

ORDINANCE 2019-031

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF VERNON HILLS PROHIBITING THE SALE OF CERTAIN PETS

WHEREAS, the President and Board of Trustees of the Village of Vernon Hills is authorized to prescribe minimum standards for the purpose of promoting the public health, safety, convenience and general welfare for the people of Vernon Hills; and

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 due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers.

WHEREAS, current Federal, State and County regulations do not properly address the sale of puppy and kitten mill dogs and cats in pet shops.

WHEREAS, prohibiting the retail sale of puppies and kittens 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, due in large part to pet overpopulation, more than [insert local data] dogs and cats are euthanized in [insert state] animal shelters annually, including nearly [insert local data] in the [insert city/town/county]. Prohibiting the retail sale of puppies and kittens will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers.

WHEREAS, across the country, thousands of independent pet shops 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 shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises.

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 a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred or can confer directly with the hobby breeder concerning those conditions.

WHEREAS, the Village Board, in its legislative judgment, finds it is in the best interests of this City to adopt reasonable regulations to reduce costs to the City and its residents, protect the citizens of the City 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 City.

SECTION I: **Definitions:**

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. This term does not include any entity, which is, or is housed on the premises of, a breeder or broker, obtains dogs from a breeder or broker in exchange for payment or compensation, or resells dogs obtained from a breeder or broker and provides payment or compensation to such breeder or broker.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the 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 Shops" shall mean any individual or entity who sells or supplies for consideration, profit or monetary benefit any or all of the following items: pet food; training equipment and services; accessories for pets such as leashes, collars, toys, apparel, crates, cages, carriers and pet fences; medications or medical services for pets; grooming, veterinary services; pet sitting services; or other supplies, devices or equipment related to the health, well-being, nutrition and sustenance of domesticated animals and pets; provided, however, that the term *"Pet Shops"* shall not include the sale of cats, dogs and/or rabbits sold, bartered, exchanged or traded for consideration, profit or monetary benefit. . This definition shall not include an Animal Hospital, Animal Clinic or Animal Rescue Organization, as defined.

SECTION II: Sale of Animals Prohibited

No Pet Shop shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats, dogs or rabbits. Nothing in this section shall prohibit pet shop from collaborating with Animal Care Facilities or Animal Rescue Organizations to offer space for such entities to showcase adoptable dogs and cats.

SECTION III: 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 IV: EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

SECTION V: ORDINANCE NUMBER. This ordinance shall be known as Ordinance Number 2019-031.

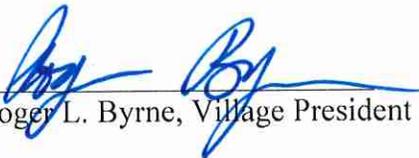
Dated the 5th Day of March, 2019.

Adopted by roll call vote as follows:

AYES: 6 – Koch, Marquardt, Oppenheim, Schultz, Brown, Byrne

NAYS: 0 - None

ABSENT AND NOT VOTING: 1 – Takaoka


Roger L. Byrne, Village President

PASSED: 03/05/2019

APPROVED: 03/05/2019

PUBLISHED IN PAMPHLET FORM: 03/05/2019

ATTEST: 03/05/2019


Mark Fleischhauer, Village Clerk

