

**ORDINANCE NO. 1152**

**ORDINANCE REGULATING THE SALE OF DOGS, CATS, AND  
RABBITS IN THE CITY OF CREST HILL**

WHEREAS, the City of Crest Hill, Will County, Illinois, is a non-home rule unit of local government; and

WHEREAS, the Animal Control Act, 510 ILCS 5/24, gives non-home rule municipalities the power to control and regulate dogs, cats or other animals within the municipality; and

WHEREAS, pet stores selling live animals have traditionally been a sales outlet for young dogs, cats, and rabbits bred in "puppy mills," "kitten mills," and "rabbit mills" both within the United States and abroad. 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 store puppies, kittens and many pet store rabbits come from puppy mills, kitten mills, and rabbit mills, respectively. When consumers buy puppies, kittens, and rabbits from a pet store, there is a strong likelihood that consumers are unknowingly supporting the puppy mill, kitten mill or rabbit mill industry; and

WHEREAS, the documented abuses of puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate food, water and shelter; lack of socialization; lack of adequate space; and the euthanization of unwanted animals. The inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues with animals, which many consumers are unaware of when purchasing animals from retailers due to both a lack of education on the issue and misleading tactics of retailers in some cases. These health and behavioral issues, which may not present themselves until years after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, across the country, thousands of independent pet stores as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these stores 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 breeder, a breed-specific rescue organization or a shelter; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-5-6, specifically grants the corporate authorities of each municipality the power to prohibit cruelty to animals and the Illinois Municipal Code, 65 ILCS 5/11-60-2, grants non-home rule communities the power to define, control, prevent and abate nuisances. Given the foregoing recitals, the City has made the determination that abused and/or emotionally and physically challenged animals being surrendered to the City and County impacts community resources and is a public nuisance; and.

WHEREAS, in the United States and Canada alone, over 40 cities have enacted

ordinances addressing the sale of puppy and kitten mill dogs and cats, including Los Angeles, California; San Diego, California; Albuquerque, New Mexico; Austin, Texas; Toronto, Canada; Chicago, Illinois and Brick, New Jersey; and

WHEREAS, many cities have adopted legislation banning the sale of rabbits, including San Francisco, California; Los Angeles, California; Richmond, British Columbia; Chicago, Illinois; Fort Worth, San Antonio, Austin and Houston, Texas; and

WHEREAS, current Federal, Illinois and city laws and regulations do not properly address the sale of puppy and kitten mill dogs and cats or rabbit mill rabbits in city business establishments; and

WHEREAS, the City Council believes it is in the best interest of the City to adopt reasonable regulations to protect the citizens of the City who may purchase cats or dogs or rabbits from a pet store or other business establishment, financial support for mill breeders, curb the emotional and financial burdens on consumers who unwittingly buy mill-bred pets, and reduce the cost of sheltering and euthanizing unwanted problem pets.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Crest Hill, Will County, Illinois, as follows:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as if said recitals were fully set forth within this Section One.

SECTION 2: A new Chapter 5.72 is hereby added to Title 5 of the Crest Hill Code of Ordinances, which Chapter shall be and read as follows:

## **CHAPTER 5.72**

### **RETAIL SALE OF DOGS, CATS AND RABBITS**

Section:

5.72.010	Purpose
5.72.020	Definitions
5.72.030	Restrictions on the Retail Sale of Animals
5.72.040	Record Keeping and Disclosures
5.72.050	Penalties

#### **§5.72.010 PURPOSE**

The purpose of this Ordinance is to protect the citizens of the City who may purchase cats or dogs or rabbits from a pet store or other business establishment, financial support for mill breeders, curb the emotional and financial burdens on consumers who unwittingly buy mill-bred pets, and reduce the cost of sheltering and euthanizing unwanted problem pets.



**§ 5.72.020 DEFINITIONS.**

As used in this Chapter, the following definitions shall apply:

**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 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:** A member of the species of domestic cat, *Felis catus*.

**DOG:** A member of the species of domestic dog, *Canis familiaris*.

**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.

**§ 5.72.030 RESTRICTIONS ON THE RETAIL SALE OF ANIMALS**

- (1) A Pet Shop may offer for sale only those dogs and cats that the Pet Shop has obtained from or displays in cooperation with:
  - (A) An animal care facility; or
  - (B) An animal rescue organization.
- (2) A Pet Shop shall not offer for sale a dog or cat that is younger than eight weeks old.

**§ 5.72.040 RECORD KEEPING AND DISCLOSURES**

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 City of Crest Hill or its designee and submitted annually, and no later than May 1 of each year, to the City of Crest Hill Police Department. 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.

**§5.72.050 PENALTY**

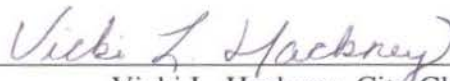
Any person violating any provisions of any section of this chapter shall be fined for each offense. Each day of violation shall constitute a separate and distinct offense.

SECTION 3: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.


SECTION 4: That this Ordinance shall be in full force and effect ninety (90) days after its passage, approval and publication according to law. Existing businesses shall come into compliance within ninety (90) days but shall be permitted an extension upon proper proof of hardship to the City Council.

PASSED THIS 16<sup>th</sup> DAY OF OCTOBER, 2017.

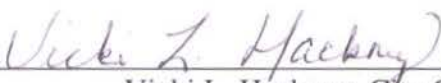
	Aye	Nay	Absent	Abstain
Alderman John Vershay	<u>✓</u>	_____	_____	_____
Alderman Scott Dyke	<u>✓</u>	_____	_____	_____
Alderwoman Claudia Gazal	<u>✓</u>	_____	_____	_____
Alderwoman Barbara Sklare	<u>✓</u>	_____	_____	_____
Alderwoman Tina Oberlin	<u>✓</u>	_____	_____	_____
Alderman Marco Coladipietro	<u>✓</u>	_____	_____	_____
Alderman Nate Albert	<u>✓</u>	_____	_____	_____
Alderman Tom Inman	<u>✓</u>	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

  
 \_\_\_\_\_  
 Vicki L. Hackney, City Clerk

APPROVED THIS 16<sup>th</sup> DAY OF OCTOBER, 2017.

  
 \_\_\_\_\_  
 Raymond R Soliman, Mayor

ATTEST:

  
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 Vicki L. Hackney, City Clerk