

TOWNSHIP OF TEANECK  
BERGEN COUNTY, NJ

**ORDINANCE NO. 23-2018 AN ORDINANCE AMENDING CHAPTER 6, ANIMALS AND FOWL, OF THE CODE OF THE TOWNSHIP OF TEANECK TO RESTRICT THE RETAIL SALE OF DOG AND CATS WITHIN THE TOWNSHIP OF TEANECK BE IT RESOLVED BY THE TOWNSHIP OF TEANECK THAT ORDINANCE #23-2018, PASS ON FIRST READING AND THAT SAID ORDINANCE WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AND A PUBLIC HEARING HELD THEREON AT A MEETING OF THE TOWNSHIP COUNCIL TO BE HELD ON SEPTEMBER 4, 2018 AT 8 PM IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING, 818 TEANECK ROAD, TEANECK, NEW JERSEY, AT WHICH TIME AND PLACE ALL PERSONS INTERESTED THEREIN WILL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING THE SAME, AND THAT THE TOWNSHIP CLERK IS HEREBY AUTHORIZED TO ADVERTISE SAME ACCORDING TO LAW AND TO PROVIDE THE APPROPRIATE NOTICES IN ACCORDANCE WITH LAW.**

**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, 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 the animals, can impose exorbitant financial and emotional costs on the consumer; and

**WHEREAS**, current Federal, State, and County regulations do not properly address the sale of puppy and kitten mill dogs and cats in pet shops; and

**WHEREAS**, prohibiting the retail sale of puppies and kittens 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 Animal Intake and Disposition Survey, thousands of 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 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. 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 his or her choice directly from a breed-specific rescue organization or shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs and cats are bred or can confer directly with the hobby breeder concerning those conditions; and

**WHEREAS**, this governing body believes it is in the best interests of this municipality to adopt reasonable regulation to reduce costs to the municipality and its residents, protect the citizens of the municipality 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 municipality.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Teaneck, Bergen County, New Jersey as follows:

**Section 1.** Chapter 6, Animals and Fowl, of the Code of the Township of Teaneck is hereby amended to add thereto Article IX to read in full as follows:

**“Article IX. Sale of Dogs and Cats.**

**Sec. 6-67 Definitions.** As used in this Article, the following words and phrases shall have 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.

***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 a species of domestic cat, *Felis catus*.

***Dog*** means a member of a 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.

### **Sec. 6-68. Restrictions on the Sale of Dogs and Cats.**

No pet store shall sell, deliver, offer for sale, barter, auction, give away or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

### **Section 2. Severability.**

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared by a court of competent jurisdiction to be invalid for any reason whatsoever, such decision shall not affect, impair or repeal 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. Inconsistency.**

All ordinances or parts thereof inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

### **Section 4. Effective Date.**

This ordinance shall become effective 90 days after passage and publication as required by law.