



Current through Ordinance 16-08 and the January 2017 code supplement. For more recent amendments to this code, refer to the [CodeAlert](#) page.

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Dana Point Municipal Code

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[Title 10 ANIMAL CONTROL, WELFARE AND LICENSING REQUIREMENTS](#)
[Chapter 10.10 COMMERCIAL ESTABLISHMENTS](#)

10.10.140 Prohibition on Retail Sale of Dogs and Cats.

(a) No commercial animal establishment shall, for the purposes of resale or retail, display, sell, deliver, offer for sale, barter, auction, or otherwise transfer or dispose of dogs or cats in the City on or after the effective date of the ordinance codified in this Section.

(b) A commercial animal establishment that, for the purposes of resale or retail, displayed, sold, delivered, offered for sale, bartered, auctioned, or otherwise transferred or disposed of dogs or cats in the City of Dana Point as of the effective date of the ordinance codified in this Section, and whose operations complied with all applicable provisions of the Dana Point Municipal Code, may continue to display, offer for sale, barter, auction, or otherwise transfer or dispose of dogs and cats until the one (1) year anniversary of the effective date of the ordinance codified in this Section.

(c) This Section shall not apply to:

- (1) A licensed commercial breeder approved by and registered with a registry or association recognized by the Authority, whose program and practices are consistent with the humane treatment of animals;
 - (2) A dog or cat owner who breeds an occasional litter of dogs or cats, provided that he or she does not sell the resultant offspring for resale to commercial outlets, nor for purposes of research, testing or laboratory experimentation;
 - (3) A publicly operated animal control facility or animal shelter;
 - (4) A private, charitable, nonprofit humane society or animal rescue organization;
 - (5) A publicly operated animal control agency, nonprofit humane society, or nonprofit animal rescue organization that operates out of or in connection with a commercial animal establishment; or
 - (6) A dog or cat that is sold pursuant to Section 10.09.180 of this Title.
- (d) Nothing in this Section shall prevent a commercial animal establishment or its owner, operator or employees from providing space and appropriate care for animals owned by a publicly operated animal control agency, nonprofit humane society, or nonprofit animal rescue agency and maintained at the commercial animal establishment for the purpose of adopting those animals to the public. (Added by Ord. 12-02, 1/31/12)