

ORDINANCE 14-2016
AN ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS RESTRICTING
THE SALE OF DOGS AND CATS FROM PET SHOPS

WHEREAS, the Borough of Woodbury Heights (“Borough”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Gloucester County; and

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 provided for (“puppy mills” and kitten mills”, respectively). According to the Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States, and that most pet shops dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include overbreeding, 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 puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten 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 puppy and kitten mills and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health in its 2014 Animal Intake and Disposition Survey has found that due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including 2,176 in the County of Gloucester.

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 the 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. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her 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 confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Borough Council of the Borough of Woodbury Heights, in the County of Gloucester and State of New Jersey, believes it is in the best interest of the Borough of Woodbury Heights to adopt reasonable regulations to reduce costs to the Borough and its residents and to protect the citizens of the Borough of Woodbury Heights who may purchase dogs or cats from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness or animal welfare, and foster a more humane environment in the Borough of Woodbury Heights.

SECTION 1. Chapter 51 of the Code of the Borough of Woodbury Heights, entitled "DOGS AND OTHER ANIMALS", is hereby amended, revised and/or supplemented by the inclusion of a new "ARTICLE III", as follows:

Section 51-19 DEFINITIONS. When used herein, the following terms shall have the following meanings:

"Animal care facility" means an animal control center or animal shelter, maintained or regulated 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 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 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 herein.

SECTION 51-20. RESTRICTIONS ON THE SALE OF ANIMALS.

- (1) A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
 - (a) An animal care facility; or
 - (b) An animal rescue organization

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


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 the Ordinance are hereby declared to be severable.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its final adoption and publication, and as otherwise provided by law.

BOROUGH OF WOODBURY HEIGHTS



ROBBIE J. CONLEY, MAYOR

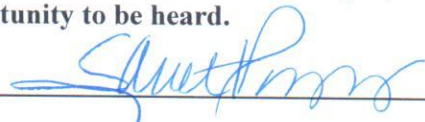
ATTEST:



JANET PIZZI, CLERK/ADMINISTRATOR

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Woodbury Heights, held on the 21st day of September, 2016 and will be considered for final passage at a meeting of the Borough Council of the Borough of Woodbury Heights, to be held on the 19th day of October, 2016 at 7:30 pm, at which time and place any interested party will be given the opportunity to be heard.



JANET PIZZI, CLERK/ADMINISTRATOR