

ORDINANCE: #12:14-15

**AN ORDINANCE OF THE BOROUGH OF BELLMAWR, COUNTY OF CAMDEN,
STATE OF NEW JERSEY, CHAPTER 137 OF THE CODE OF THE BOROUGH
OF BELLMAWR ADDING ARTICLE V, REGULATING THE SALE OF DOGS
AND CATS FROM PET SHOPS**

WHEREAS, in the best interest of the residents of the Borough of Bellmawr and other citizens who may purchase dogs and cats, and in the interest of promoting community awareness, certain amendments to the current ordinance regulating Pets Shops located within the Borough of Bellmawr are required, and

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large scale commercial breeding facilities where the health and welfare of the animals are not regularly provided for (“puppy mills” and kitten mills,” respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills, and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet health and behavioral issues in some cases, These health and behavioral issues, which may not present themselves until some time after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers, and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops, and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills and is likely to increase demand for animals from animal shelters and rescue organizations, and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers, and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, the Mayor and Council of the Borough of Bellmawr believes it is in the best interest of the Borough to adopt reasonable regulations to reduce costs to the Borough and its residents, protect the citizens of the Borough of Bellmawr who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Borough.

NOW THEREFORE BE IT RESOLVED that Chapter 137 of the Code of the Borough of Bellmawr add article V, regulating the sale of dogs and cats from pet shops.

SECTION 1. That Article V “Definitions and Word Usage” subsection A be and is hereby amended as follows:

ANIMAL CARE FACILITY- Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

ANIMAL RESCUE ORGANIZATION- Animal rescue organization means any not-for profit organization which has tax-exempt status under section 501 (c) (3) of the United States Internal Revenue Code, Whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

OFFER FOR SALE- Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

PET SHOP- Pet Shop means a retail establishment where dogs and cats are kept in any room or group of rooms, cage or exhibition pen and are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Pet shops are prohibited in all residential zones. Such definition shall not include an animal care facility or animal rescue organization, as defined.

SECTION 2. That Article V “Licensing requirements for kennels and pet shops” be amended to include the following:

D. Regulations:

1. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
 - a. An animal care facility; or
 - b. An animal rescue organization
2. A pet shall not offer for sale a dog or cat that is younger than eight weeks old.

SECTION 3. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 5. This ordinance shall take effect immediately after final passage and publication as required by law.

DECEMBER 15, 2015

APPROVED:

FRANK R. FILIPEK
MAYOR

I, Charles J. Sauter, III Borough Clerk of the Borough of Bellmawr, County of Camden, State of New Jersey, hereby certify that the above is a true and correct copy of a resolution adopted by the Mayor and Council of the Borough of Bellmawr at a regular meeting held on December 15, 2015 at the Municipal Building, Bellmawr, New Jersey, beginning 7:00 PM.

CHARLES J. SAUTER, III
BOROUGH CLERK