

ORDINANCE NO. _____

AN ORDINANCE ENACTING SECTION 6.16.070 OF THE MURRAY CITY MUNICIPAL CODE RELATING TO THE SALE OF DOGS, CATS, AND RABBITS AT PET SHOPS, RETAIL BUSINESSES, OR OTHER COMMERCIAL ESTABLISHMENTS WITHIN MURRAY CITY.

PREAMBLE

Pet stores, retail businesses, and other commercial establishments selling live animals have traditionally been a sales outlet for young dogs, cats, and rabbits bred in substandard breeding facilities often referred to as “puppy mills”, “kitten mills”, and “rabbit mills” which mass-produce animals for sale to the public.

Animals born and raised at these types of facilities are often subjected to: over-breeding and inbreeding; minimal to non-existent veterinary care; lack of adequate food, water, and shelter; lack of socialization; lack of adequate space; and the euthanization of unwanted animals. The inhumane conditions in facilities such as these may lead to health and behavioral issues in those animals, which many consumers are unaware of when purchasing animals. These health and behavioral issues, which may not present themselves until years after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers.

The Murray City Municipal Council believes that regulating the retail sale of dogs, cats, and rabbits within the City will promote community awareness of animal welfare, and, in turn, will foster a more humane environment in the City. These regulations will also reduce impulse purchases of pets, which can lead to abandonment or mistreatment of the animals once they have outgrown their initial appeal, as well as reduce the costs of sheltering and euthanizing unwanted problem pets.

The City Council has thus determined that it is in the best interest of the City’s residents to adopt this ordinance to regulate the retail sale of dogs, cats, and rabbits within the City.

BE IT ENACTED BY THE MURRAY CITY MUNICIPAL COUNCIL:

Section 1. Purpose. The purpose of this ordinance is to enact Section 6.16.070 of the Murray City Municipal Code relating to the sale of dogs, cats, and rabbits at pet shops, retail businesses, or other commercial establishments.

Section 2. Enactment of Section 6.16.070 of the Murray City Municipal Code. Section 6.16.070 of the Murray City Municipal Code relating to the sale of dogs, cats, and rabbits at pet shops, retail businesses, or other commercial establishments shall be enacted to read as follows:

6.16.070 Sale of Dogs, Cats, and Rabbits at Commercial Animal Establishments

- A. Purpose. The purpose of this Ordinance is to protect the citizens of the City who may purchase dogs, cats, or rabbits from a pet shop, retail business, or other commercial establishment, by reducing the emotional and financial burdens on consumers who unwittingly buy mill-bred pets, and to reduce the costs to the City of sheltering and euthanizing unwanted problem pets.
- B. Definitions. For the purposes of this section, the following words shall have the following meanings:
1. "Certificate of Source" means any document from the source animal shelter, animal control agency, humane society, or non-profit rescue organization declaring the source of the dog, cat, or rabbit on the premises of the pet shop, retail business, or other commercial animal establishment.
 2. "Non-Profit Animal Rescue Organization" means any non-profit organization that has tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits.
- C. It is unlawful to display, offer for sale, deliver, barter, auction, give away, transfer, or sell any live dog, cat, or rabbit in any pet shop, retail business, or other commercial establishment located in Murray City, unless the dog, cat, or rabbit was obtained from a city or county animal shelter or animal control agency, a humane society, or a non-profit animal rescue organization.
- D. All pet shops, retail businesses, or other commercial animal establishments selling dogs, cats, or rabbits shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code enforcement officers, or any other city employee charged with enforcing the provisions of this section.
- E. This section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs, cats, or rabbits from the premises on which they were bred and reared.
- F. Nothing in this section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial establishment located in the City from providing space and appropriate care for animals owned by a city animal shelter or animal control agency, humane society, or non-profit animal rescue organization and maintaining those animals at the pet shop, retail business, or other commercial animal establishment for the purpose of public adoption.
- G. A violation of this section shall be a Class C Misdemeanor. Each dog, cat, or rabbit sold or offered for sale in violation of this section shall constitute a separate offense.

Section 3. Effective date. This Ordinance shall take effect upon first publication.

PASSED, APPROVED AND ADOPTED by the Murray City Municipal Council on
this ____ day of _____, 2018.

MURRAY CITY MUNICIPAL COUNCIL

Diane Turner, Chair

ATTEST:

Jennifer Kennedy, City Recorder

MAYOR'S ACTION: Approved

DATED this ____ day of _____, 2018.

D. Blair Camp, Mayor

ATTEST:

Jennifer Kennedy, City Recorder

CERTIFICATE OF PUBLICATION

I hereby certify that this Ordinance, or a summary hereof, was published according to law on the ____ day of _____, 2018.

Jennifer Kennedy, City Recorder