

City of Roseville
ORDINANCE NO.

AN ORDINANCE AMENDING

TITLE [REDACTED], SECTION [REDACTED]

AN ORDINANCE CREATING AN ADMINISTRATIVE OFFENSE FOR THE
SALE OF DOGS AND CATS BY A RETAIL ESTABLISHMENT

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Background:

WHEREAS, The City Council finds that a significant number of puppies and kittens sold at pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for; and

WHEREAS, The City Council finds that the documented abuses endemic to mass breeding facilities 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; lack of adequate exercise; no or limited screening of genetic diseases; inadequate transportation and shipping protocols of puppies and kittens; and indiscriminate disposal of breeding dogs and cats who have reached the end of their profitable breeding cycle; and

WHEREAS, The City Council finds that the inhumane conditions in mass breeding 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 stores due to both a lack of education on the issue and misleading tactics of pet stores 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, The City Council finds that current Federal and State regulations do not properly address the sale of dogs and cats in pet stores, while the City of Roseville does not possess adequate resources to safeguard the health and well being of dogs and cats at the point of sale; and

WHEREAS, The City Council finds that due in large part to pet overpopulation, numerous dogs and cats are euthanized. Restricting the retail sale of puppies and kittens is likely to increase demand from animal shelters and rescue organizations, which will likely reduce the burden on such agencies and reduce financial costs on local taxpayers; and

WHEREAS, The City Council finds that across the country, thousands of independent pet stores 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 commercially bred dogs or cats. Many of these stores collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

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48 ~~WHEREAS, The City Council finds that~~ this Ordinance will not affect consumers' ability to
49 obtain a dog or cat of their choice directly from an animal shelter, or breed-specific rescue
50 organization, or from a breeder where the consumer can see directly the conditions in which the
51 dogs or cats are bred or can confer directly with the breeder concerning those conditions; and

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53 ~~WHEREAS, The City Council finds that the City Council for the City of Roseville believes~~ it is
54 in the best interests of the City of Roseville to adopt reasonable regulations to ~~reduce costs to the~~
55 ~~City and its residents, protect the citizens of the City who may purchase dogs or cats from a pet~~
56 ~~store or other business establishment,~~ help prevent inhumane breeding conditions, promote
57 community awareness of animal welfare, and foster a more humane environment in the City.

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59 **SECTION 2. Section 501.01 (Definitions) is hereby amended as follows:**

60 **501.01: DEFINITIONS:**
61 Except where the term is expressly defined by other provisions or sections within this Chapter,
62 the following words and terms shall have the meanings ascribed to them in this Section:

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64 ANIMAL CONTROL AUTHORITY: Any governmental entity which is responsible for animal
65 control operations in its jurisdiction.

66
67 ANIMAL RESCUE ORGANIZATION: Any not-for-profit organization which has tax-exempt
68 status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and
69 practice is, in whole or in significant part, the rescue of animals and the placement of those
70 animals in permanent homes, and which ~~does not obtain animals from a breeder or broker for~~
71 ~~payment or compensation, and~~ does not breed animals.

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73 ANIMAL SHELTER: Any not-for-profit organization which has tax-exempt status under
74 Section 501(c)(3) of the Internal Revenue Code, which (1) accepts animals into a physical
75 facility; (2) is devoted to the rescue, care, and adoption of stray, abandoned, unwanted or
76 surrendered animals; (3) places animals in permanent homes or with animal rescue
77 organizations; and (4) does not breed animals.

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79 CAT: A mammal that is wholly or in part of the species Felis domesticus.

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81 CERTIFICATE OF SOURCE: A document from an animal control authority, animal rescue
82 organization, or animal shelter which shall provide a brief description of the dog or cat, and shall
83 list the name, address, and telephone number of the source (animal control authority, animal
84 rescue organization, or animal shelter) of the dog or cat.

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86 DOG: A mammal that is wholly or in part of the species Canis familiaris.

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88 PET STORE: Any retail establishment, or operator thereof, which displays, sells, delivers, offers
89 for sale, barter, auctions, gives away, or otherwise transfers companion animals in the City of
90 Roseville. This definition does not apply to animal control authorities, animal shelters, or animal
91 rescue organizations.

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93 PET STORE OPERATOR: A person or business entity who owns or operates a pet store.
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95 **SECTION 3. Section 510.25 is renumbered as section 501.26, and section 501.25 is**
96 **hereby amended as follows:**

97 **501.25 PET STORES**

98 A. No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer
99 or dispose of cats or dogs.

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101 B. Nothing in this section shall prohibit pet stores from collaborating with animal shelters,
102 animal rescue organizations, and animal control authorities to offer space for such entities to
103 showcase adoptable dogs and cats inside pet stores. Such animals shall not be younger than 8
104 weeks old. Dogs that are showcased for adoption shall not be kept overnight at a pet store.
105 Cats that are showcased shall not be kept overnight at a pet store without provision for care
106 and monitoring outside of pet store business hours.

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108 C. A pet store shall post and maintain a Certificate of Source in a conspicuous place on or
109 within three feet of each dog's or cat's kennel, cage, or enclosure.
110 1. A Certificate of Source shall be provided to the adopter of any dog or cat.
111 2. Certificate of Source records for each dog or cat shall be maintained by a pet store for at
112 least one year from the last date that a dog or cat appeared in the store.
113 3. Pet stores shall make Certificates of Source immediately available for review upon the
114 request of a peace officer or animal control authority, or a humane agent pursuant to
115 Minnesota Statutes section 343.06 acting on behalf of the City.
116 4. Falsification of a Certificate of Source shall be deemed a violation of this section.

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118 D. A violation of this section shall constitute an Administrative Offense under Section 102.01.C
119 of City Code and subject the Pet Store Operator to the to the procedures and penalties
120 contained therein.

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122 **SECTION 4. Effective Date:** This amendment to the Roseville City Code shall take effect
123 180 days after passage and publication.
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Ordinance – Title of Ordinance -

(SEAL)

CITY OF ROSEVILLE

BY: _____
Daniel J. Roe, Mayor

ATTEST:

Patrick Trudgeon, City Manager