

LOPEZ/TORRES
06-14-16

**ORDINANCE AMENDING CHAPTER CHAPTER 210, DOGS AND OTHER ANIMALS,
ARTICLE I. DOGS, KENNELS AND PET SHOPS
TO PROHIBIT THE SALE OF DOGS AND CATS FROM PET SHOPS**

**[FOLLOWING DRAFT TEXT IS UNDER LEGAL REVIEW BY
THE CITY ATTORNEY'S OFFICE]**

WHEREAS, Chapter 210. Dogs And Other Animals, Article I. Dogs, Kennels And Pet Shops, of the City Code, needs to be further amended for all the reasons set forth herein in the best interest of the residents of the City of Camden; and

WHEREAS, City Council has received testimony from the public that 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 ("puppy mills" and "kitten mills," respectively). 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, which many consumers in the City are unaware of 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. 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 law and regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens in the City 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, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and 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. 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, this City Council believes it is in the best interests of the City to adopt a reasonable ordinance to reduce costs to the City and its residents; protect the resident of Camden 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.

**[DRAFT: 6-9-16
FOR INTERNAL REVIEW]**

BE IT ORDAINED, by the City Council of the City of Camden that Chapter 210. Dogs And Other Animals, Article I. Dogs, Kennels And Pet Shops, of the City Code, be, and hereby is amended as follows:

SECTION 1: §210-1 (Definitions) is hereby amended to include the following additional new definitions:

ANIMAL CARE FACILITY means an animal control center or animal shelter, maintained by, or under contract with, any New Jersey state, county, or municipal department or agency, 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 New Jersey-based 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.

CAT means a member of the species of domestic cat, *Felis catus*.

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 *[REPLACES current definition in its entirety]* 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 animal care facility, or animal rescue organization, as defined herein.

SECTION 2. RESTRICTIONS ON THE SALE OF DOGS AND CATS

- a. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
 - (1) An animal care facility; or
 - (2) An animal rescue organization.
- b. A pet shop shall not offer for sale a dog or cat that is younger than eight (8) weeks old.

SECTION 3: Any portion of the City Code not herein amended and supplemented shall remain in full force and effect.

SECTION 4: All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 5: If any provision of this ordinance is declared invalid, such invalidity shall not affect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

SECTION 6: This ordinance shall take effect twenty (20) days after its final passage and publication as provided by law.

BE IT FURTHER ORDAINED, that pursuant to N.J.S.A. 52:27BBB-23 and N.J.S.A. 40:69A-41, a true copy of this Ordinance shall be forwarded to the Mayor, who shall have ten (10) days from the receipt thereof to approve or veto this Ordinance. Additionally, pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Ordinance shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Ordinance, and the action by the Commissioner regarding this Ordinance shall supersede any action by the Mayor on the same Ordinance. All notices of approval and/or veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: June 14, 2016

[DRAFT: 6-9-16
FOR INTERNAL REVIEW]

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

DANA L. REDD
Mayor

ATTEST: _____
LUIS PASTORIZA
Municipal Clerk

