

39. The Capybara Defendants do not “sell[]” the animals they exhibit; rather, they exhibit them to the public for a fee. The wild animals around which the Capybara Defendants have built their business are also not pets “kept or maintained for pleasure rather than utility.”

40. The Fort Lauderdale Café is also not a “Pet Boarding Facility, Domestic Animals only.”

²⁰ *Id.* § 47-24.12.A.1–2.

²¹ See City of Fort Lauderdale Zoning GIS, <https://gis.fortlauderdale.gov/zoninggis/?extent=-8922251%2C3015446%2C-8921949%2C3015622%2C102100> (last visited Oct. 26, 2026).

²² § 47-6.13, ULDR.

²³ § 6-1, City Code.

41. The City Code defines “Domestic Animals” as “those species of animals that generally live in or about the habitation of humans, including, but not limited to dogs, cats, cows, horses, fowl, sheep, goats and pigs.”²⁴

42. The City Code expressly contrasts Domestic Animals with “Wild Animals,” which it defines as “any animal which can normally be found in a wild state including those feral, exotic, dangerous or nondomestic animals which generally do not live in or about the habitation of humans”²⁵

43. The animals that the Capybara Defendants exhibit are plainly “Wild Animals.” Indeed, the City has already recognized and put the Capybara Defendants on notice that their capybaras and other animals are “Wild Animals” under the City Code, when it cited the Capybara Defendants for keeping “prohibited wild animals,” including “capybaras,” at the Fort Lauderdale Holding Site.²⁶ In any event, the Fort Lauderdale Café is not a “Pet Boarding Facility” of any kind—either for wild or domestic animals. Nor are its animals pets.

44. The Fort Lauderdale Café is also not a “Veterinary Clinic.” It provides no veterinary services. Nor could it lawfully do so. The ULDR provides, among other requirements for veterinary clinics, that “[v]eterinary clinics shall be limited to treatment of animals of a domestic variety.”²⁷ As discussed above, the animals that the Capybara Defendants keep are not domestic animals as defined in the City Code, but wild animals.

45. The Fort Lauderdale Café is thus clearly not zoned for use as a wild animal petting zoo.

²⁴ *Id.*

²⁵ *Id.*

²⁶ Ex. 5, at 2.

²⁷ § 47-18.35.A, ULDR.

46. The Capybara Defendants also did not apply for a variance. Nor could they meet the criteria for one. The ULDR zoning restrictions present no “unique hardship” to the Capybara Defendants that is “attributable to the land” itself.²⁸ And even if the Capybara Defendants could argue that they did face such a hardship, that hardship is indisputably “self-created.”²⁹ Moreover—and as demonstrated by the other businesses in Thrive District—there are many “reasonable use[s]” for the Fort Lauderdale Café, even if the Capybara Defendants believe that their petting zoo is a “more profitable use.”³⁰

47. Thus, the Capybara Defendants’ opening a wild animal petting zoo at the Fort Lauderdale Café violates the ULDR.

48. The fact that the B-3 District is not zoned for the Capybara Defendants’ intended use of the Fort Lauderdale Café also means that the Capybara Defendants cannot lawfully obtain a business tax receipt—a requirement for operating a business in Fort Lauderdale. Chapter 15 of the City Code (“Chapter 15”) provides that “[a]s a prerequisite” to paying its required business tax, each business entity must submit an application for a business tax receipt in which it states “the exact location at which [the] business shall be operated” so that the business tax division can ascertain whether the location is zoned for its intended use.³¹ Thus, if the location is not zoned for its intended use, the business cannot lawfully receive a business tax receipt.

49. Chapter 15 strictly prohibits making any false statements or misrepresentations in an application for a business tax receipt. It provides that “*[i]t shall be unlawful to make any false statements or misrepresentation of facts* when applying for a business tax receipt.”³² If a business

²⁸ § 47-24.12.A.4, ULDR.

²⁹ *Id.*

³⁰ *Id.*

³¹ § 15-40, City Code.

³² *Id.* § 15-42 (emphasis added).

does make a false statement or misrepresentation in order to obtain a business tax receipt, “[a]ny such business tax receipt so obtained *shall be void*.”³³

50. In sum, the ULDR and Chapter 15 foreclose any way for the Capybara Defendants to lawfully keep wild animals at the Fort Lauderdale Café.

51. Yet the Capybara Defendants sought to circumvent these ordinances and open the Fort Lauderdale Café anyway. They did so by blatantly violating those ordinances.

52. As to the B-3 District zoning restrictions in Section 47-6.13 of the ULDR, the Capybara Defendants simply ignored them. On September 17, 2026, they brought their wild animals to the Fort Lauderdale Café and opened for business. That conduct violates the ULDR.

53. As to their application for a business tax receipt under Chapter 15, the Capybara Defendants did precisely what the City Code warns them not to do: they made false statements or misrepresentations in their application. The relevant portion of the Capybara Defendants’ business tax receipt application (the “Application”) is attached as Exhibit 6, and reproduced in relevant part below. In the section of their Application in which they are asked to “Describe [their] Business,” the Capybara Defendants falsely state that their “primary use” for the Fort Lauderdale Café is to sell “merchandise,” “food,” “beverages,” and “educational materials.”³⁴ None of those stated uses includes the Capybara Defendants’ actual primary use: exhibiting live, wild animals in a petting zoo.

³³ *Id.* (emphasis added).

³⁴ Ex. 6, at 2.

Work Location

744 NW 5 AVE
C-1111
FORT LAUDERDALE FL 33311 *

Record Details

▼ More Details

☐ Application Information

BUSINESS DETAIL

Describe Business:

Noahs Ark Sanctuary operates as a specialty retail and educational concept as a registered nonprofit organization. The primary use is the sale of branded merchandise, prepackaged food and beverages, and educational materials related to wildlife conservation. The space includes a small, controlled educational display component and these displays are designed to support conservation awareness and public education, similar to interpretive exhibits commonly found in nature centers and museums.

Excerpt from the Capybara Defendants' Business Tax Receipt Application (Exhibit 6)

54. After the Fort Lauderdale Café opened, the description was updated to add the line “Animal encounter and hall for hire services.”³⁵ But that cryptic fragment hardly makes clear that the Capybara Defendants use the Fort Lauderdale Café as a wild animal petting zoo.

55. Because the Capybara Defendants' Application was false—or at best, highly misleading—the Receipt they received is void.

