

ARTICLE V
Sale of Dogs, Cats and Rabbits
[Adopted 10-11-2017 by Ord. No. 17-007¹]

§ 112-20. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ANIMAL SHELTER — Any premises designated by the County of Allegheny or the Borough for the purposes of impounding and caring for all animals found running at large.

CERTIFICATE OF SOURCE — Any document from a Borough or County of Allegheny shelter, humane agency or nonprofit rescue organization declaring itself to be the source of the dog, cat, or rabbit on the premises of a pet shop, retail business, or other commercial establishment. The certificate of source shall include the name and address of the source organization; the name and address of the pet shop, retail business or other commercial establishment; and a written description, photograph, and license number (if applicable) of each dog, cat or rabbit identified.

COMMERCIAL ESTABLISHMENT — Any for-profit business enterprise, including a sole proprietorship. This term includes, but is not limited to, businesses engaged in retail or wholesale commerce related to dogs, cats, and rabbits; grooming parlors; canine day care; and boarding facilities.

HUMANE AGENCY — An animal protection or animal welfare organization authorized to enforce Section 5511 of the Pennsylvania Crimes Code.

NONPROFIT RESCUE ORGANIZATION — Any Pennsylvania nonprofit corporation that is exempt from taxation under Internal Revenue Code Section 501(c)(3), whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits, or any nonprofit organization that is not exempt from taxation under Internal Revenue Code Section 501(c)(3) but whose mission is, in whole or in significant part, the rescue and placement of dogs, cats, or rabbits and which is currently an active rescue partner with a Borough or County of Allegheny shelter or humane society.

PET SHOP — Any business or person that acquires dogs, cats, rabbits or any other animal for the purpose of resale, whether as owner, agent or consignee.

1. **Editor's Note: This ordinance was originally adopted as Articles III, IV and V of this chapter, which articles were redesignated to maintain the structure of the Code.**

§ 112-21. Sale of dogs, cats and rabbits prohibited.

- A. It is unlawful for any person to display, offer for sale, deliver, barter, auction, give away, transfer, or sell any live dog, cat, or rabbit in any pet shop or other commercial establishment located in the Borough, unless the dog, cat, or rabbit was obtained from a Borough or County of Allegheny municipal or governmental animal control agency, an animal shelter, a humane agency or a nonprofit rescue organization. All pet shops or other commercial establishments selling dogs, cats, or rabbits shall maintain a certificate of source for each of the animals and make it available upon request to animal control officers, law enforcement, code compliance officials, or any other Borough employee charged with enforcing the provisions of this section.
- B. In the event an animal shelter, humane agency or nonprofit rescue organization is determined by the Borough and/or the Borough Code Enforcement Director to be substantially out of compliance with animal welfare standards, laws or regulations, a certificate of source provided by any such organization shall be void until such noncompliance is remediated to the satisfaction of the Borough and/or the Code Enforcement Director.
- C. This section shall not apply to the display, offer for sale, delivery, bartering, auction, giving away, transfer, or sale of dogs, cats, or rabbits from the premises on which they were bred and reared.
- D. Nothing in this section shall prevent the owner, operator, or employees of a pet shop, retail business, or other commercial establishment located in the Borough from providing space and appropriate care for animals owned by a Borough or county animal shelter or animal control agency, humane agency, or nonprofit rescue organization and maintaining those animals at the pet shop, retail business, or other commercial establishment for the purpose of public adoption.

§ 112-22. Violations and penalties.

Every separate act committed in violation of this article shall constitute a separate and distinct offense and shall be punishable by a fine not to exceed \$1,000 and/or a term of imprisonment not to exceed 30 days.