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Committee: Safety
Originated By: Mr. Berry &
Approved: Ms. Lanese
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ORDINANCE C-17-16

AN ORDINANCE TO ENACT SECTION 505.18 OF THE CODIFIED ORDINANCES OF GROVE CITY, OHIO TITLED RESTRICTIONS ON THE SALE OF DOGS AND CATS IN THE CITY

WHEREAS, according to the United States Department of Agriculture, Animal Plant Health Inspection Service (USDA-APHIS), licensed facilities that breed large numbers of dogs for sale are often referred to as "puppy mills" and over 3,000 of these facilities supply puppies to pet stores under the Animal Welfare Act (AWA); and

WHEREAS, the documented abuses as noted in the May 2010 USDA Office of Inspector General's audit of licensed large scale dog breeders and brokers across the country concluded the "Animal Care's Enforcement Process Was Ineffective Against Problematic Dealers", "Inspectors Did Not Cite or Document Violations Properly To Support Enforcement Actions", the "New Penalty Worksheet Calculated Minimal Penalties" and "APHIS Misused Guidelines to Lower Penalties for AWA Violators"; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues, as well as lifelong pain and costly congenital and hereditary defects in the animals produced in those facilities, of which many consumers are unaware when they are purchasing animals from pet shops due to both a lack of education and sales tactics of pet shops; and

WHEREAS, current Federal, State and County regulations do not properly address the sale of puppy and kitten mill dogs and cats in pet shops; 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; and

WHEREAS, locally, the Franklin County Dog Shelter impounds over 10,000 dogs a year and Grove City taxpayers contribute to the cost to care for and euthanize those animals; and

WHEREAS, it is in the best interests of this City to adopt reasonable regulations to reduce the financial burdens and protect the citizens of the City who may purchase unaltered cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, foster a more sustainable and humane environment in the City and control animals within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 505.18 is hereby enacted as follows:

(a) Definitions.

- (1) "Animal Rescue for Dogs" means an individual or organization recognized by the state director of agriculture that keeps, houses, and maintains dogs and that is dedicated to the welfare, health, safety, and protection of dogs, provided that the individual or organization does not operate for profit, does not sell dogs for a profit, does not breed dogs, and does not purchase more than nine dogs in any given calendar year unless the dogs are purchased from a dog warden appointed under ORC Chapter 955 of the Revised Code, a humane society, or another animal rescue for dogs. "Animal rescue for dogs" includes an individual or organization that offers spayed or neutered dogs for adoption and charges reasonable adoption fees to cover the costs of the individual or organization, including, but not limited to, costs related to spaying or neutering dogs and who are licensed under ORC Section 956.06. This also includes a nonprofit organization that is devoted to the welfare, protection, and humane treatment of dogs and other animals.
- (2) "Animal Shelter for Dogs" means a facility that keeps, houses, and maintains dogs such as a dog pound operated by a municipal corporation, or by a county under ORC Chapter 955, or that is operated by a humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization that is devoted to the welfare, protection, and humane treatment of dogs and other animals.
- (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) "Humane Society" means an organization that is organized under ORC Section 1717.05.
- (6) "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.
- (7) "Pet Store" means a retail store that sells dogs/cats to the public. Such definition shall not include an Animal Rescue for Dogs, Animal Shelter for Dogs or Humane Society.

(b) Restrictions on the Sale of Animals.

- (1) A Pet Store shall only Offer for Sale those Dogs and Cats that the Pet Store has obtained from or displays in cooperation with:
 - (A) An Animal Rescue;
 - (B) An Animal Shelter; and/or
 - (C) Humane Society.
- (2) A Pet Store shall not Offer for Sale a Dog or Cat that is younger than eight weeks old.

(c) Record Keeping and Disclosure. A Pet Store shall maintain records stating the name and address of the Animal Rescue for Dogs, Animal Shelter for Dogs or Humane Society that each Cat or Dog was obtained from for at least two (2) years following the date of acquisition. Such records shall be made available, immediately upon request, to law enforcement and submitted annually, and no later than May 1 of each year, to the Director of Public Safety for the City of Grove City. Each Pet Store shall display on each cage a label stating the name and address of the Animal Rescue for Dogs, Animal Shelter for Dogs or Humane Society of each animal kept in the cage.

(d) Penalty. A violation of this Section shall constitute a misdemeanor in the fourth degree.