

ORDINANCE NO.

Adopted by the Sacramento City Council

[Date Adopted]

AN ORDINANCE AMENDING ARTICLE IX OF CHAPTER 9.44 OF THE
SACRAMENTO CITY CODE RELATING TO THE SALE AND ADVERTISEMENT OF DOGS AND CATS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article IX of Chapter 9.44 of the Sacramento City Code is amended to read as follows:

Article IX. Sale and Advertisement of Dogs and Cats

9.44.780 Sale of puppies and kittens.

- A. No person shall sell or transfer a puppy or kitten without the prior written approval of a California licensed veterinarian.
- B. For the purposes of this section, the sale of a puppy or kitten shall not be considered complete unless and until the seller or transferor physically transfers the puppy or kitten to the new owner.
- C. For purposes of this section, a puppy or kitten means an animal that is under the age of eight weeks.

9.44.790 Advertisements for sale and transfer of dogs and cats.

- A. Except as provided in subsection A.3, no person shall advertise to the public the availability of any dog or cat for sale or transfer, whether for compensation or otherwise, unless the advertisement complies with the following:
 - 1. If the person is advertising the sale or transfer of a litter of dogs or cats under the age of four months, the license number of the mother shall be prominently displayed.
 - 2. If the person is advertising the sale or transfer of a dog or cat over the age of four months, the license number of the animal that is being sold or transferred shall be prominently displayed.
 - 3. The provisions of this subsection A shall not apply to the following:
 - a. To a person who advertises the sale or transfer of an individual dog or cat under the age of four months and who discloses upon request of the buyer or animal care personnel,

the name and address (including city, state and country) of the person from whom the animal was obtained.

b. Government agencies or animal rescue organizations that have demonstrated to the animal care services manager that they have implemented an ongoing sterilization and adoption programs; or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code sections 10400 and 5110 *et seq.*; or veterinary facilities.

B. Except as provided in subsection B.1 or B.2, a seller or transferor of the dog or cat shall provide the dog or cat license number to any purchaser and shall include the license number on any receipt of sale or transfer document.

1. If the animal being sold or transferred is under the age of four months and was bred within the city limits, the seller shall provide the license number of the mother on any receipt of sale or transfer document.

2. If the dog or cat was bred from an animal residing outside the city limits, then the seller shall provide the name and address of the source of the dog or cat and any other pertinent information required by the animal care services manager.

C. No person shall present any dog or cat for sale or transfer, whether for compensation or otherwise, in any public place. As used in this subsection C, the term public place shall include but not be limited to streets, highways, sidewalks, carnivals, boardwalks, swap meets, flea markets, outdoor markets, and areas in front of commercial establishments. This shall not apply to government agencies or animal rescue organizations that have demonstrated to the animal care services manager that they have implemented an ongoing sterilization program and an adoption program; or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code sections 10400 and 5110 *et seq.*; or veterinary facilities.

D. No person shall present any dog or cat for sale or transfer, whether for compensation or otherwise, at any auction.

E. No person shall transfer any dog or cat as a prize or as an inducement to enter into any contest, lottery, drawing, game, competition, or auction.

F. No person shall give away any dog or cat as an inducement to enter a place of business, or to enter into a business arrangement.

G. Notwithstanding section 9.44.780, no person shall sell or transfer a dog or cat under the age of four months that was bred outside the state without first providing animal care

with a California health certificate for each animal intended to be sold or transferred within the city.

9.44.800. Prohibition of sale in commercial establishments.

A. Except as provided in subsection B, a commercial establishment shall not sell or otherwise transfer a cat or dog within the limits of the city.

B. A commercial establishment does not violate subsection A if the dog or cat that is offered for sale or transfer is owned by:

1. An animal care services shelter;

2. An animal rescue organization that has demonstrated to the animal care services manager that it has implemented an ongoing sterilization program and an adoption program; or

3. A humane society or society for the prevention of cruelty to animals if such society is incorporated under the provisions of California Corporations Code sections 10400 and 5110 *et seq.*

C. In addition to any other remedy allowed by law, any person who violates this section is subject to the criminal penalties set forth in section 9.44.210, and may, in addition, be subject to administrative penalties set forth in section 9.44.215.