56. As noted above, on September 21, 2026, the City sent Angel the September 21 Email, in which it told her that it would be issuing a citation for keeping wild animals at the Fort Lauderdale Holding Site. Additionally, the September 21 Email told Angel that the City would “be issuing violations for . . . the commercial property”—that is, the Fort Lauderdale Café.³⁶ The

³⁵ The description appears on a City web portal, under a page showing record details related to the Capybara Defendants' Application. See Record BT-RTL-RCT-26040007, LauderBuild, <https://aca-prod.accela.com/FTL/Cap/CapDetail.aspx?Module=BusinessTax&TabName=BusinessTax&capID1=26CAP&capID2=00000&capID3=00J3Y&agencyCode=FTL&IsToShowInspection=> (last visited Oct. 26, 2026). The portal does not identify who made the change—for instance, whether it was the Capybara Defendants or the City.

³⁶ Ex. 18, at 1.

email also said that “the Business Tax Receipt for the commercial property located at 744 NW 5th Avenue, Fort Lauderdale, has not been issued; therefore, the business should not be operating.”³⁷

57. On September 23, 2026, the City issued an inspection report to non-party Thrive Development Group LLC, an entity associated with the “Thrive District” complex in which the Fort Lauderdale Café is located (attached as Exhibit 19). The inspection report stated a “Violation” of City Code Section 15-28 in that “the business Capybara Café at this location is operating without a current year business tax receipt.”³⁸

II. The City Learns About the Capybara Defendants’ Violations But Approves the New Petting Zoo Anyway—in Violation of Its Own Ordinances.

58. Chapter 15 of the City Code requires businesses applying for a business tax receipt to state their exact business location so that the business tax division can determine whether the business’s intended use complies with the ULDR.

59. Chapter 15 directs the business tax division to make that determination by giving it a strict, unambiguous command. Section 15-40 unequivocally provides: “Before initially issuing a business tax receipt *it shall be the duty* of the business tax division to ascertain through the development services department that the use proposed is permitted at the location proposed and that a valid Certificate of Use has been issued for the specific location and for the type of business activity proposed in the business tax receipt application.”³⁹

60. As stated in the September 21 Email, by September 21, 2026—four days after the Fort Lauderdale Café opened—the City had not issued the Capybara Defendants a business tax receipt.

³⁷ *Id.*

³⁸ Ex. 19, at 1.

³⁹ § 15-40, City Code (emphasis added).

61. With the City’s approval of the Capybara Defendants’ Application pending, PETA contacted the City to alert it that the Capybara Defendants’ intended use for the Fort Lauderdale Café violated the ULDR.

62. On September 16, 2026, PETA sent City Chief of Police William Schultz and Development Services Director Anthony Fajardo a letter by email (the “September 16 Letter,” attached as Exhibit 1) alerting the City to the Capybara Defendants’ “apparent violations of Fort Lauderdale City Code . . . and Unified Land Development Regulations.”⁴⁰ Specifically, PETA explained that “[t]he ULDR does not permit zoological facilities in the B-3 zone as either a permitted use or conditional use” and that there is “no evidence that Angel has applied for or received the necessary variance,” but that the Capybara Defendants nonetheless “intend[ed] to exhibit wild animals at a soon-to-open roadside zoo” at the Fort Lauderdale Café.⁴¹

63. Chief Schultz acknowledged receipt of PETA’s letter with a “read receipt” sent from his email account, but gave no substantive response. Director Fajardo did not respond to PETA’s letter.

64. On September 17, 2026, the Café opened.

65. Between September 16 and 21, 2026, PETA repeatedly tried to contact City employees by email, by phone, and in person.

66. PETA was finally able to make an appointment for Cydnee Bence, one of its counsel, to meet with the Community Enhancement and Enforcement Supervisor of the City’s Development Services Department, on September 21, 2026. On the morning of September 21, Ms. Bence met with Evelyn Delize. Among other things, Ms. Bence and Ms. Delize discussed the

⁴⁰ Ex. 1, at 1.

⁴¹ *Id.* at 2.

Capybara Defendants' pending Application for a business tax receipt. Ms. Delize confirmed that the City had not yet approved the Application, and had not evaluated the Fort Lauderdale Café for zoning compliance as a prerequisite for its doing so.

67. While Ms. Bence was at the City offices on September 21, 2026, she spoke briefly with Director Fajardo. Director Fajardo told her that he was unwilling to discuss the matter with her, and that she should speak to the City Attorney's office.

68. On September 21, 2026, the City sent Angel the September 21 Email discussed above.⁴²

69. On September 22, 2026, PETA sent Senior Assistant City Attorney Rhonda Hasan a letter by email through its counsel (the "September 22 Letter," attached as Exhibit 2). As in its September 16 Letter, PETA's September 22 Letter alerted the City that the Capybara Defendants were "operating a petting zoo . . . that violates the Ft. Lauderdale City Code . . . and Unified Land Development Regulations."⁴³

70. Additionally, PETA's September 22 Letter noted that the Capybara Defendants still did "not have an approved business tax receipt," and that during the September 21 meeting, "Fort Lauderdale Code Enforcement representatives told PETA counsel that the facility had not been inspected and the application had not been approved."⁴⁴ PETA noted that any inspection of the Fort Lauderdale Café would inevitably reveal that the Capybara Defendants were using the property in a manner prohibited under the ULDR, and that they thus could not lawfully obtain a business tax receipt under Chapter 15.⁴⁵

⁴² Ex. 18.

⁴³ Ex. 2, at 1.

⁴⁴ *Id.* at 4.

⁴⁵ *Id.*

71. As an exhibit to its September 22 Letter, PETA also attached a copy of the portion of the Capybara Defendants' Application in which they made false statements and misrepresentations about their business, thus drawing the City's attention to them.⁴⁶

72. In its cover email to Attorney Hasan transmitting the September 22 Letter, PETA requested a meeting to discuss its concerns. Counsel for PETA conferred with Attorney Hasan on September 28, 2026. Attorney Hasan told counsel for PETA that she was not responsible for zoning matters, and that PETA should contact Deputy City Attorney D'Wayne Spence, who is.

73. On September 23, 2026—six days after the Fort Lauderdale Café opened, and two days after the City notified the Capybara Defendants of the violations at the Fort Lauderdale Holding Site and Fort Lauderdale Café—the City issued citations for violations in connection with both Properties.

