



Legislation Text

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**File #: 2022-0618, Version: 1**

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**AMEND §92.04 SALE OF DISEASED ANIMALS; KENNEL AND PET SHOP REGULATION:**

AN ORDINANCE TO AMEND § 92.04 **SALE OF DISEASED ANIMALS; KENNEL AND PET SHOP REGULATION** TO PROHIBIT THE RETAIL SALE OF DOGS, CATS, PUPPIES, AND KITTENS UNLESS OBTAINED FROM AND IN COOPERATION WITH THE FAYETTEVILLE ANIMAL SHELTER OR ANOTHER ANIMAL RESCUE ORGANIZATION, AND TO DECLARE AN EMERGENCY

**WHEREAS**, the City of Fayetteville has an interest in maintaining the public safety and welfare of citizens and residents of Fayetteville and its visitors; and

**WHEREAS**, Ark. Code Ann. § 14-54-103(7) provides that cities shall have the power to prevent cruelty to animals; and

**WHEREAS**, the Humane Society of the United States estimates that there are at least 10,000 puppy mills in the United States, fewer than 3,000 of which are regulated by the United States Department of Agriculture; and

**WHEREAS**, according to the Humane Society of the United States, puppy mills are high volume dog breeding facilities that churn out puppies for profit, ignoring the needs of the pups and their mothers; and

**WHEREAS**, according to the Humane Society of the United States, puppy mills commonly sell through retail pet stores and the majority of puppies sold in pet stores are from puppy mills; and

**WHEREAS**, current state and federal regulations do not adequately address the sale of puppy and kitten mill dogs and cats in retail pet shops; and

**WHEREAS**, Petco and Petsmart, the City's largest pet supply stores, have corporate mandates against the sale of dogs and cats and both work with local pet rescues and shelters to allow pet adoptions through those organizations at their store locations; and

**WHEREAS**, it is in the interest of the City of Fayetteville to promote and ensure humane approaches and standards for animal disposition and ownership by encouraging the adoption of rescue dogs and cats.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby amends § 92.04 by enacting a new subsection (C) as shown below:

“(C) It shall be unlawful for a pet shop to offer for sale or to display any dog, cat, puppy, or kitten unless

obtained from and in cooperation with the Fayetteville Animal Shelter, or an animal rescue agency or organization. Every pet shop offering for sale or displaying any dog, cat, puppy, or kitten shall display a label stating the name and address of the organization supplying said animal on the animal's cage.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby determines that this ordinance should become effective without delay because it will help prevent the sale of sick animals from puppy mills and other commercial breeding facilities in which the health of the animals being bred is disregarded, which is necessary for the public peace as well as the health and safety of Fayetteville residents. Therefore, the City Council hereby declares an emergency exists such that this ordinance shall become effective immediately upon its passage and approval.