

AN ORDINANCE AMENDING CHAPTER VI, TITLED "POLICE REGULATIONS" OF THE REVISED GENEREAL ORDINANCES OF THE BOROUGH OF WATCHUNG, TO ADD A NEW SECTION 6-14, TITLED "~~PET MILLS PROHIBITED~~" "RESTRICTING THE SALE OF DOGS AND CATS FROM PET SHOPS"

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 protected ("Pet Mills"); and

WHEREAS, according to The Humane Society of the United States, it is estimated that 10,000 Pet Mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from Pet Mills; and

WHEREAS, the documented abuses endemic to Pet 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 Pet Mills facilities lead to health and behavioral problems in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops because of both a lack of education on the issue and misleading tactics of some pet shops; and

WHEREAS, these health and behavioral problems, which may not present themselves until sometime after the purchase of the animals, can impose financial and emotional costs on consumers; and

WHEREAS, current Federal, State and County regulations do not properly address the sale of Pet 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 Pet Mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, because in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops 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; and

WHEREAS, 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 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, the Borough of Watchung Mayor and Council believe it is in the best interests of the Borough to adopt reasonable regulations to reduce costs to the Borough and its residents, protect the citizens of the Borough 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 Borough.

BE IT ORDAINED by the Mayor and Council of the Borough of Watchung, County of Somerset, State of New Jersey, as follows:

Section 1. Chapter VI, titled "Police Regulations" of the Revised General Ordinances of the Borough of Watchung is amended to add a new Section 6-14, titled "Pet Mills Prohibited" "Restricting the Sale of Dogs and Cats from Pet Shops", as follows:

§6-14.1. Definitions

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means 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 in significant part, the rescue and placement of animals in permanent homes.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

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.

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 care facility or animal rescue organization, as defined.

§6-14.2. 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:

- (i) An animal care facility; or
- (ii) An animal rescue organization.

(B) A pet shop shall not offer for sale a dog or cat that is younger than eight (8) weeks old.

§6-14.3. Record Keeping and Disclosure

A pet shop shall maintain records stating the name and address of the animal care facility or animal rescue organization 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,~~ before the last day of January of each year along with the Kennel, Pet Shop, Shelter, or Pound license application as required in Section 10-3.1 of the Revised General Ordinances of the Borough, to the Borough Clerk. Each pet shop shall display on each cage a label stating the name and address of the animal care facility or animal rescue organization 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 upon final adoption and publication according to law.

ATTEST:

BOROUGH OF WATCHUNG

Michelle DeRocco, Clerk

Stephen K. Pote, Mayor

Introduced: Gibbs
Passed: October 20, 2016
Published: October 27, 2016
Public Hearing: November 3, 2016
Amended: November 3, 2016
Public Hearing:
Published:
Adopted: