

ORDINANCE NO. 2007-021

Adopted by the Sacramento City Council

March 20, 2007

ADDING ARTICLE IX TO CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO THE SALE AND ADVERTISEMENT OF DOGS AND CATS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article IX is added to Chapter 9.44 of the Sacramento City Code to read as follows:

Article IX Sale and Advertisement of Dogs and Cats

9.44.780 Sale of puppies and kittens

- A. No puppy or kitten shall be sold or transferred under the age of eight weeks unless, prior to any physical transfer of the puppy or kitten from the seller or transferor to the new owner, the puppy or kitten is approved for sale, as evidenced by written documentation from a veterinarian licensed to practice in California.
- B. For the purposes of this section, the sale of a puppy or kitten shall not be considered complete unless and until the seller or transferor physically transfers the puppy or kitten to the new owner.
- C. For purposes of this section, a puppy or kitten means an animal that is under the age of eight weeks.

9.44.790 Advertisements for sale and transfer of dogs and cats

- A. Any person who advertises to the public the availability of any dog or cat for sale or transfer, whether for compensation or otherwise, shall prominently display the animal's license number in the advertisement except as provided in subsection A(3) of this section.
 - 1. If the person is advertising the sale of a litter of puppies or kittens under the age of four months, the license number of the mother shall be displayed.
 - 2. If the person is advertising the sale of a dog or cat over the age of four months, the license number of the animal that is being sold or transferred shall be displayed.
 - 3. The provisions of this subsection (A) shall not apply to the following:
 - a. The advertisement for sale of an individual puppy or kitten under the

age of four months, provided that the person selling the puppy or kitten shall disclose, upon request of the buyer or animal care personnel the name and address, including city, state and country, of the person from whom the puppy was obtained.

- b. Government agencies or animal rescue organizations that have demonstrated to the animal care services manager that they have implemented an ongoing sterilization program as well as an adoption program, or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110 and successor sections, or to veterinary facilities.
- B. The seller of the dog or cat shall provide the dog or cat license number to any purchaser and shall include the license number on any receipt of sale or transfer document. If the animal being sold or transferred is under the age of four months and was bred within the city limits, the seller shall provide the license number of the mother on any receipt of sale or transfer document. If the puppy or kitten was bred from an animal residing outside the city limits, then the seller shall provide the name and address of the source of the dog or cat and any other pertinent information required by the animal care services manager.
 - C. No person shall present any dog or cat for sale or transfer, whether for compensation or otherwise, in any public place. The term public place shall include but not be limited to streets, highways, sidewalks, carnivals, boardwalks, swap meets, flea markets, outdoor markets, and areas in front of commercial establishments. This shall not apply to government agencies or animal rescue organizations that have demonstrated to the animal care services manager that they have implemented an ongoing sterilization program as well as an adoption program, or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110 and successor sections, or to veterinary facilities.
 - D. No person shall present any dog or cat for sale or transfer, whether for compensation or otherwise, at any auction.
 - E. No person shall transfer any dog or cat as a prize or as an inducement to enter into any contest, lottery, drawing, game, competition, or auction.
 - F. No person shall give away any dog or cat as an inducement to enter a place of business, or to enter into a business arrangement.
 - G. A commercial establishment selling locally bred dogs or cats on the premises shall prominently display the license number(s) of the dogs or cats that are being sold in the establishment and any other pertinent information required by the animal care services manager.

1. If the commercial establishment is selling a litter of puppies or kittens under the age of four months, the license number of the mother must be displayed.
 2. If the commercial establishment is selling a dog or cat over the age of four months, the license number of the animal that is being sold or transferred must be displayed.
 3. If the commercial establishment is selling an individual puppy or kitten under the age of four months, the commercial establishment shall display name and address, including city, state and country, of the person from whom the puppy was obtained.
 4. If a commercial enterprise is advertising the commercial enterprise itself and not an animal for sale or transfer then no license number is required to be displayed in said advertisement.
- H. A commercial establishment selling dogs or cats on the premises that were bred within the state but not within the city shall make available during regular business hours to animal care personnel the name and address of the source of such dogs or cats and any other pertinent information required by the animal care services manager.
- I. Notwithstanding Section 9.44.780, no person shall sell or transfer a dog or cat under the age of four months of age that was bred outside the state without first providing animal care with a California health certificate for each animal intended to be sold or transferred within the city.

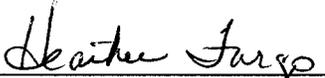
Adopted by the City of Sacramento City Council on March 20, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Waters and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmember Tretheway.



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

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