

ORDINANCE NO. 18-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that Division 1, *Generally*, of Article II, *Dogs and Cats*, of Chapter 5, *Animals*, of the Code of Ordinances, City of Huntsville, Alabama, and Ordinance No. 18-952, as adopted and approved on November 1, 2018, are hereby amended to read as follows:

Section 1. *Sec. 5-1 Definitions* of the Code shall be amended to include the following definitions in their entirety and to read, in alphabetical order with the other definitions already set forth in Sec. 5-1, as follows:

Animal rescue organization or agency - a not-for-profit organization or agency with tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, with the mission and practice, in whole or in significant part, of rescuing and placing animals in permanent homes, and which does not obtain animals from a breeder or broker for profit or compensation.

Commercial transaction – An interaction between two or more parties in which a live animal is exchanged for cash, goods, services or something of value.

Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away, or exchange through a commercial transaction any dog, cat, kitten, or puppy.

Pet shop - a retail establishment, business or store where live animals are sold, exchanged, bartered or offered for sale as pets to the general public. Such definition shall not include an animal shelter or animal rescue organization as defined in this section.

Pet Supply Store – a retail establishment, business or store which sells pet food, animal supplies and pet accessories to the general public, and which may also sell, exchange, barter or offer for sale live animals as pets to the general public.

Section 2. Section 5-50 of the Code is hereby enacted to read as follows:

Sec. 5-50. Restrictions on the sale of dogs and cats.

- (a) A pet shop or pet supply store may offer for sale only those dogs, cats, puppies, and kittens obtained from and in cooperation with HAS, an animal shelter, or an animal rescue organization or agency as defined in sec. 5-1.
- (b) Every pet shop or pet supply store offering for sale any dog, cat, puppy or kitten shall display a label stating the name and address of the organization supplying said animal on the animal's cage.
- (c) A pet shop or pet supply store shall not offer for sale a puppy or kitten that is younger than eight weeks old.

- (d) Every pet shop or pet supply store offering for sale any dog, cat, puppy or kitten shall maintain records for each animal offered for sale. The records shall be maintained for a minimum of 12 (twelve) months after the date of the transaction, and shall be available for inspection by any HAS officer or law enforcement officer. The records shall include the following information for each transaction:
1. A description and photograph of the animal;
 2. The monetary value of any cash, services, or goods exchanged for the animal;
 3. The name, address and phone number of the organization (HAS, animal shelter or animal rescue organization or agency) from which said pet store or pet supply store acquired said animal; and
 4. The name, address and phone number of the new owner of the animal.

Section 3. With the exception of amendments made herein, all other portions of Chapter 5 of the Code of Ordinances, City of Huntsville, Alabama shall remain in full force and effect.

Section 4. The severability provisions of section 1-8 of the Code of Ordinances, City of Huntsville, Alabama shall apply to this ordinance.

Section 5. This ordinance shall become effective upon its adoption and approval.

ADOPTED on this the ____ day of _____, 2018.

President of the City Council of
the City of Huntsville, Alabama

APPROVED on this the ____ day of _____, 2018.

Mayor of the City of Huntsville,
Alabama