

Sponsor: Mayor Holt

ORDINANCE NO. 2020-13

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, ALABAMA, that Article I of Chapter 4 of the Code of Florence, Alabama, as amended, is hereby amended to add the following Section 4-10:

**Sec. 4-10. - Restrictions on the sale of dogs and cats.**

(a) Definitions

(1) *Animal rescue organization or agency.* A not-for-profit organization or agency with tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, with the mission and practice, in whole or in significant part, of rescuing and placing animals in permanent homes, and which does not obtain animals from a breeder or broker for profit or compensation.

(2) *Commercial transaction.* An interaction between two or more parties in which a live animal is exchanged for cash, goods, services or something of value.

(3) *Offer for sale.* To sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away, or exchange through a commercial transaction any dog, cat, kitten, or puppy.

(4) *Pet shop.* A retail establishment, business or store where live animals are sold, exchanged, bartered or offered for sale as pets to the general public. Such definition shall not include an animal shelter or animal rescue organization as defined in this section.

(5) *Pet Supply Store.* A retail establishment, business or store which sells pet food, animal supplies and pet accessories to the general public, and which may also sell, exchange, barter or offer for sale live animals as pets to the general public.

(b) A pet shop or pet supply store may offer for sale only those dogs, cats, puppies, and kittens obtained from and in cooperation with an animal shelter or an animal rescue organization or agency as defined in this section.

(c) Every pet shop or pet supply store offering for sale any dog, cat, puppy or kitten shall display a label stating the name and address of the organization supplying said animal on the animal's cage.

(d) A pet shop or pet supply store shall not offer for sale a puppy or kitten that is younger than eight weeks old.

(e) Every pet shop or pet supply store offering for sale any dog, cat, puppy or kitten shall maintain records for each animal offered for sale. The records shall be maintained for a minimum of 12 (twelve) months after the date of the transaction, and shall be available for inspection by any Florence Animal Services officer. The records shall include the following information for each transaction:

- (1) A description and photograph of the animal;
- (2) The monetary value of any cash, services, or goods exchanged for the animal;
- (3) The name, address and phone number of the organization (animal shelter or animal rescue organization or agency) from which said pet store or pet supply store acquired said animal; and
- (4) The name, address and phone number of the new owner of the animal.

(f) This Section 4-10 will not affect a consumer's ability to obtain a dog, cat, puppy, or kitten of his or her choice directly from a breeder where the consumer can see the conditions in which the dogs or cats are bred, or can confer directly with the breeder concerning those conditions.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, ALABAMA, that the City Clerk is hereby authorized and directed to publish this ordinance in the *TimesDaily*, and that this ordinance shall go into effect upon its passage, approval, and publication as provided by law.

ADOPTED this 5<sup>TH</sup> day of MAY, 2020.



[Signature]  
[Signature]  
 MICHAEL POPE TUBANK  
[Signature]  
[Signature]  
 CITY COUNCIL

APPROVED this 5<sup>TH</sup> day of MAY, 2020.

[Signature]  
 MAYOR

ADOPTED & APPROVED this 5<sup>TH</sup> day of MAY, 2020.

[Signature]  
 CITY CLERK