TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

ORDINANCE NO. 2103

AN ORDINANCE TO AMEND CHAPTER 6 (ANIMALS AND FOUL) OF THE
REVISED GENERAL ORDINANCES OF THE TOWN OF WESTFIELD TO ENACT A
NEW SECTION, ARTICLE IV, 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.

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.

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. These health and behavioral issues, which may not
present themselves until sometime after the purchase of the animals, can impose financial and
emotional costs on consumers.

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 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.

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 the Town to adopt
reasonable regulations to reduce costs to the Town of Westfield 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 Town of Westfield.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the
Town of Westfield:

A new Section, Article VI, is added to the Revised General Ordinances of the Town of
Westfield, as follows:

Article VI. Restrictions on Sales of Cats and Dogs by Pet Shops.

Section 6-13. Definitions:

For the purposes of this Article, the following words and phrases shall have the meanings
respectively ascribed to them by this section:

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 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.

Section 6-14. Restrictions on the Sale of Animals.

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 pet shops from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

Section 6-15. 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 the Town's police and submitted annually, and no later than May of each year, to the Town of Westfield. 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 6-16. Severability.

Section 6-16. 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 6-17. Effective Date.

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

PASSED AND ADOPTED: April 10, 2018

Michelle W. Brindle, Mayor

ATTEST:

Tara Rowley, RMC
Town Clerk