

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE that the Town Board of the Town of Riverhead adopted a local law amending Chapter 207 entitled “Animals”, Article IV, “Prohibition on Sales of Commercially Bred Dogs, Cats and Rabbits in Pet Stores”; at its regular meeting held on the 5th day of October, 2021 at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York 11901.

Be it enacted by the Town Board of the Town of Riverhead as follows:

Chapter 207. Animals

Article IV. Prohibition on Sales of Commercially Bred Dogs, Cats and Rabbits in Pet Stores

Chapter 207 Animals

Article IV Prohibition on Sales of Commercially Bred Dogs, Cats and Rabbits in Pet Stores

§ 207-26 Purpose.

It is the purpose and intent of the Town of Riverhead to promote animal welfare and encourage best practices in the breeding and purchasing of dogs, cats and rabbits offered for retail sale in the Town of Riverhead.

§ 207-27 Definitions.

For the purposes of this article only, the following words and terms shall be deemed to mean and be construed as follows:

CERTIFICATE OF SOURCE

Any document from the source town or county animal shelter or animal control agency, humane society, or non-profit rescue organization declaring the source of the dog, cat or rabbit on the premises of the pet shop, retail business, or other commercial establishment.

COMMERCIAL ESTABLISHMENT

Any for-profit business enterprise, including a sole proprietorship engaged in retail or wholesale commerce related to dogs, cats and rabbits, including grooming parlors, canine day care, and boarding facilities.

NON-PROFIT RESCUE ORGANIZATION

A rescue and humane organization defined as a New York State nonprofit corporation that is exempt from taxation under Internal Revenue Code Section 501(c)(3), participates in early-age spay/neuter of animals and complies with state and local laws regarding the humane treatment of animals and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs and/or cats and/or rabbits.

PERSON

A natural person, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity or business organization of any kind.

§ 207-28 Prohibition of the Sale of Dogs, Cats and Rabbits.

A. It is unlawful for any person to display, offer for sale, deliver, barter, auction, give away, transfer, or sell any live dog, cat or rabbits in any pet shop, retail business, or other commercial establishment located in the Town of Riverhead, unless the dog, cat or rabbit was obtained from a town or county animal shelter or animal control agency, a humane society, or a non-profit rescue organization registered with the New York State Department of Agriculture.

B. All pet shops, retail businesses, or other commercial establishments selling dogs, cats or rabbits shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code enforcement officials, or any other Town employee charged with enforcing the provisions of this section.

C. Cats obtained by donation from a local resident for no charge may also be displayed, sold, and/or offered for sale; provided, however, that the pet store owner or operator shall maintain a certificate of source on file and notify the Town in writing of any sale of any such locally donated cat.

D. A pet store that, as of the effective date of the ordinance codified in this section, displayed, sold, delivered, offered for sale, bartered, or auctioned dogs, cats or rabbits in the Town, which were obtained from sources other than those permitted by subsection A, and whose operations complied with all applicable provisions of this code, may continue to display, sell, deliver, offer for sale, barter, or auction dogs, cats and rabbits obtained from sources other than those permitted by subsection A, for a maximum of 90 days of the effective date.

§ 207-29 Adoption of Shelter and Rescue Animals.

Nothing in this section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial establishment located in the Town of Riverhead from providing space and appropriate care for animals owned by a town or county animal shelter or animal control agency, humane society, or non-profit rescue organization and maintaining those animals at the pet shop, retail business, or other commercial establishment for the purpose of public adoption.

§ 207-30 Enforcement.

This article shall be enforced by the Town's Code Enforcement Officer(s), or law enforcement officers.

§ 207-31 Penalties for Offenses.

Any person who violates any provision of the article shall be guilty of a violation punishable by a fine not less than \$250 nor more than \$750 and/or imprisonment for not more than 15 days for a first offense, and by a fine not less than \$500 nor more than \$1,500 and/or imprisonment for not more than 15 days for a second offense. A third and subsequent violations of this article shall be prosecuted as a misdemeanor punishable by a fine not less than \$1,000 nor more than \$2,500 and/or imprisonment for not more than 30 days. Any violation of this article, per animal, shall be prosecuted as separate violations.

Dated: Riverhead, New York
October 5, 2021

- * Underline represents addition(s)
- * Overstrike represents deletion(s)