



**CITY OF CARVER
CARVER COUNTY, MINNESOTA
ORDINANCE NO. 02-2020**

**AN ORDINANCE OF THE CITY OF CARVER, MINNESOTA AMENDING CITY
CODE CHAPTER 6 BY ADDING SECTION 9.75 RELATING TO THE REGULATION
OF SALES OF CATS AND DOGS AT PET STORES AND ADOPTING BY
REFERENCE CITY CODE SECTIONS 1-16 WHICH, AMONG OTHER THINGS,
CONTAINS PENALTY PROVISIONS**

THE CITY COUNCIL OF THE CITY OF CARVER, MINNESOTA ORDAINS:

Section 1. City Code Chapter 6 is amended by adding Section 6.41 to read as follows:

Section 6.41. Regulation of Pet Stores

(a) The City Council finds that in accordance with the power granted to it by Minnesota Statutes Section 412.221, Subd. 21 to regulate the keeping of animals, and to protect the health, safety, and welfare of the community, it is appropriate to adopt the regulations set forth below regarding the sale of dogs and cats at pet stores.

Subd. 2. Definitions. Except where the term is expressly defined by other provisions or sections within this Chapter, the following words and terms shall have the meanings ascribed to them in this Section.

- (a) **ANIMAL CONTROL AUTHORITY:** Any governmental entity which is responsible for animal control operations in its jurisdiction.
- (b) **ANIMAL RESCUE ORGANIZATION:** 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 of animals and the placement of those animals in permanent homes, and which does not breed animals.
- (c) **ANIMAL SHELTER:** Any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, which (1) accepts animals into a physical facility; (2) is devoted to the rescue, care, and adoption of stray, abandoned, unwanted or surrendered animals; (3) places animals in permanent homes or with animal rescue organizations; and (4) does not breed animals.
- (d) **CAT:** A mammal that is wholly or in part the species *Felis domesticus*.
- (e) **CERTIFICATE OF SOURCE:** A document from an animal control authority, animal rescue organization, or animal shelter which shall provide a brief description of the dog or cat, and shall list the name, address, and telephone number of the source (animal control authority, animal rescue organization, or animal shelter) of the dog or cat.
- (f) **DOG:** A mammal that is wholly or in part of the species *Canis familiaris*.

- (g) PET STORE: Any retail establishment, or operator thereof, which displays, sells, delivers, offers for sale, barter, auctions, gives away, or otherwise transfers companion animals within the City of Carver. This definition does not apply to or include: (a) animal control authorities, animal shelters, or animal rescue organizations; (b) sales or dispositions of puppies of Dogs or kittens of Cats by an individual City resident who intentionally or unintentionally breeds Dogs or Cats in conformance with City Code; or (c) a sale or transfer by an individual City resident of their personal Dog or Cat, but not more than two (2) such sales or transfers in a calendar year.
- (h) PET STORE OPERATOR: A person or business entity who owns or operates a pet store.

Subd. 3. Prohibition on Sales

- (a) No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs.
- (b) Nothing in this Section shall prohibit pet stores from collaborating with animal shelters, animal rescue organizations, and animal control authorities to offer space for such entities to showcase adoptable dogs and cats inside pet stores.

Subd. 4. Certificate of Source

- (a) A pet store shall post and maintain a Certificate of Source in a conspicuous place on or within three feet of each Dog's or Cat's kennel, cage, or enclosure.
- (b) A Certificate of Source shall be provided to the adopter of any Dog or Cat.
- (c) Certificate of Source records for each Dog or Cat shall be maintained by a pet store for at least one year from the last date that a Dog or Cat appeared in the store.
- (d) Pet Stores shall make Certificates of Source immediately available for review upon the request of a peace officer or animal control authority, or a humane agent pursuant to Minnesota Statutes Section 343.06 acting on behalf of the City.

Subd. 5. Inspection

- (a) Upon prior notice to the owner or occupant of a pet store, a City employee is authorized hereby to inspect the pet store for the purpose of ensuring compliance with this Section.

Subd. 6. Violation

It shall be deemed a violation of this Section for any person to:

- (a) Falsify a Certificate of Source.
- (b) Resist, impede or hinder a City employee in the performance of his or her duties in inspecting any pet store.
- (c) Violate any provisions of this Section.
- (d) The first violation by a person of this Section 6.41 is a petty misdemeanor and subsequent violations of this Section 6.41 within one year of a prior violation is a misdemeanor with the penalties for petty misdemeanors and misdemeanors determined by Minnesota Statutes.

Section 2. City Code Chapter 1, entitled “Penalty for Violation” and Section 1.16(a) and (i) entitled “Petty Misdemeanors and Misdemeanors” are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall be in effect from and after the date of its passage and publication. The City will publish a summary of this Ordinance.

Adopted and ordered published at a regular meeting of the City Council of said City on the 16th__ day of March, 2020.

Vicky Sons-Eiden, City Clerk

Courtney Johnson, Mayor