

## ORDINANCE NO. 2017-16

**AN ORDINANCE** of the City Council of Bainbridge Island, Washington, banning the sale of dogs and cats bred and raised at “puppy mills” or “kitten mills” and creating a new Section 6.04.113 of the Animal Control Chapter of the Bainbridge Island Municipal Code.

**WHEREAS**, the City Council believes it is in the best interests of the City of Bainbridge Island (“City”) to adopt reasonable regulations to reduce costs to the City and its residents, protect the citizens of the City 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; and

**WHEREAS**, 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 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, Washington state, and Kitsap County 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 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**, across the country, thousands of independent pet shops, including the pet shops on Bainbridge Island, 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**, there is currently no pet shop on Bainbridge Island that sells dogs or cats sourced from puppy or kitten mills but there has been such a pet shop in the past and that pet shop misled Bainbridge citizens regarding the source of the puppies and cats and Bainbridge citizens suffered emotional distress due to this pet shop's actions; 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.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** A new Section 6.04.113 of the Animal Control Chapter of the Bainbridge Island Municipal Code is hereby adopted in its entirety to read as follows:

**6.04.113 Selling Animals from Puppy or Kitten Mills Prohibited**

A. Definitions. To supplement the definitions found at Section 6.04.010, for the purposes of this Section the following words shall have the following meanings unless the context indicates otherwise. If there is a conflict between a definition in this Section and a definition in Section 6.04.010, the definition in this Section shall control for the purposes of this Section:

1. "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.
2. "Pet shop" 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 an animal shelter or animal rescue league, as defined.

B. Restrictions on the Sale of Animals.

1. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with an animal shelter or an animal rescue league.
2. A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

C. Record Keeping and Disclosure. A pet shop shall maintain records stating the name and address of the animal shelter or animal rescue league that each cat or dog was obtained from for at least two years following the date of acquisition. Such records shall be made available, immediately upon request, to the city or animal control authority. Each pet shop shall display on each cage a label stating the name and address of the animal shelter or animal rescue league of each animal kept in the cage.

**Section 2.** Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall continue in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

**Section 3.** This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED BY THE CITY COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED BY THE MAYOR this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

\_\_\_\_\_  
Christine Brown, City Clerk

FILED WITH THE CITY CLERK: May 11, 2017  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NUMBER: 2017-16