

TOWN OF WEST WARWICK

ORDINANCE

OF THE

TOWN COUNCIL

ORDINANCE NO. 2018 – 4

AN ORDINANCE AMENDING CHAPTER 4 ANIMALS AND FOUL, ARTICLE V, PET STORES, OF THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK,

WHEREAS: The Town Council of the Town of West Warwick has determined that there exists an industry engaged in the illegal breeding and selling of dogs and cats, puppy mills so-called, and

WHEREAS: The Town Council has determined that it is in the best interests of the Town of West Warwick to prohibit such breeding and selling from occurring in the Town,

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Town Council of the Town of West Warwick hereby amends Chapter 4, ANIMALS AND FOUL, by adding thereto Article V, Pets Stores of the Code of Ordinances of the Town of West Warwick as follows:

Chapter 4

ANIMALS AND FOUL

Article V. Pet Shops

Sec. 4 – 61. Definitions.

Commercial establishment. Any enterprise, including a sole proprietorship, engaged in the retail or wholesale commerce of the buying or selling of dogs and cats.

Non-profit rescue organization. Any Rhode Island non-profit corporation that is exempt from taxation under Internal Revenue Code, Section 501(c)(3) whose mission and practice is, in whole and significant part, the rescue and placement of dogs or cats, or any non-profit organization that is not exempt from taxation under Internal Revenue Code, 501(c)(3) but is currently an active rescue partner with the Town of West Warwick shelter or humane society, whose mission is, in whole or significant part, the rescue and placement of dogs or cats.

Pet shops. Any for-profit business or enterprise engaged in retail or wholesale commerce related to dogs and cats, including grooming parlors, canine day care and boarding facilities or

any temporary or permanent establishment where animals are bought, sold, exchanged or offered for sale or exchange to the general public at retail, provided however, that licensed cat breeders as provided for in Sec. 4 – 21.1 hereof and holders of kennel licenses as provided for in Sec. 4 – 34 are exempted from the provisions of this Article.

Sec. 4 – 62. Sale of dogs and cats.

It is unlawful for any pet shop or commercial establishment to display, offer for sale, deliver, barter, auction, giveaway, transfer or sell any live dog or cat in any pet store or commercial establishment located in the Town of West Warwick.

Sec. 4 – 63. Adopt a pet.

Nothing in this section shall prevent a pet store or commercial establishment located in the Town of West Warwick from providing space and appropriate care for animals owned by a municipal animal shelter or animal control agency, Humane Society or nonprofit rescue organization and maintain those animals in the pet store or commercial establishment for purpose of public adoption.

Sec 4-64. Existing pet shops.

Any pet shop or commercial establishment licensed to operate in the Town of West Warwick at the time of the adoption of this Article V are exempt from the provisions hereof.

Sec. 4 – 65. Violations and penalties.

Any person or entity who violates, fails or refuses to comply with the provisions of this section shall be subject to a fine of not more than Five hundred dollars (\$500.00) for each separate offense. The continuation of such violation for each successive day shall constitute a separate offense any person or entity allowing a permitting the continuation of the violation may be subject to penalties as provided herein for each separate offense.

AN ORDINANCE AMENDING

POSTED: JANUARY 17, 2018

SPONSORED BY COUNCIL VICE PRESIDENT D'AMICO

FIRST READING AT COUNCIL MEETING ON: FEBRUARY 6, 2018

SECOND READING AT COUNCIL MEETING ON: FEBRUARY 27, 2018

COUNCIL PRESIDENT: David Cassel

TOWN CLERK: Caulea Jammitell

ADVERTISED IN: KENT COUNTY DAILY TIMES

THIS ORDINANCE WILL TAKE EFFECT ON: MARCH 18, 2018