74. On September 30, 2026, however, the City approved the Application and issued the Receipt. As part of that approval, the City appears to have ignored the Capybara Defendants' violation of the ULDR—the City's online "Processing Status" page (attached as Exhibit 7) shows that the "Zoning Review" portion was "Marked as Approved on 09/30/2026."⁴⁷

75. The next day—on October 1, 2026—PETA sent Attorney Spence a letter by email through counsel (the "October 1 Letter," attached as Exhibit 8). As in its previous two letters and other correspondence with the City, PETA detailed for Attorney Spence how the Capybara Defendants' use of the Properties to keep wild animals violates the ULDR and City Code.⁴⁸ Additionally, because the City had by then issued the Receipt, PETA raised the concern that "Capybara Café appears to have been approved for a Wholesale Business Tax Receipt," even

⁴⁶ *Id.* (citing "Ex. 4" to September 22 Letter).

⁴⁷ Ex. 7, at 3.

⁴⁸ Ex. 8, at 1–3.

though its own “website leaves no doubt that wild animals are being exhibited there in violation of the ULDR.”⁴⁹

76. As it had with Attorney Hasan, PETA asked Attorney Spence for a meeting to discuss its concerns. The following day, on October 2, 2026, Attorney Spence responded by email, saying that he would “decline the request for a meeting at this time.”⁵⁰

77. Attorney Spence’s unwillingness to engage with these concerns is consistent with a statement that another City official, Commissioner Steve Glassman, gave to a journalist. Commissioner Glassman told the *South Florida Sun Sentinel* that the City has no plans to investigate the Capybara Defendants’ compliance with City ordinances.⁵¹ By way of explanation, he said that the Café is “zoned as a retail use because they’re basically selling an experience, an activity center.”⁵² But that rationale does not properly explain the City’s violation of Chapter 15. Regardless of whether the Capybara Defendants are “selling” anything, the fact remains that the Capybara Defendants are using the Fort Lauderdale Café as a wild animal petting zoo—a use prohibited in the B-3 District under the ULDR.

78. Commissioner Glassman also told the *Sun Sentinel* that he is an “advocate” for the Capybara Defendants’ business.⁵³

79. In sum, the City is undoubtedly well aware that the Capybara Defendants are violating City ordinances. It knows that the Capybara Defendants are unlawfully keeping wild

⁴⁹ *Id.* at 3.

⁵⁰ Ex. 9, at 1.

⁵¹ Phillip Valys, *PETA demands Fort Lauderdale officials shut down petting zoo Capybara Café*, *South Florida Sun Sentinel* (Oct. 3, 2026), <https://www.sun-sentinel.com/2026/10/03/peta-demands-fort-lauderdale-officials-shut-down-petting-zoo-capybara-cafe/> (also attached as Exhibit 10).

⁵² *Id.*

⁵³ *Id.*

animals at the Properties that are not zoned for that use. It knows that because the Fort Lauderdale Café is not zoned for that use, the Cappybara Defendants could not lawfully obtain a business tax receipt. And it knows that in order to obtain their Receipt, the Cappybara Defendants made false statements and misrepresentations—thus making the Receipt void.

80. The City is violating its own ordinances, and is doing so in at least three ways.

81. **First**, the City has violated Chapter 15, which requires that businesses apply for and obtain a “certificate of use . . . for *the specific use* at the specified property,”⁵⁴ and specifically Section 15-306, which directs that the City “Zoning Administrator or his or her designee . . . *shall* review the application to determine if the proposed business use is permitted within the zoning district for the subject property and complies with all other applicable land development regulations.”⁵⁵ To date, it is unclear whether the City Zoning Administrator has conducted that required “review” and issued the Cappybara Defendants a certificate of use. And even if the Zoning Administrator does purport to have conducted the required review, the Administrator cannot have properly determined that the Cappybara Defendants’ use was allowed at the Fort Lauderdale Café, because even a cursory review would reveal that it is not. Thus, in either case, the City violated Section 15-306.

82. **Second**, the City violated Section 15-40 by issuing the Receipt. Section 15-40 provides that “[b]efore initially issuing a business tax receipt it shall be the duty of the business tax division to ascertain” that (1) “the use proposed is permitted at the location proposed” and (2) “a valid Certificate of Use has been issued for the specific location and for the type of business activity proposed in the business tax receipt application.”⁵⁶ Because, as just discussed, the

⁵⁴ § 15-301, City Code (emphasis added).

⁵⁵ *Id.* § 15-306 (emphasis added).

⁵⁶ *Id.* § 15-40.

Capybara Defendants' use of the Fort Lauderdale Café is not a permitted use, no valid certificate of use can have been issued to the Capybara Defendants, and the business tax division cannot have properly fulfilled the second requirement of Section 15-40.

83. Nor can it have fulfilled the first requirement of Section 15-40. By the City's own admission, it did not complete the required evaluation before the Fort Lauderdale Café opened. And by the time that the City did mark that evaluation "approved" on September 30, 2026, it had detailed knowledge that the Capybara Defendants' use of the Fort Lauderdale Café was plainly not permitted in the B-3 District. The City thus violated Chapter 15 both by issuing the Receipt on September 30 and by not revoking it once it was apprised of the facts rendering that Receipt void.

84. ***Third***, by continuing to treat the Receipt as valid when it is void, the City is also violating Section 15-42. Section 15-42 provides unambiguously that any business tax receipt obtained by false statements or misrepresentations "shall be void." The City knows that the Capybara Defendants' Application falsely or misleadingly did not represent that they would be using the Fort Lauderdale Café as a wild animal petting zoo. Accordingly, the City is violating Chapter 15 by not recognizing the Receipt as void and allowing the Fort Lauderdale Café to continue to operate without the required receipt.

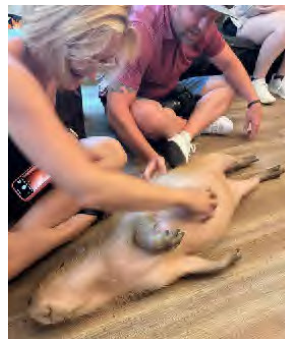
III. The Capybara Defendants' Operations Harm People and Animals.

85. The Capybara Defendants' operations in Fort Lauderdale—which they are only able to continue performing because of Defendants' violations of City ordinances—are deeply harmful to both humans and animals.

