

ORDINANCE NO. 20 - ____

**AN ORDINANCE AMENDING
CHAPTER 4 (ANIMAL CONTROL) OF TITLE 10 (POLICE REGULATIONS)
OF THE NAPERVILLE MUNICIPAL CODE**

RECITALS

1. **WHEREAS**, the Mayor and the City Council of the City of Naperville, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety and welfare of its citizens; and
2. **WHEREAS**, the City has been monitoring legislation and litigation affecting pet stores and the sale of animals from “puppy mills” for several years; and
3. **WHEREAS**, a significant number of puppies and kittens sold at pet shops comes from commercial breeding facilities where the health and welfare of the animals are not adequately provided for; and
4. **WHEREAS**, inadequate care and conditions at commercial breeders can lead to behavioral and health issues in the puppies and kittens and ultimately lead to increased financial and emotional costs for the purchasing consumer; and
5. **WHEREAS**, controlling pet overpopulation is a public health and safety concern as Naperville Animal Control impounded 262 animals in 2018 and 149 of those animals were relinquished to shelters, and
6. **WHEREAS**, restricting the retail sale of puppies and kitten to only those sourced from shelters, humane or rescue organizations is likely to decrease the demand for puppies and kittens bred at commercial breeders and is likely to increase the demand for animals from animal shelters and rescue organizations and protect consumers.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers that:

SECTION 1: The Recitals set forth above are incorporated herein in their entirety by reference.

SECTION 2: Chapter 4 (Animal Control), of Title 10 (Police Regulations) of the Naperville Municipal Code is hereby amended deleting the stricken language and by adding the underlined language as follows:

Chapter 4 – Animal Control

10-4-1: - Definitions

Altered Animal through Animal * * *

Animal Rescue Organization

Any not-for-profit organization which has tax-exempt status under Section 501 (c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes. This term does not include any entity which, is or is housed on the premises of, a breeder or broker, obtains dogs, cats or rabbits from a breeder or broker in exchange for payment or compensation, or resells dogs, cats or rabbits obtained from a breeder or broker and provides payment or compensation to such breeder or broker

Animal Shelter through Wild Animals * * *

10-4-2: - ANIMAL CONTROL OFFICER through

10-4-16: - COMPANION ANIMALS LEFT IN CARS: * * *

10-4-17: SOURCING OF ANIMALS SOLD BY PET SHOP OPERATORS

1.) Restrictions on the Sale of Dogs and Cats

1.1. A pet shop operator may offer for sale only dogs and cats that the pet shop operator has obtained from or displays in cooperation with:

1.1.1. A duly incorporated humane society, animal welfare society or other nonprofit organization whose purpose is to provide for and promote the welfare, protection and humane treatment of animals or

1.1.2. An animal rescue organization

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

2.) Record Keeping and Disclosure: A pet shop operator shall maintain records stating the name address of the animal shelter or animal rescue organization that each dog or cat was obtained from for at least two years following the date of acquisition. Such records shall be made available to City of Naperville Animal Control upon request and submitted annually, and no later than May 1 of each year to the City of Naperville Animal Control. Each pet shop operator shall display on each cage a label stating the name and address of the animal shelter or animal rescue organization of each dog or cat kept in the cage.

3.) Penalties: Any person violating any provision of this Section shall be subject to a fine of five hundred dollars (\$500.00) for the first citation, seven hundred fifty dollars (\$750.00) for the second citation, and no more than one thousand dollars (\$1000.00) for the third. A separate offense shall be deemed committed for every dog or cat sold in violation of Section 10-4-17.

SECTION 3: Upon passage and approval, this Ordinance shall be in full force and effect effective January 1, 2021.

PASSED this _____ day of _____, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2020.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk