
A Guide to Using Local Ordinances to Combat Puppy Mills



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Animal-friendly communities throughout the country are finding creative ways to combat puppy mill cruelty. Many communities have enacted ordinances directed at reducing the suffering of puppy mill dogs – by regulating either the puppy mills or pet stores themselves or the manner in which puppies are sold. This guide is designed to help you work for the passage of local laws in your own community that will improve the lives of dogs in puppy mills.

What Kind of Ordinance is Right?

The right ordinance for your community is the one that will solve the problems present in your area. If there are massive dog breeding facilities in your county, consider an ordinance that would place a limit on the number of dogs in a breeding facility. If unscrupulous puppy mill operators from a neighboring county are selling their puppies at a local flea market, by the road side or in a parking lot, work toward making a difference in those types of public sales. In determining what's right for your area, it may be helpful to talk with the local officials who are (or will be) charged with enforcement, such as animal control officers or public health officials.

Whichever specific target area you decide to address, chances are good that another community has done much of your work already. Examples of ordinances include:

- A Romulus, NY ordinance requires commercial pet breeders to provide humane treatment and housing for dogs and cats, and provides for regular inspection of their facilities. Romulus also enacted a moratorium on the establishment or expansion of commercial breeding facilities.
- A Sherburne County, MN ordinance bans the keeping of more than 40 dogs and requires that no more than 10 of them may be intact females. (Sherburne County Private and Commercial Kennel Licensing Ordinance 134)
- Pima, AZ, Houston, TX and East Baton Rouge, LA each have ordinances banning the sale of animals at swap meets and flea markets. (Pima County, AZ, 6.04.170 Sale of animals at swap meets and public property prohibited—Exceptions—Penalty, and Houston, TX, Sec. 6-118. Roadside and flea market sales)
- A Memphis, TN ordinance bans the sale of animals on roadsides and in parking lots. (Sec. 5-15 Roadside sale of animals prohibited)
- West Hollywood, CA and South Lake Tahoe, CA ordinances ban the sale of puppies and kittens in pet stores. (West Hollywood Ordinance 10-836, and South Lake Tahoe Ordinance 32-31.1 Retail sale of dogs and cats in pet stores prohibited)
- An Austin, TX ordinance requires pet shops to pay a processing fee for every dog or cat they sell who is not spayed or neutered. (Ordinance No. 20080228-057)

- In New Jersey, a state statute provides the foundation for those interested in proposing a pet shop ordinance. According to the statute, municipalities can choose to prohibit the sale of dogs and/or cats in pet shops. For communities where pet shops selling dogs and cats already reside, an ordinance can still be put forth and the residing stores would be grandfathered. (TITLE 4 – AGRICULTURE AND DOMESTIC ANIMALS, 4:19-15.8 Licensing of kennel, pet shop, shelter, pound.)

Download the above-listed sample ordinances:

www.humanesociety.org/assets/pdfs/pets/puppy_mills/sample_ordinances_guide.pdf

To search for municipal codes, including those mentioned here, visit

www.municode.com/Library/Library.aspx

Learn the process

No doubt the examples above have led you to consider what changes would make the most impact in your community – and to wonder how to go about making those changes.

The process for local legislation varies around the country, so take the time to get familiar with how things work in your community. An official or employee in your local government may be able to help you. Typically, for a city or county government, a bill is introduced to a council by a member of that council. These individuals are usually called councilmembers or aldermen. In some cases, proposed legislation will go to a small committee for review. Other times, the entire council may vote on it without a committee. Proposed legislation may be discussed at several meetings over a few months so that public comments may be heard. Sometimes amendments (changes) will be suggested or made, though these amendments will also need to be voted on before being inserted into the proposed legislation.

Get community support

Supporting a local ordinance means doing things like testifying at council meetings, contacting council members to express support for the ordinance, and informing others about the ordinance. Even in big cities, it can be common for very few people to get involved in local government (which means a small group of people are changing laws and policies), so getting active community support can make or break the legislation you are trying to pass.

A diverse coalition will show your elected officials that a significant portion of the community supports your efforts. Examples of people who you'll want involved in your project at some point (and who you may call upon to testify in support of your proposal), include:

- Animal activists
- Reputable breeders
- Parents
- Responsible dog owners
- Dog trainers and behaviorists

- Animal shelter workers
- Citizens who have purchased ill dogs from pet stores
- Neighbors who live near “nuisance” kennels
- Veterinarians and veterinary technicians
- Animal control officers
- Animal shelter directors
- Health department inspector

Find a friend in office

Public officials tend to take their constituents’ interests seriously, so try talking to your own council member or alderman first. As much as we’d like the people we vote for to agree with us, this may not always work. If your own council member isn’t interested, don’t despair. Try to find another official with an interest in animal issues and pitch your idea to them. Often, your local animal control bureau or non-profit humane society can point you towards a sympathetic decision-maker.

Draft the ordinance

You may already know what you want your ordinance to say, but it will have to be crafted into an appropriate legislative format. Looking through the enclosed sample ordinances can give you some ideas about what an ordinance should look like. If you write the ordinance yourself, someone from your local government may be able to help you by putting your ideas into the proper format.

Go public!

Local officials read local papers! Schedule a meeting with the editor or editorial board of your local paper to ask them to support your proposal. Contact other media outlets, including television and radio, to let them know about your efforts. Write letters to the editor of your local paper, remembering to state your case concisely (most papers prefer letters of 150-250 words). Here are a couple of sample letters to the editor:

Dear Editor:

The [recent outbreak of parvo in *pet store name*] or [cost of local animal care and control efforts and number of animals euthanized] illustrates one of the major problems that result from bringing puppies from puppy mills into our community.

People need to know that when they purchase puppies from pet stores, they are often unknowingly supporting a puppy mill. This practice is bad for dogs, and it is bad for our community. Puppy mills are inhumane breeding facilities that produce puppies in large numbers. They are designed to maximize profits and commonly disregard the physical, social, and emotional health of the dogs. The breeding dogs at puppy mills often live their entire lives in cramped, dirty cages, and the poor conditions cause puppies to have more physical and



behavioral problems than dogs from good sources. The best way to stop puppy mills is for pet store owners to stop supporting them. Offering animals for adoption by hosting adoption events for local rescue groups and animal shelters is the humane model that every pet store should follow.

If *[location]* wants to reduce the cost to the public of sheltering animals and encourage best practices in the breeding and purchasing of dogs, then an ordinance should be passed to prohibit the sale of puppies in pet shops.

Dear Editor:

It's great to see that *[location]* is finally considering an ordinance that would ban the sale of puppies in pet shops (*article name, date of story*). According to national animal welfare organizations, most pet shops sell puppies that were bred in terrible puppy mills.

Three to four million animals are euthanized in shelters each year and over one million puppies are produced by USDA licensed facilities (they supply to pet shops) each year. By banning the sale of puppy mill puppies, *[location]* is moving in the right direction to create a more humane community.

Testify

If your council calls a public meeting to discuss your proposal, you should testify and get members of your coalition to testify with you. Plan ahead of time to make sure that everyone doesn't speak on the exact same points (a common problem at public hearings). For example, it may be wasteful and frustrating for legislators to have a dozen people talk about the abuse and neglect in puppy mills without mentioning the tax payer burden of animal care and control agencies that manage animal overpopulation issues day to day. Knowing how puppy mills impact communities all over the country—even when they are not in your backyard—is a very important point to communicate.

It is particularly helpful if you can get animal control officers to testify on behalf of their agencies. Enforcement professionals in uniform can add an additional air of importance and mainstream acceptance to an issue. It's especially important to have an individual who will be enforcing the ordinance—this will vary by community.

Compromise (if needed)

As easy and straight-forward as this all sounds, things may not run so smoothly. Whether because of enforcement issues or strong opposition, sometimes you may have to compromise on your ordinance. This is ok. Be prepared to compromise ahead of time. Know what parts of your ordinance are most important and which ones can be set aside, if needed.

Celebrate victory, but remain vigilant

You've completed a great accomplishment, so be proud of all of your hard work. Unfortunately, passing an ordinance doesn't mean that it will be enacted as is, well-enforced, or will remain a part of local law forever. Sometimes city or county attorneys will change the language of legislation that has been passed. In other cases, the law may be challenged in court and defeated. Whatever the situation, keep an eye out for related issues in your community after your ordinance has passed.

Regroup after defeat

You may not win your battle on the first time around, but don't give up. Maybe your council just wasn't ready for this particular issue at this time. However, now you have introduced them to the many ways in which puppy mills affect communities. Talk to those councilmembers who voted against your bill and find out why. You can learn from this experience and try to pass a better bill in the future.

Start planning your next victory

As you have seen, there are several types of ordinances that can help prevent puppy mill cruelty. If you are successful with one type of ordinance, you can often build on that success, and the relationships you have forged, to push for additional reforms.

Quotes and Statistics

- 1,240,000 Estimated number of puppies produced by USDA licensed facilities each year
- 3-4 million Estimated number of dogs and cats euthanized by shelters every year in the U.S.
- \$4.00 - \$7.00 International City/County Management Association budgeting recommendation, per capita, for animal control programs.

HSUS – The Humane Society of the United States

The HSUS is not opposed to responsible dog breeding, but is opposed to the sale of dogs through pet stores and other commercial operations. In such situations, the desire for profit undermines proper care, seriously compromising the welfare of the animals. Furthermore, millions of animals are euthanized each year for lack of appropriate homes—a situation made worse by puppy mills. Our investigations of puppy mills that produce animals for wholesale to the pet industry also have exposed such unacceptable conditions as overcrowding; inadequate shelter, sanitation, food, water, and veterinary care; and lack of social or behavioral enrichment.

ASPCA – American Society for the Prevention of Cruelty to Animals

“The ASPCA is not opposed to dog breeding when it is done humanely and responsibly; responsible breeders assume lifetime accountability for the animals they have bred. Since puppy mills, by their very definition, are operations that fail to meet the ASPCA’s standards for responsible breeding, we are opposed to them.” The ASPCA advocates that responsible breeders never sell puppies to a dealer or pet shop.

Beagle Club of America, Puppy Buyers Guide

“Pet stores used to be the public's favorite place to acquire purebred puppies. Unfortunately, this is where the puppy mill finds its outlet for thousands of poor quality puppies produced [. . .] with no consideration for health and temperament. Pet stores offer various guarantees and assurances in an effort to sell their puppies, most of which are backed up by replacing the puppy with one of equally poor quality and/or health. The fact is that responsible breeders who care about what happens to the puppies they breed do not sell to pet stores.”

Boxer Club of America, Code of Ethics

“Infractions: Selling, consigning or disposing of a puppy or an adult Boxer to a pet shop, chain of pet shops or any commercial kennel for resale.”

Golden Retriever Club of America, Responsibilities As A Breeder

“Members should not sell dogs at auction, or to brokers or commercial dealers.”

Yorkshire Terrier Club of America, Code of Conduct

“Puppies will not be sold or consigned to pet stores, agents, or other commercial enterprises nor sold to disreputable breeders [. . .]”

Expert Dog Trainer, Andrea Arden

“Some stores will claim their puppies come from good breeders—but, logically speaking, wouldn’t a good breeder want to know what home their dog’s going to? [. . .] a puppy mill is a place where animals are bred for income, where the breeders aren’t doing as much as they can to raise the puppies properly. [. . .] the majority of dogs in these pet stores are from puppy mills. And the reason the stores do well is the guilt factor. People think that by buying from a pet store, they’re saving that dog in the window. But by paying \$3,000, you’re not rescuing that dog; all you’re doing is condemning that dog’s parents to being bred that many more times while living in a tiny little cage in South Dakota or Missouri.” (Baldwin, Rosecrans. “On puppy mills, chew-a-holics, and why you should wait a month to name the new dog.” *New York Magazine*, January 7, 2007, <http://nymag.com/guides/everything/26283/>)