86. While the Capybara Defendants call their public-facing location a "Café," it is not really a café at all. Their operation is not centered on food or drink service. Instead, it is a wild animal petting zoo, filled with a menagerie of wild animals whom they call "exotic animal

ambassadors.”⁵⁷ These wild animals include capybaras—the species of large, semiaquatic rodents indigenous to South America for which the operation is named. Other wild animals exhibited at the Café, based on information on the Capybara Defendants’ public website and public photos, include one or more fennec foxes, Virginia opossums, armadillos, African crested porcupines, Patagonian maras (cavies), ferrets, rabbits, chickens, ball pythons, tortoises, wallabies, and coatis.⁵⁸

87. The Fort Lauderdale Café sells what the Capybara Defendants call “encounter[s]” or “experience[s]” with wild animals.⁵⁹ For a fee, the public can touch, feed, handle, and hold the animals. Photos on the Capybara Defendants’ website show the public in close physical contact with the wild animals at Cafés.



Photos from Capybara Defendants’ Website

88. The Capybara Defendants’ operations threaten humans because many of the wild animals at the Fort Lauderdale Café are a danger to people and pose a public health nuisance.

89. Porcupines bristle with quills, and other animals with claws or sharp teeth can scratch or bite. At least one biting incident involving one of the Capybara Defendants’ animals

⁵⁷ Fort Lauderdale, Capybara Café, <https://capycafeftl.com/index.html> (last visited Oct. 26, 2026).

⁵⁸ Animal Encyclopedia, Capybara Café, <https://capycafeftl.com/animal-encyclopedia.html> (last visited Oct. 26, 2026).

⁵⁹ Fort Lauderdale, Capybara Café, <https://capycafeftl.com/index.html> (last visited Oct. 26, 2026).

has already occurred at another location, in which an employee was bitten by a lemur, requiring emergency care. The Capybara Defendants did not report the incident, and as a result, the FWC filed charges against Angel.⁶⁰

90. Wild animals may also be carriers of bacteria, parasites, and diseases communicable to humans. Indeed, at least one of the Capybara Defendants' animals has been identified as potentially carrying such diseases. Dr. Mason Payne, a wildlife veterinarian, reviewed evidence of animals at the Fort Lauderdale Café and observed, among other serious concerns, that a fennec fox showed evidence of possible intestinal parasites, which can be transmitted to humans.⁶¹

91. The Capybara Defendants' operation is also harmful to the wild animals themselves.

92. Tragically, *four of the Capybara Defendants' capybaras died* during the eight-month period between December 2024 and July 2025. A subsequent inspection report by the USDA revealed shocking details about those deaths.⁶²

93. One four-month-old capybara had been “bitten multiple times” by another capybara and died about three weeks later.⁶³

94. A nine-month-old capybara “was found to have numerous wounds throughout his body,” including “full-thickness puncture wounds” suspected to be from “bite trauma”; “abrasion[s]” that were also “suspected to be related to this trauma”; and “ulcers.” He was

⁶⁰ Ex. 1, at 3–4.

⁶¹ Ex. 2, at 4–5; *see also* Declaration of Dr. Mason Payne, DVM (“Payne Decl.”) ¶ 36.

⁶² Ex. 1, at 11–14.

⁶³ *Id.* at 11, 13.

“reported to be minimally active, sitting in his urine,” and observed as “covered in urine,” “dehydrated,” and “hypothermic.”⁶⁴

95. Two five-month-old capybaras that died suffered from low blood sugar, low body temperature, low weight, and other ailments.⁶⁵

96. Based on the shocking circumstances of the deaths, the USDA concluded that the Capybara Defendants do “not have a sufficient number of adequately trained employees to maintain the professionally acceptable level of husbandry practices.”⁶⁶

97. The USDA report also detailed numerous other animal-welfare concerns about the Capybara Defendants’ operation. These included concerns about how the Capybara Defendants had acquired several animals, including their having “incomplete acquisition records for 2 adult red lemurs” and “purchas[ing] 2 coatimundi . . . from a person who is required to be licensed but who does not hold a USDA license”; “sanitation” deficiencies that “provide a potential breeding ground and living area for pests and vermin” and “are a potential source of contamination for the animals”; and a “critical” failure to “ensur[e] that animals housed together are compatible.”⁶⁷ The USDA noted that “[h]ousing incompatible animals together in the same primary enclosure can lead to stress, injury, and even death,” such as in the case of the two capybaras that died after receiving bite wounds.⁶⁸

98. The Capybara Defendants’ business model and methods of keeping and transporting their wild animals are harmful to the animals in other ways, too.

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.* at 13.

⁶⁷ *Id.* at 12–13.

⁶⁸ *Id.* at 14.

99. While the animals are being exhibited at the Fort Lauderdale Café location, they are far from their natural habitat—indeed, even from any attempted recreation of their natural habitat, such as they might have in a reputable wildlife sanctuary. The confined, indoor spaces at the Fort Lauderdale Café are not a suitable habitat and fail to consider even the most basic needs of animals: rabbits, a burrowing species, cannot dig; semi-aquatic species like capybaras have no water in which to swim or submerge themselves; nocturnal species like opossums are kept awake by near-constant handling, bright lights, and loud humans. Whether at the Café or Holding Site, the animals are often kept together. Many of these species would *never* encounter one another in the wild, as they live in totally different environments or even different continents.

100. Transporting animals with the frequency that the Capybara Defendants do and without adequate equipment or controls can be harmful in its own right. Transport is widely regarded by wildlife experts as one of the most acutely stressful events a wild animal can endure. The animals are packed into a confined space, with no ability to escape the loud noises and vibrations of the vehicle and the smells and sounds of other distressed animals, and are jostled about in hard-sided carriers. Any existing illness can quickly spread in the confined space, and the physical and mental stress can exacerbate existing illness or disease, even becoming deadly.

101. Additionally, many wild animals are fearful of and avoid coming into contact with humans. The Capybara Defendants force those animals to do just that. Customers entice the animals into interactions with food, most often kale. Kale, however, should not be a substantial portion of the diet of capybaras, maras, or rabbits and can cause animals to suffer from painful illness and injury. These animals have a unique digestive system adapted for eating grasses and rough forage. Their bodies cannot properly process the high calcium content of kale, which leads to the development of painful conditions like urinary stones, and urinary blockages that can cause

deadly bladder ruptures or kidney damage. The soft produce also does not wear down their constantly growing teeth evenly. For captive animals, this can result in dental diseases, painful cuts to their gums, and difficulty chewing their food.

