

ORDINANCES, ELECTIONS AND LEGISLATIVE MATTERS

Cathleen DeSimone, Chairperson

(PH 10-04-22)

The Mayor respectfully requests to amend Chapter 9 Licenses and Permits of the Revised Ordinances of the City of Attleboro by adding Section 9-48 Humane Pet Store. This ordinance, which has been adopted by several other municipalities, will create for a more humane treatment of animals by not subjecting them to the often less than optimal conditions at pet stores. City Solicitor Cynthia Amara reviewed the proposed ordinance and approved as to form. Therefore, the Mayor hereby requests Your Honorable Body vote on the following amendment to the ordinance by adding the following section:

Section 9-48 Humane Pet Store

9-48.1

Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

- a. Pet Shop: means a retail establishment where animals are sold or offered for sale as pets which is required to be licensed pursuant to M.G.L. c. 129 § 39A and 330 CMR 12.00. A person who only sells or otherwise transfers the offspring of animals the person has bred on their residential premises shall not be considered a “pet shop” for purposes of this section.
- b. Sell: means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer for consideration.
- c. Offer for Sale: means to advertise or otherwise proffer an animal for acceptance by another person or entity.
- d. Public Animal Control Agency or shelter: means a facility operated by a governmental entity, for the purpose of impounding seized, stray, homeless, abandoned, unwanted, or surrendered animals, or a facility operated for the same purposes under a written contract with a governmental entity.
- e. Animal Rescue Organization: means a not-for-profit organization that is registered with the Massachusetts Department of Agricultural Resources, if required, and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, guinea pigs, or rabbits into permanent homes. The term “animal rescue organization” does not include any person or entity that breeds animals or obtains animals in exchange for payment or compensation from a person that breeds or brokers animals.

9-48.2 Sale of Dogs, Cats, Guinea Pigs, or Rabbits by Pet Shops Prohibited

- a. It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, guinea pig, or rabbit.
- b. A pet shop may provide space for the display of dogs, cats, guinea pig, or rabbits available for adoption by a public animal control agency or shelter or an animal rescue

organization so long as the pet shop receives no part of any fees associated with the display or adoption of the animals and has no ownership interest in any of the animals displayed or made available for adoption.

9-48.3 Enforcement and Severability

- a. Any pet shop that makes a sale or offer for sale of a dog, cat, guinea pig, or rabbit in violation of Section 9-48.2 shall be fined in an amount not to exceed \$300 pursuant to G.L. c. 40, § 21D and Section 9-42 of the Revised Ordinances of the City of Attleboro. Each unlawful sale or offer for sale shall constitute a separate violation.
- b. In addition to any other remedy provided by law, this section may be enforced through any other means available in law or equity. Nothing in this section may be construed to alter or amend any other legal obligations applicable to pet shops, or any other entities, under state law or regulation.
- c. The invalidity of any section or provision of this section shall not invalidate any other section or provision thereof.

(PH 10-18-2022)

The Mayor respectfully submits a communication from Director of Budget & Administration Jeremy Stull requesting to amend Section 10-13 Parking Capacity and Designation of the Revised Ordinances of the City of Attleboro. As the downtown continues to develop and we are seeing an increase in demand for both monthly passholders and for business and condo leases for dedicated parking, the idea of reserving 17 off-street covered parking spaces for free parking is incongruent with the rest of the downtown parking approach. City Solicitor Cynthia Amara reviewed the proposed ordinance and approved as to form. Therefore, the Mayor hereby requests Your Honorable Body vote on the following amendment to the ordinance:

Delete in its entirety and replace with the following:

Section 10-13.1 The Municipal Parking Garage shall lease spaces for twenty-four hour (24) parking subject to the discounts in Section 10-8 of this ordinance. Six of these short-term parking spaces shall be designated “HANDICAPPED PARKING”.

This ordinance shall take effect on December 1, 2022.

PUBLIC SAFETY

Peter Blais, Chairperson

The City Clerk received a joint letter from the Attleboro Firefighters Local 848 & Attleboro Police Association MACOP Local 352 for the second time regarding the American Rescue Plan Act requesting a sit down meeting with all levels of the City administration.

SPECIAL COMMITTEE ON SENIOR TAX

Richard Conti, Chairperson