ORDINANCE NO. 2018-05

AN ORDINANCE CREATING ARTICLE 3-544 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS, WYOMING, "PROHIBITED SALE OF COMMERCIALLY BRED DOGS, CATS, AND RABBITS IN PET STORES, RETAIL BUSINESSES, AND OTHER COMMERCIAL ESTABLISHMENTS".

WHEREAS, according to the Humane Society of the United States, hundreds of thousands of dogs and cats in the United States have been housed and bred at these substandard breeding facilities, known as "puppy mills" or "kitten factories," which mass produce animals for sale to the public, and many of these animals are sold at retail pet stores, retail businesses, or other commercial establishments; and,

WHEREAS, the Governing Body finds that so-called "backyard breeding" and subsequent sale of commercially bred dogs, cats, and rabbits contribute to the proliferation of homeless and unwanted animals that end up in public animal shelters and humane societies; and,

WHEREAS, the Governing Body of the City of Rock Springs has determined that the City of Rock Springs should be an example for others cities and counties with respect to the compassionate and humane treatment of animals; and,

WHEREAS, the need exists to regulate pet stores, retail businesses, and other commercial establishment that sell dogs, cats, and rabbits obtained from backyard breeders or other sources utilizing substandard breeding practices, such as inhumane, commercial breeding facilities where the health of dogs, cats, rabbits and other animals is disregarded to maximize profits.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1.   That Article 3-544, "Prohibited Sale of Commercially Bred Dogs, Rabbits, Cats in Pet Stores, Retail Businesses and Other Commercial Establishments" within Chapter III, Morals and Conducts, of the Ordinances of the City of Rock Springs, is hereby created to read as follows:

Article 3-544

3-544   Prohibited Sale of Commercially Bred Dogs, Rabbits, Cats and Rabbits in Pet Stores, Retail Businesses and Other Commercial Establishments

(a)   It shall be unlawful for any person to sell any live dog, cat, rabbit or other domesticated breed of animal in any pet store, retail business, or other commercial establishment located in the City of Rock Springs, unless the animal was obtained from an animal shelter or a nonprofit rescue and humane organization.

(b)   This Section shall not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific or other rescue organization, or directly from a breeder of breed-specific pedigreed dogs or cats where the consumer can see the conditions in which the dogs or cats are bred or can confer with the breeder concerning those conditions.

(c)   For purposes of this Section, the following terms shall have the following meanings:

"Animal shelter" means a public animal shelter operated by any city or any county or other public agency, or an entity operating under contract with any city or county, such as a humane society, whose mission and practice is, in whole or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

"Rescue and Humane organization" means a non-profit corporation that is exempt from taxation under Internal Revenue Code Section 501 (c)(3) and which participates in early age spay/neuter of animals; complies with State and local laws regarding the humane treatment of animals; and whose mission and practice is, in whole or insignificant part, the rescue and placement of animals in permanent homes.

"Person" means an individual, firm, association, partnership, corporation, joint venture, or combination of individuals.

"Sale" or "sell" means to sell, auction, barter, or otherwise transfer for money or other compensation.

This ordinance shall take effect immediately after it has been published as required by law.

PASSED AND APPROVED this _____ day of _____, 2018.

_____
President of the Council

_____
Mayor

Attest:

_____
City Clerk

1st Reading: _____

2nd Reading: _____

3rd Reading: _____