

ORDINANCE NO. 2018-__

AN ORDINANCE OF THE CITY COUNCIL OF POULSBO, WASHINGTON, BANNING THE SALE OF DOGS AND CATS BRED AND RAISED AT "PUPPY MILLS" OR "KITTEN MILLS" AND CREATING A NEW CHAPTER 6.11 OF THE ANIMALS TITLE OF THE POULSBO MUNICIPAL CODE.

WHEREAS, the City Council believes it is in the best interests of the City of Poulsbo ("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 in Poulsbo, 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, 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.

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. A new Chapter 6.11 of the Animals Title of the Poulsbo Municipal Code is hereby adopted in its entirety to read as follows:

6.11 Selling Animals from Puppy or Kitten Mills Prohibited

6.11.010 Definitions.

To supplement the definitions found at Chapter 6.10, for the purposes of this Chapter the following words shall have the following meanings unless the context indicates otherwise. If there is a conflict between a definition in this Chapter and a definition in Chapter 6.10, the definition in this Chapter shall control for the purposes of this Chapter:

- A. "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.
- B. "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, nor shall it include the isolated or occasional sale of animals by a person who sells only such animals that he has produced and raised, or any person engaged in the business of breeding who owns, has possession of, or harbors 5 or fewer female dogs or cats capable of reproductions and sells only those breeding dogs or cats or their offspring.

6.11.020 Restrictions on the Sale of Animals.

- A. 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.

B. A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

6.11.030 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. Effective Date. 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 _____, 2018.

APPROVED:

MAYOR, REBECCA ERICKSON

ATTEST/AUTHENTICATED:

CITY CLERK, RHIANNON FERNANDEZ, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
JAMES E. HANEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

DRAFT

SUMMARY OF ORDINANCE NO. 2018-____
of the City of Poulsbo, Washington

On the ____ day of _____, 2018, the City Council of the City of Poulsbo, passed Ordinance No. 2018-____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY COUNCIL OF POULSBO, WASHINGTON, BANNING THE SALE OF DOGS AND CATS BRED AND RAISED AT "PUPPY MILLS" OR "KITTEN MILLS" AND CREATING A NEW CHAPTER 6.11 OF THE ANIMALS TITLE OF THE POULSBO MUNICIPAL CODE.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2018.

CITY CLERK, RHIANNON FERNANDEZ, CMC