

Jim P. Robbins AT0006583

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**Preparer Information:** Jim P. Robbins, 1001 W. Mamie Eisenhower, Boone, IA 50036, (515) 432-7114

ORDINANCE NO. 2246

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOONE,  
IOWA:

Section 1. Purpose: To allow the City of Boone, Iowa to prohibit the sale of dogs and cats in pet stores.

Section 2. The Boone City Council finds that the retail sale of dogs and cats in pet stores in the City of Boone is inconsistent with the city's goal to be "one community" that is concerned about companion animal welfare.

Section 3. The Boone City Council believes that a ban on the retail sale of dogs and cats in pet stores in the city will also encourage pet consumers to adopt dogs and cats from local shelters and rescues, thereby saving the lives of animals and reduce the cost to the public of sheltering animals.

Section 4. Chapter 56 is amended by adding Section 56.12 as follows:

1. No pet shop or pet dealer shall display, sell, deliver, offer for sale, barter, auction, giveaway, broker or otherwise transfer or otherwise dispose of a dog or cat except for a dog or cat obtained from:
  - A. An animal shelter or
  - B. A private nonprofit humane society or non-profit animal rescue organization
2. All pet shops and dealers shall maintain records for a period of one year from the date of acquisition, listing the source of all the dogs and cats under their ownership, custody or control. Records shall be immediately available, upon request to law enforcement, animal control and any other city/state employees charged with enforcing the provisions of this section.

3. This section does not apply to;
  - A. A person or establishment, other than a pet store or pet dealer, which displays, sells, delivers, offers for sale, barter, auctions, gives away, brokers or otherwise transfers or disposes of dogs and cats that were bred and reared on the premises of the person or establishment.
  - B. An animal shelter
  - C. A private, nonprofit humane society or nonprofit animal rescue organization that operates out of or in connection with a pet shop.
4. Nothing in this section shall prevent a pet shop or pet dealer from providing space and appropriate care for animals owned by an animal shelter; a private, nonprofit humane society or nonprofit animal rescue organization that operates out of or in connection with a pet shop.
5. Nothing in this shall affect reputable, licensed breeders that may reside in Boone from breeding and/or selling their dogs from their home.

Section 5. Repealer Clause. All ordinances in conflict herewith are repealed.

They are: None

Section 6. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity or the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 7. When Effective. This ordinance shall be in effect after its passage, approval and publication as provided by law.

Passed and adopted by the City Council of the City of Boone, Iowa, this 2<sup>nd</sup> day of April, 2018.

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John Slight - Mayor

Attest:

I, William J. Skare, City Administrator of the City of Boone, Iowa, hereby certify that the above and foregoing Ordinance is a true copy as shown by the records of the City of Boone, Iowa.

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William J. Skare – City Administrator