

**AN ORDINANCE OF THE TOWNSHIP OF GREENWICH
AMENDING CHAPTER 209 TO ADDRESS THE SALE OF
ANIMALS AT KENNELS, PET SHOPS, SHELTERS AND
POUNDS**

ORDINANCE NO. 7 - 2016

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF
GREENWICH AS FOLLOWS:**

Section 1. Purpose:

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 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; an

WHEREAS, the inhumane conditions in puppy and kitten mills facilities lead to health and behavioral issues in the animal bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both lack of education on the issue and misleading tactics of some pet shops in some cases. These health behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional cost 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 shelters and rescue organizations; and

WHEREAS, according to the NJ Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, 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 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 the 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 a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dog or cat are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Township Mayor and Council believes it is in the best interests of this municipality to adopt reasonable regulations 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 within the municipality and it is in the best interest of the Township to adopt this Ordinance.

Section 2. Amendment:

Chapter 209 of the Code of the Township of Greenwich, entitled "Animals" shall now be supplemented by adding a new Article III entitled "Kennels, Pet Shops, Shelters and Pounds,":

§ 209-36 Definitions

As used in this article, the following terms shall have the meanings indicated:

Animal Care Facility - 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 - any not-for-profit organization which has been granted tax exempt status under section 501(c)(3) of the United States Internal Revenue Code and whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat - any member of feline species.

Dog - any member of canine species.

Offer for Sale - 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 - 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.

§ 209-37 Restrictions on the 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:
- (i) An animal care facility; or
 - (ii) An animal rescue organization.
- B. A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

Section 3. Effective:

This Ordinance shall take effect twenty (20) days after adoption and publication as required by law.

Introduced at a regular meeting of the Mayor and Council of the Township of Greenwich held on the 18th day of April, 2016 and passed upon a second reading of the Mayor and Council held on the 16th day of May 2016.

ATTEST:

TOWNSHIP OF GREENWICH:

LORI L. BIERMANN,
Municipal Clerk
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GEORGE W. SHIVERY, JR.,
Mayor