102. The Capybara Defendants' business model does not account for the animals' basic needs. The animals are subjected to conditions and conduct that not only pose acute risk to their health and welfare, but additionally create compounding, inescapable, chronic stress. Wild animals have evolved to become particularly adept at hiding pain, illness, and stress—especially prey species like capybaras, rabbits, maras, and opossums—as a matter of survival. Thus, by the time the stress, injury, or illness becomes apparent to humans, the animal has often already suffered for some time and the problem has become urgent. Wild animals will attempt to defend themselves from stressors through whatever available means they have: fleeing and hiding, attacking humans or other animals, or self-destructive behaviors. However, at the Fort Lauderdale Café, the animals cannot flee and hide. Thus, they are put into positions where they risk hurting someone or themselves.

IV. Animal-Protection Activist and PETA Member Campos Is Confronted with the Unlawful Petting Zoo.

103. Campos is a City resident who lives approximately five miles from the Fort Lauderdale Café and works in the vicinity of both Properties regularly. She is a long-time, dedicated animal-protection activist and a member of PETA.

104. Campos regularly supports and visits reputable wildlife sanctuaries, such as the CJ Acres Animal Rescue Farm in Keystone Heights, Florida. She loves animals and derives significant joy from seeing them thrive in humane and species-appropriate conditions.

105. Campos moved to the City over twenty years ago. She did so, in large part, because she believed that the City shared her belief in protecting and celebrating animals in their natural

state. For example, it was important to her that when she moved to Fort Lauderdale, it had no disreputable, unlawful, or otherwise harmful animal-holding facilities.

106. Campos has worked to ensure that the City continues to have no such facilities. Several years ago, when a company called “SeaQuest” tried to open a disreputable aquarium, petting zoo, and animal exhibition site at a mall in the City—a development that would have violated City ordinances, as well as threatened harm to both humans and animals—Campos dedicated tremendous time, resources, and effort to opposing the project. Campos ultimately succeeded, and SeaQuest abandoned the project in 2020.

107. Campos is committed to ensuring that other local laws in the City and throughout the State of Florida protect animals. For more than fifteen years, Campos has worked with the City and other local governments to help enact over a dozen animal-protection ordinances, including a City of Fort Lauderdale ordinance banning the retail sale of dogs and cats from “puppy mills.”

108. Campos has also dedicated herself to other animal-protection causes, including educating the people in her community about animal-protection issues and the risks associated with the improper exhibition of animals.

109. Campos learned that the Capybara Defendants were planning to open the Fort Lauderdale Café in September 2026. She was immediately concerned, for multiple reasons.

110. Campos was concerned that the Café would not be in compliance with City ordinances enacted to protect both people and animals. From her years of work with local governments—including the City of Fort Lauderdale—to help enact and enforce animal-related ordinances, Campos knows that such ordinances promote important health and safety interests.

Campos was thus concerned to learn that the Capybara Defendants would be operating in violation of those ordinances.

111. Campos was also concerned that the Fort Lauderdale Café is an unsuitable habitat for animals. From her work on animal-related causes, as well as her time at reputable wildlife sanctuaries, Campos is familiar with humane and appropriate ways to keep animals. By contrast, she was concerned that the Fort Lauderdale Café—a confined, indoor space in a business district—would not provide a suitable habitat for the animals.

112. Campos was also concerned that the Capybara Defendants’ practice of transporting animals to and from the Holding Site and Café daily would be particularly harmful to the animals. Through her experience, she knows that reputable animal caretakers only relocate animals when necessary, and when they must relocate animals, they do so with proper equipment and medical support staff. Campos was thus concerned that the Capybara Defendants’ practices would not adhere to those precautions.

113. Campos is a private investigator licensed in the State of Florida. Her work as a private investigator requires her to be in the area around the Fort Lauderdale Café at least once per month. She has regularly done work within one to two blocks of, and even across the street from, the Fort Lauderdale Café. For example, Campos’ work often requires her to visit lots where towed vehicles are stored, and two of the City’s tow lots are near the Fort Lauderdale Café: one is directly across the street, and another is a block south. Campos has had to do surveillance for several hours at a time in this area, as well as sustained surveillance for a period of multiple weeks.

114. Campos’ work also requires her to regularly be within two to three blocks of the Fort Lauderdale Holding Site.

115. Given the frequency with which she has been required to work near both Properties, Campos expects she will be asked to work in the vicinity of both Properties frequently in the future. Campos wishes that she did not need to live and work in close proximity to the Properties.

116. When the Fort Lauderdale Café opened, Campos began investigating the Capybara Defendants' operations. What Campos saw confirmed and enhanced her fears.

117. Campos has observed and filmed the Capybara Defendants' workers leaving the Fort Lauderdale Holding Site in the morning with the animals loaded into a van. She has observed the employees driving to the Fort Lauderdale Café, where they unload the animals and bring them into the Café. The workers pack the animals into crates while transporting them in the van. As workers haul the crates into the Fort Lauderdale Café, she has observed capybaras, a fennec fox, and an opossum caged inside. In the evening, she has observed workers repeating the process and driving the animals back to the Fort Lauderdale Holding Site. Photos that Ms. Campos took on October 20, 2026 are below.



Photos of Capybara Defendants Unloading Animals at Fort Lauderdale Café on October 20, 2026

118. What Campos has observed is deeply distressing to her. What she saw not only confirmed that the Fort Lauderdale Café is not a suitable habitat for the animals, but also that different species are crowded together inside. Grouping any animals together can be a concern—for instance, as noted by the USDA in its inspection report about the Capybara Defendants. It is

especially concerning when animals are grouped together who would naturally live in entirely different ecosystems, or even on different continents.

119. Campos was also deeply distressed to see that the Capybara Defendants pack the animals in a van and do so twice each day.

120. Campos confirmed through her observation that the Capybara Defendants are keeping and exhibiting wild animals at the Fort Lauderdale Café in violation of the ULDR.

121. She also confirmed that the Capybara Defendants are continuing to keep wild animals at the Fort Lauderdale Holding Site, in violation of the City's citation directing them to cease keeping wild animals at the Holding Site by October 7, 2026. Yet Campos observed the Capybara Defendants transporting animals to and from the Holding Site on October 8, 2026, and again on October 20, 2026.

122. Defendants' violations have caused, and will continue to cause, damage to Campos of a greater and different kind than that suffered by others in the community.

123. As an animal-lover and animal-protection activist who has devoted significant time and efforts to improving animal welfare in her Fort Lauderdale community, Campos suffers unique distress and damage from the Capybara Defendants' operations, different in kind and degree than that experienced by the general public, which includes members of the public who frequent the Fort Lauderdale Café precisely to interact with wild animals because they do not share animal welfare concerns or do not understand the risks posed to themselves and to the wild animals therein.

