

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2017-11

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF CRANFORD,
CHAPTER 98 DOGS AND OTHER ANIMALS.**

WHEREAS, as 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; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; and lack of adequate exercise; and

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. The health and behavioral issues, which may not present themselves until some time after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

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

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelter or rescue organizations 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 shelter and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

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; 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 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; and

WHEREAS the Township Committee it is in the best interests of this Township to adopt reasonable regulation to reduce costs to the Township and its residents, protect the citizens of the Township 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 Township.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranford, in the County of Union, State of New Jersey, as follows:

SECTION 1. Chapter 98 of the Municipal Code of the Township of Cranford, Article I, Definitions, Section 98-1 is amended to add the following 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.

Offer for sale means to sell, offer for sale or adoptions, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet shop means 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.

SECTION 2 Chapter 98 of the Municipal Code of the Township of Cranford, Article VII, Violations and Penalties; Repealer is hereby renumbered Article VII, Sections 98-28 and -29, respectively.

SECTION 3 Chapter 98 of the Municipal Code of the Township of Cranford, is hereby amended to add a new Article VII as follows:

ARTICLE VII
Restrictions on the Sale of Animals

§ 98-26. Restriction on the 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.

§ 98-27. Record Keeping

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 Police Department, Code Enforcement Official, or Animal Control Authority, and submitted annually, no later than May 1 of each year, to the Township Clerk's Office. 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.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. Upon final passage and publication according to law, this ordinance shall become effective immediately.

NOTICE OF PENDING ORDINANCE

The foregoing ordinance was introduced and approved on first reading at a meeting of the Township Committee of the Township of Cranford, New Jersey on Tuesday, September 12, 2017 and will be further considered for final passage after public hearing to be held at the Municipal Building, 8 Springfield Avenue, Cranford, New Jersey on Tuesday, October 10, 2017 at 8:00 PM or as soon thereafter as this matter can be reached. All persons interested will be given the opportunity to be heard concerning such ordinance.

Tara Rowley
Municipal Clerk