

ORDINANCE 5.075 PROHIBITING THE RETAIL SALE OF DOGS, CATS, RABBITS AND OTHER SMALL ANIMALS.

The Town of Bridgeport, Crawford County, Wisconsin, hereby ordains as follows:

SECTION 1. That Ordinance 5.075 is created to read as follows:

Ordinance 5.075 - PROHIBITION ON RETAIL ANIMAL SALES

A. The purpose of this section is to protect the health and well-being of animals, and to discourage large-scale commercial breeding and the unethical treatment of animals that occurs in large-scale commercial breeding facilities.

B. Definitions. For purposes of this section, capitalized terms have the following meanings.

- (1) 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 Animal Rescue Organizations.
- (2) 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.
- (3) Cat means a member of the species of domestic cat, *Felis catus*.
- (4) Dog means a member of the species of domestic dog, *Canis familiaris*.
- (5) Rabbit means a member of the species of domestic rabbit, *Oryctolagus cuniculus* domesticus.
- (6) Other Small Animal means a member of a species of domestic small animal, i.e. ferret
- (7) Retailer means any individual or entity holding a seller's permit issued by the Wisconsin Department of Revenue. It does not include any Animal Care Facility or Animal Rescue Organization.
- (8) Sale or Sell means to convey possession or ownership for consideration, or to offer to the general public to do so. Consideration includes, but is not limited to, money and any other legal tender, including virtual currency; bartered goods; credit exchanges of any other animals or tangible personal property; but does not include fees for vaccinations, microchipping, neutering or spaying, provided those fees are at cost and do not include any profit.

C. - Prohibition of the sale of cats, dogs, rabbits, and other small animals. No retailer having a retail place of business in the Town of Bridgeport shall sell cats, dogs, rabbits or other small animals. This section does not prohibit retailers from displaying and offering cats, dogs or rabbits provided by Animal Care Facilities or Animal Rescue Organizations for adoption.

D - Penalty. Any individual or entity that violates this section shall be subject to a civil forfeiture not to exceed \$500.00 per animal. Each animal offered for sale in violation of this chapter shall constitute a separate violation,

E - Severability. If any subsection, paragraph, sentence, clause or phrase of this section is declared unenforceable for any reason whatsoever, such declaration shall not affect the remaining portions of this section, which shall continue in full force and effect, and to this end the provisions of this section are severable.

SECTION 2; Effective Date, This Ordinance shall become effective upon passage and publication as provided by law.

Approved:

John Karnopp  
John Karnopp, Chairman

Mike Steiner  
Mike Steiner, Supervisor

Alan Flansburgh  
Alan Flansburgh, Supervisor

Date Approved: Feb 22, 2023

This is to certify that the foregoing Resolution was approved by the Town of Bridgeport Board at a meeting held on the 22 day of February, 2023.

Linda J Smrcina  
Linda J Smrcina, Clerk