

**TOWN OF ALMA  
STATE OF COLORADO**

**ORDINANCE NO. 2020-01**

**AN ORDINANCE CONCERNING THE SALE OF DOGS AND CATS BORN OR  
RAISED IN INHUMANE COMMERCIAL BREEDING FACILITIES.**

WHEREAS, the Town of Alma is a municipal corporation possessing all powers granted to statutory cities by Title 31 of the Colorado Revised Statutes, included within such powers being the power to regulate businesses conducted within the Town's boundaries; and

WHEREAS, the Town has an interest in maintaining the public safety and welfare of the citizens of the Town; and

WHEREAS, Section 31-15-501(1)(a), C.R.S., authorizes municipalities to prohibit any offensive or unwholesome business practice; and

WHEREAS, the Humane Society of the United States has determined that puppy and kitten mills are inhumane commercial breeding facilities which disregard the animals' health - both physical and emotional - in order to maximize profits; and

WHEREAS, according to the Humane Society of the United States, these mills produce animals for sale, oftentimes at retail stores; and

WHEREAS, the Town Council finds and determines that the sale of dogs and cats from these mills is an unwholesome business practice and not in the best interest of the public welfare of the Town; and

WHEREAS, the Town Council desires to exercise its authority to address the sale of dogs and cats in retail stores that come from these mills, all as more fully provided in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ALMA, COLORADO, THAT:

Section 1. Chapter 7, Article 6 of the Municipal Code of the Town of Alma is amended by the addition of a new Section 7-6-290, which shall read in its entirety as follows:

**7-6-290. Sale of animals from inhumane commercial breeding facilities.**

- (a) No pet shop shall sell, deliver, offer for sale, barter, auction, or otherwise dispose of a dog or a cat.
- (b) A pet shop that offers space for the adoption of dogs or cats shall post, in a conspicuous location on the enclosure of each such animal, a sign listing the name

of the animal care facility or animal rescue organization from which the pet shop acquired each dog or cat.

- (c) Each violation of this Section shall constitute a separate offense.
- (d) It is unlawful and a misdemeanor offense for any person to violate any provision of this Section. Any person convicted of violating any provision of this Section shall be punished as provided in Section 1-4-20 of the Municipal Code of the Town of Alma.
- (e) The operation of a pet shop in violation of this Section is declared to be a public nuisance and is subject to abatement as provided by law. In any case in which the Town prevails in a nuisance abatement action initiated pursuant to this Section, the Town may recover its reasonable attorneys' fees, costs and expenses.

Section 2. Except as specifically amended hereby, the Municipal Code of the Town of Alma, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 3. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Alma and the inhabitants thereof.

Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to: (i) Section 31-15-103, C.R.S. (concerning the making of ordinances); (ii) Section 31-15-501, C.R.S. (concerning municipal power to regulate businesses); and, (iii) Section 31-15-401, C.R.S. (concerning municipal police powers).

READ, APPROVED and ADOPTED at a regular meeting of the Board of Trustees of the Town of Alma, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Saam Golgoon, Mayor

ATTEST:

\_\_\_\_\_  
Nancy A. Comer, Town Clerk