

TOWNSHIP OF SCOTCH PLAINS

ORDINANCE NO. 2017-6

AN ORDINANCE TO AMEND ARTICLES 5-1 (DEFINITIONS) AND 5-3 (KENNELS, PET SHOPS, SHELTER OR POUNDS) IN CHAPTER V (ANIMALS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SCOTCH PLAINS TO DEFINE CERTAIN TERMS AND TO PROHIBIT THE SALE OF DOGS OR CATS FROM “PUPPY MILLS”.

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 shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding, inbreeding, minimal to non-existent veterinary care, lack of adequate and nutritious food and water and shelter, lack of socialization, lack of adequate space, and lack of adequate exercise; and

WHEREAS, the conditions in puppy and kitten mill facilities may 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. These health and behavioral issues, which may not present themselves until some time after the purchase of the animals, can impose financial and emotional costs on consumers; 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.

WHEREAS, according to the Humane Society of New Jersey, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations may help reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers.

WHEREAS, the Township Council believes it is in the best interests of this Township to adopt reasonable regulations to reduce costs to the Township and its residents, protect the citizens of the Township 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 Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Scotch Plains:

Section 1. Definitions

Article 5.1 (Definitions) in Chapter V. (Animals) of the Revised Animal Ordinances of the Township of Scotch Plains is hereby amended by adding the following 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 cats, *Felis catus*.

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.

Section 2. Restrictions on the Sale of Animals.

Article 5-3 (Kennels, Pet Shops, Shelter or Pounds) in Chapter V (Animals) of the Revised Animal Ordinances of the Township of Scotch Plains is hereby amended to include the following additional provisions:

5.3.8 Restrictions on 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:

- (1) An animal care facility; or
- (2) An animal rescue organization.

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

5-3.9. 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 years

following the date of acquisition. Such records shall be made available, immediately upon request, to Township police and submitted annually, and no later than May of each year, to the Township of Scotch Plains. 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 3. All other terms and provisions of subsections 5-1 (Definitions) and 5-3 (Kennels, Pet Shops, Shelter or Pound) of the Township Code shall remain unchanged.

Section 4. 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 5. Effective Date.

This ordinance shall take effect upon final passage and publication in accordance with law.