124. Campos has gone to great lengths to ensure that she does not have to live in proximity to this kind of distressing activity, including by moving to the City of Fort Lauderdale because she believed that she would be free from such activity here. Now, she is confronted with

the Capybara Defendants’ operations in the community where she lives and works, with her work requiring that she frequently spend time in close proximity to the Properties.

125. As detailed above, Campos also spends significant time and energy working to prevent just these kinds of violations. Campos’ years-long efforts will be significantly undermined if Defendants’ violations continue.

V. PETA Members Are Also Harmed by Defendants’ Violations.

126. Plaintiff PETA—an organization representing the interests of its members and supporters—is also harmed by Defendants’ violations of City ordinances.

127. PETA is the largest animal-protection organization in the world, with 10.4 million members and supporters worldwide, including over 39,000 members and supporters in Broward County and over 7,000 members and supporters in Fort Lauderdale.

128. PETA is dedicated to protecting animals from abuse, neglect, and cruelty. PETA “operates under the simple principle that animals are not ours to experiment on, eat, wear, use for entertainment, or abuse in any other way.”⁶⁹ PETA’s mission statement reads, in part, that PETA “focuses its attention on . . . areas in which the largest numbers of animals suffer the most intensely for the longest periods of time,” including in “the entertainment business.”⁷⁰

129. One of the primary settings in which animals are exploited for entertainment is in petting zoos. PETA thus has an interest in counteracting such exploitative petting zoos.

130. In addition to PETA’s concerns about protecting animals from being exploited as entertainment, PETA recognizes that when animals are kept and exhibited in improper areas, harms to the health and safety of both humans and animals can result. PETA also recognizes that local

⁶⁹ *All About PETA*, PETA, <https://www.peta.org/about-peta/learn-about-peta/> (last visited Oct. 26, 2026).

⁷⁰ *About PETA*, PETA, <https://www.peta.org/about-peta/> (last visited Oct. 26, 2026).

ordinances, including zoning regulations, are intended to protect humans and animals from such harms.

131. To achieve its mission, PETA regularly engages in public education, cruelty investigations, research, animal rescue, legislation, special events, celebrity involvement, and protest campaigns.

132. PETA also represents the interests of its more than 7,000 members and supporters who reside in Fort Lauderdale and who possess an interest in ensuring the proper enforcement of local ordinances.

133. Campos is one such member of PETA, and her injuries as detailed above are representative of other injuries of PETA's Fort Lauderdale members and supporters. These injuries include, but are not limited to, injuries from PETA's members and supporters being confronted with violations that are particularly distressing to them as animal-protection activists; from the fact that those distressing violations are occurring in the community where PETA's members and supporters live and work; and from the fact that the violations are precisely of the type that PETA's members and supporters spend significant time and energy to prevent.

VI. The City Does Not Respond Properly to PETA's Chapter 119 Public Records Requests.

134. In addition to its correspondence with the City, PETA also requested public records from the City under Chapter 119, Florida Statutes.

135. Chapter 119 declares that "[i]t is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency."⁷¹

⁷¹ § 119.01(1), Fla. Stat. (2026).

136. Accordingly, Chapter 119 provides that “[e]very person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.”⁷²

137. Chapter 119 further provides that public records custodians “must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith.”⁷³

138. When PETA counsel met with City employees on September 21, 2026, PETA asked for public records related to the Capybara Defendants and their operations at the Properties. An employee in the City zoning department told PETA that the City had no records to produce.

139. On September 22, 2026, PETA submitted three Chapter 119 public records requests to the City, seeking records related to the Capybara Defendants and their operations at the Properties.

A. PETA’s Public Records Requests to the Development Services Department and City Clerk’s Office.

140. PETA submitted one of its three public records requests to the City Development Services Department (attached as Exhibit 11).

141. PETA also submitted another public records request to the City Clerk’s office requesting the same records it had requested from the City Development Services Department (attached as Exhibit 12).

142. Each request sought public records between certain specified dates and “the date this request is processed.”⁷⁴

⁷² *Id.* § 119.07(1)(a).

⁷³ *Id.* § 119.07(1)(c).

⁷⁴ Ex. 11, at 1; Ex. 12, at 1.

143. On September 23, 2026, the City Clerk's office responded to PETA by email (attached as Exhibit 13) saying that it would be "closing" PETA's request to the City Clerk's office, because it was a "duplicate" of PETA's request to the City Development Services Department.⁷⁵

144. PETA responded explaining that its request to the City Clerk's office "was not a duplicate request," and that PETA was "seeking records from both departments."⁷⁶

145. The City Clerk's office responded by telling PETA that "[o]ur office coordinates requests for all departments in the city except for Police," and that the City Clerk's office had routed PETA's request to various "departments/divisions" within the City government.⁷⁷

146. For weeks, the City Clerk's office provided no further response. As a result, on October 19, 2026, PETA sent the City Clerk's office a follow-up letter notifying it of its continued noncompliance with Chapter 119 and asking that it immediately produce all responsive records (attached as Exhibit 14).

147. On October 21, 2026, the City Clerk's office sent PETA an email re-acknowledging PETA's request (attached as Exhibit 15).

148. On October 22, 2026, the City Clerk's office made a production of documents in response to PETA's public records request. However, that production only included documents through September 23, 2026. Thus, the City's production did not include documents through "the date th[e] request [wa]s processed," as PETA had requested.⁷⁸ It also did not include documents from the crucial period between September 23, 2026, when the City issued the Cappybara

⁷⁵ Ex. 13, at 2.

⁷⁶ *Id.*

⁷⁷ *Id.* at 1.

⁷⁸ Ex. 11, at 1; Ex. 12, at 1.

Defendants citations for violations at both Properties, and the time after that at which the City apparently changed its approach.

149. It has now been thirty-five days since PETA submitted its public records request and eight days (and five full business days) since it sent its follow-up letter, to which the City Clerk's office acknowledged receipt.

B. PETA's Public Records Request to the City Police Department.

150. PETA also submitted a public records request to the City Police Department (attached as Exhibit 16).

151. The request sought public records between certain specified dates and "the date this request is processed."⁷⁹

152. By October 19, 2026, the City Police Department had not even acknowledged PETA's request. Thus, on October 19, 2026, and as it had with the City Clerk's office, PETA sent the City Police Department a follow-up letter notifying it of its continued noncompliance with Chapter 119 and asking that it immediately produce all responsive records (attached as Exhibit 17).

