

**TOWNSHIP OF MOORESTOWN**

**ORDINANCE NO. 18-2017**

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN  
BANNING THE SALE OF DOGS AND CATS AT PET SHOPS**

**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; and

**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; 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. These 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**, 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; 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. 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; 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 Council believes it is in the best interests of the Township of Moorestown to adopt reasonable regulations to reduce costs to the Township of Moorestown and its residents, protect the citizens of the Township of Moorestown 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 of Moorestown.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Moorestown, in the County of Burlington, State of New Jersey, that Chapter 65 entitled “Dogs” be amended to add Article III, entitled Sale of Dogs and Cats as follows:

Section 1: Chapter 65 shall be amended to add Article II “Sale of Dogs and Cats” as follows.

ARTICLE III  
**Sale of Dogs and Cats**

§ 65-15. **Definitions.**

§ 65-16. **Restrictions on the Sale of Animals.**

§ 65-17. **Enforcement.**

ARTICLE III  
**Sale of Dogs and Cats**

§ 65-15. **Definitions.**

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 - means 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.

**§ 65-16. Restrictions on the Sale of Animals.**

No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

**§ 65-17. Enforcement.**

This chapter shall be enforced by the Zoning Officer. It shall be the duty of the Zoning Officer to investigate any violations of this chapter coming to his attention, and if a violation is found to exist, he shall prosecute a complaint before the Municipal Court.

**Section 2. 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 3. Effective Date.** This ordinance shall become effective 20 days after passage.

**Section 4. Short Title.** This Ordinance shall be known as Ordinance 18-2017.

**NOTICE AND CERTIFICATION**

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on September 25, 2017. This ordinance will be further considered for final passage by the Township Council at a meeting to be held at the Town Hall, 111 West Second Street, Moorestown, New Jersey on October 23, 2017 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

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Patricia L. Hunt, RMC  
Township Clerk