

ORDINANCE NO. 1102

AN ORDINANCE TO RESTRICT THE RETAIL SALE OF PUPPIES AND KITTENS TO ONLY THOSE THAT ARE SOURCED FROM SHELTERS OR RESCUE ORGANIZATIONS

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 adequately provided for (i.e. puppy mills and kitten mills, respectively); and,

WHEREAS, 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 documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and,

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

WHEREAS, current Federal, State and City regulations do not properly 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, restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet populations and thus the burden on the City of Guntersville, including 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, and 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, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and,

WHEREAS, the City Council believes it is in the best interests of this City to adopt reasonable regulations to reduce costs to the City and its residents, protect the citizens of the City 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 City.

Now therefore, be it ORDAINED:

Section 1. Definitions.

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 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, and which does not obtain animals from a breeder or broker for profit or compensation.

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 means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Section 2. Restrictions on the Sale of Animals

(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 shop shall not offer for sale a dog or cat that is younger than eight weeks old.

Section 3. Record Keeping and disclosure

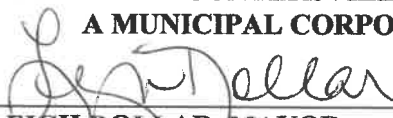
A pet shop shall maintain records stating the name and address of the organization (animal care facility or animal rescue organization) from which each cat or dog was obtained from for at least two years following the date of acquisition. Such records shall be made available, immediately upon request, to the Guntersville City Clerk and submitted annually, and no later than May 1 of each year, to the Guntersville City Clerk. Each pet shop shall display on each cage a label stating the name and address of the organization of each animal kept in the cage.

Section 4. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

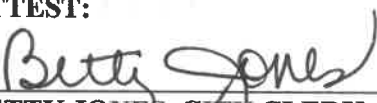
PASSED, APPROVED AND ADOPTED THIS THE 15th DAY OF JULY, 2019.

**THE CITY OF GUNTERSVILLE, ALABAMA
A MUNICIPAL CORPORATION**



LEIGH DOLLAR, MAYOR

ATTEST:



BETTY JONES, CITY CLERK

I, BETTY JONES, CITY CLERK OF THE CITY OF GUNTERSVILLE, ALABAMA, DO HEREBY CERTIFY THAT THE FOREGOING ORDINANCE NO. 1102 WAS PUBLISHED ONE TIME IN THE LOCAL NEWSPAPER, THE ADVERTISER GLEAM, ON _____.

BETTY JONES, CITY CLERK