153. Later on October 19, 2026, the City Police Department acknowledged PETA's request and sent PETA a small set of records, largely related to PETA's own public records requests and communications with the City Police Department.

154. To date, however, the City Police Department has not completed its production of documents responsive to PETA's public records request. It has now been thirty-five days since PETA submitted its public records request and eight days (and five full business days) since it sent its follow-up letter and the City Police Department acknowledged receipt.

⁷⁹ Ex. 16, at 1.

CAUSES OF ACTION
COUNT I
DECLARATORY RELIEF
VIOLATION OF CITY CODE CHAPTER 15
(Plaintiffs against the City)

155. Plaintiffs incorporate by reference all allegations contained in paragraphs 1 through 154 as though fully set forth herein.

156. Florida courts have the power to grant a declaratory judgment in a civil case to any person “claiming to be interested or who may be in doubt about his or her rights,” including rights under a “municipal ordinance.” § 86.021, Fla. Stat. (2026); *see also, e.g., Everett Bros. Recycling, Inc. v. Martin Cnty.*, 401 So. 3d 372, 376 (Fla. 4th DCA 2025) (discussing injunction and declaration “to enforce a zoning ordinance”).

157. There exists an actual, ripe, and justiciable controversy between Plaintiffs and the City regarding its violations of Chapter 15.

158. The City has violated and is continuing to violate City Code Section 15-306 by not properly issuing a certificate of use.

159. The City has violated and is continuing to violate City Code Section 15-40 by issuing and not revoking the Receipt.

160. The City has violated and is continuing to violate City Code Section 15-42 by treating the Receipt as valid when it is void on the basis of the Capybara Defendants’ false statements and misrepresentations.

161. As a result of the City’s violations, Plaintiffs have suffered and will continue to suffer special damages that are different in kind and degree from those suffered by the general population, including because, as they are animal-protection activists, the violations are particularly distressing to them; the distressing violations are occurring in the community where

they live and work; and the violations are the kind that they spend significant time and energy working to prevent.

WHEREFORE, Plaintiffs respectfully ask that the Court:

- A. Enter judgment declaring that (i) the City has violated and is continuing to violate City Code Section 15-306 by not properly issuing a certificate of use; (ii) the City has violated and is continuing to violate City Code Section 15-40 by issuing and not revoking the Receipt; and (iii) the City has violated and is continuing to violate City Code Section 15-42 by treating the Receipt as valid when it is void on the basis of the Capybara Defendants' false statements and misrepresentations;
- B. Award attorneys' fees and costs of this action to Plaintiffs; and
- C. Grant Plaintiffs such other and further relief as the Court may deem just, proper, and necessary.

COUNT II
EMERGENCY TEMPORARY AND PERMANENT INJUNCTIVE RELIEF
VIOLATION OF CITY CODE CHAPTER 15
(Plaintiffs against the City)

162. Plaintiffs incorporate by reference all allegations contained in paragraphs 1 through 154 as though fully set forth herein.

163. The Court may issue an injunction against a city that is violating its own ordinances. *See City of W. Palm Beach, Inc. v. Haver*, 330 So. 3d 860, 865–66 (Fla. 2021).

164. Assuming that the Court finds in favor of Plaintiffs in Count I, Plaintiffs respectfully request that the Court issue an emergency temporary and permanent injunction:

- a. Enjoining the City from recognizing the Receipt as valid; and
- b. Enjoining the City from issuing any new or revised business tax receipt to the Capybara Defendants in connection with the Fort Lauderdale Café so

long as the Capybara Defendants' use of the Fort Lauderdale Café continues to violate the ULDR.

165. This Court may issue an emergency temporary injunction when the party seeking relief establishes: (1) “irreparable harm”; (2) “lack of an adequate remedy at law”; (3) “a substantial likelihood of success on the merits”; and (4) “that temporary injunctive relief will serve the public interest.” *Mapei Corp. v. J.M. Field Mktg., Inc.*, 295 So. 3d 1193, 1198 (Fla. 4th DCA 2020).

166. The Court may issue a permanent injunction where the party seeking such relief “establish[es]: (1) irreparable harm; (2) a clear legal right; (3) an inadequate remedy at law; and (4) consideration of the public interest.” *Park Crossing Homeowners Ass’n, Inc. v. Suarez*, 415 So. 3d 676, 690 (Fla. 4th DCA 2025).

167. Unless the Court enters the injunctive relief Plaintiffs seek, the City will continue to violate its ordinances. The City’s violations will cause Plaintiffs immediate and irreparable harm because, as they are animal-protection activists, the violations are particularly distressing to them; the distressing violations are occurring in the community where they live and work; and the violations are the kind that they spend significant time and energy working to prevent. This harm to Plaintiffs is different in kind and degree from that suffered by the general population.

168. Given the City’s clear violations of its own ordinances, Plaintiffs are substantially likely to succeed on the merits for purposes of an emergency temporary injunction, and have a clear legal right to a permanent injunction.

169. There is no adequate remedy available to Plaintiffs at law, including because a claim for money damages is not available.

170. The public interest is clearly served when a city is prohibited from violating its own laws. Moreover, because the City's violations allow a business to operate that poses risk to public health and safety, as well as harm to animals, the public interest will be served by stopping those violations.

WHEREFORE, Plaintiffs respectfully ask that the Court:

- A. Enter an emergency temporary and permanent injunction enjoining the City from recognizing the Receipt as valid; and enjoining the City from issuing any new or revised business tax receipt to the Capybara Defendants in connection with the Fort Lauderdale Café so long as the Capybara Defendants' use of the Fort Lauderdale Café continues to violate the ULDR;
- B. Award attorneys' fees and costs of this action to Plaintiffs; and
- C. Grant Plaintiffs such other and further relief as the Court may deem just, proper, and necessary.

COUNT III
EMERGENCY TEMPORARY AND PERMANENT INJUNCTIVE RELIEF
VIOLATION OF CITY CODE SECTION 6-13, ULDR, AND CITY CODE CHAPTER 15
(Plaintiffs against the Capybara Defendants)

171. Plaintiffs incorporate by reference all allegations contained in paragraphs 1 through 154 as though fully set forth herein.

172. The Court may issue an injunction to enforce City zoning ordinances. *See, e.g., Everett Bros.*, 401 So. 3d at 376 (discussing injunction and declaration "to enforce a zoning ordinance").

173. This Court may issue an emergency temporary injunction when the party seeking relief establishes: (1) "irreparable harm"; (2) "lack of an adequate remedy at law"; (3) "a

substantial likelihood of success on the merits”; and (4) “that temporary injunctive relief will serve the public interest.” *Mapei Corp.*, 295 So. 3d at 1198.

174. The Court may issue a permanent injunction where the party seeking such relief “establish[es]: (1) irreparable harm; (2) a clear legal right; (3) an inadequate remedy at law; and (4) consideration of the public interest.” *Park Crossing*, 415 So. 3d at 690.

175. The Capybara Defendants have violated and are continuing to violate (i) Section 6-13, City Code, by unlawfully keeping wild animals at the Fort Lauderdale Holding Site, (ii) the ULDR, by unlawfully keeping wild animals at the Fort Lauderdale Café, and (iii) Section 15-42, City Code, by obtaining and operating under a business tax receipt on the basis of false statements or misrepresentations.

176. Unless the Capybara Defendants are enjoined from keeping wild animals at the Properties, they will continue to do so in violation of the ULDR and City Code. The Capybara Defendants’ continuing to keep animals unlawfully in violation of the ULDR and City Code will cause Plaintiffs immediate and irreparable harm because, as they are animal-protection activists, the violations are particularly distressing to them; the distressing violations are occurring in the community where they live and work; and the violations are the kind that they spend significant time and energy working to prevent. This harm to Plaintiffs is different in kind and degree from that suffered by the general population.

177. Given the Capybara Defendants’ clear violations of City ordinances, Plaintiffs are substantially likely to succeed on the merits for purposes of an emergency temporary injunction, and have a clear legal right to a permanent injunction.

178. There is no adequate remedy available to Plaintiffs at law, including because a claim for money damages is not available.

179. The public interest is clearly served when a business is prohibited from violating local laws. Moreover, because the business that the Capybara Defendants are operating unlawfully poses risk to public health and safety, as well as harm to animals, the public interest will be served by stopping those violations.

WHEREFORE, Plaintiffs respectfully ask that the Court:

- A. Enter an emergency temporary and permanent injunction enjoining the Capybara Defendants from keeping wild animals at the Fort Lauderdale Café;
- B. Enter an emergency temporary and permanent injunction enjoining the Capybara Defendants from keeping wild animals at the Fort Lauderdale Holding Site;
- C. Award attorneys' fees and costs of this action to Plaintiffs; and
- D. Grant Plaintiffs such other and further relief as the Court may deem just, proper, and necessary.

COUNT IV
PETITION FOR WRIT OF MANDAMUS
PUBLIC RECORDS ACT
(PETA against the City)

180. Plaintiff PETA incorporates by reference all allegations contained in paragraphs 1 through 154 as though fully set forth herein.

181. This is an action for a writ of mandamus under Chapter 119, Florida Statutes, the Florida Public Records Act, to compel the City to permit inspection and copying of public records that PETA requested and the City has refused to produce.

182. Section 119.07(1)(a), Florida Statutes, imposes on public records custodians the ministerial duty to “permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions.” A custodian must also “acknowledge

requests to inspect or copy records promptly and respond to such requests in good faith.” *Id.* § 119.07(1)(c).

183. The City received PETA’s requests but has not permitted inspection or copying of the requested records properly and within a reasonable time.

184. The City Clerk’s office’s response (on behalf of itself and, apparently, the City Development Services Department) is deficient, including because the City Clerk’s office has only produced records through September 23, 2026, despite the fact that PETA requested records through the date of processing.

185. The City Police Department’s response is also deficient, including because, thirty-five days after PETA submitted its public records request, it has only produced a small number of records, and those records largely concern PETA’s own public records requests and communications with the City Police Department.

186. The City’s continued failure to fully respond is a refusal to perform an official ministerial duty as prescribed by, and in violation of, Section 119.07, Florida Statutes. PETA has a clear legal right to receive the City’s response, and PETA has no other adequate remedy at law.

187. Thus, a Writ of Mandamus is the appropriate remedy to compel the City to perform its specific ministerial duty to respond to PETA’s requests and permit the inspection, examination, and copying of the records PETA has requested. *See, e.g., Downs v. Austin*, 522 So. 2d 931, 935 (Fla. 1st DCA 1988) (directing circuit court to enter writ of mandamus compelling disclosure of public records).

188. Section 119.11(1), Florida Statutes, provides that “[w]hen an action is filed to enforce the provisions of this chapter, the court shall set an immediate hearing, giving the case priority over other pending cases.”

189. Where “[t]he agency unlawfully refused to permit a public record to be inspected or copied,” and “[t]he complainant provided written notice identifying the public records request to the agency’s custodian of public records at least 5 business days before filing the civil action,” a party bringing a civil action to enforce Chapter 119 is entitled to reasonable attorneys’ fees. § 119.12(1), Fla. Stat. (2026). Because those conditions are met here—including because PETA sent such written notice to the City Clerk’s office and Police Department over five business days ago, on October 19, 2026—PETA is entitled to its reasonable attorneys’ fees and costs for maintaining this action.

WHEREFORE, PETA respectfully asks that the Court:

- A. Issue a Writ of Mandamus compelling the City to perform its ministerial duties and permit PETA access to inspect and examine the public records requested within 48 hours from the time the Writ is issued;
- B. Award attorneys’ fees and costs of this action to PETA; and
- C. Grant PETA such other and further relief as the Court may deem just, proper, and necessary.

Dated: October 27, 2026

Respectfully submitted,

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Counsel for Plaintiffs

VERIFICATION OF ANA CAMPOS

Pursuant to section 92.525, Florida Statutes, under penalties of perjury, I declare that I have read the foregoing Verified Complaint for Declaratory, Emergency Temporary and Permanent Injunctive Relief, and Mandamus Relief and that the facts stated in it are true.

/s/ Ana Campos
Ana Campos

VERIFICATION OF PETA

Pursuant to section 92.525, Florida Statutes, under penalties of perjury, I declare that I have read the foregoing Verified Complaint for Declaratory, Emergency Temporary and Permanent Injunctive Relief, and Mandamus Relief and that the facts stated in it are true.

/s/ Cydnee Bence
Cydnee Bence

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of October, 2026, a true and correct copy of the foregoing Emergency Motion for Temporary Injunction was filed via the Florida E-Filing Portal and that as soon as the Clerk of Court issues the Summons for each Defendant, the undersigned will, that same day, arrange for service of this Motion on Defendants to be effected by process server.

/s/ Marcos E. Hasbun
Marcos E. Hasbun