

Proposed amendments to Title 7 (Animals)

Michael Hill
Director Department of Public Health

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Elaine S. Hengen
Senior Assistant City Attorney

Recommendations from the Animal Welfare Advisory Committee

- Differential registration fee for altered dogs and cats vs. unaltered dogs and cats
- Advertisements for the sale of puppies and kittens must include the litter permit number
- Restrictions on sales of puppies and kittens by pet stores.

Additional provisions requested by Mayor Cook

- Address impulse purchases of puppies and kittens
- Limit sales of puppies and kittens to registered breeders who are breeding competition dogs and cats, and eliminate sales by pet stores and backyard breeders
- Require dogs and cats impounded at Animal Services to be spayed or neutered before being returned at the owner's cost

Mayor Cook

- Require all Animal Welfare Organizations to spay or neuter all dogs and cats over four months of age before transferring them to new owners
- Ensure that the ordinance is strong and enforceable
- Provide for an annual report to the Council regarding the number of euthanizations performed by the Department

Create new Chapter 7.14

Animal Sales, Breeding & Shows

- All establishments working with or handling animals must be permitted, e.g.
 - Animal Establishments
 - Pet Stores
 - Animal welfare organizations
 - Breeders
 - Kennels

Animal Sales & Breeding

- Breeders must have permits, as well as persons operating animal shows or exhibitions. Includes both intentional and unintentional breeding
- A Breeder with a competition dog or cat may obtain a seller's litter permit in order to sell competition puppies and kittens
- Competition dogs and cats are defined as animals registered with a local, state, national or international club recognized by the

Animal Sales, Breeding & Shows

- Permitting process expanded and clarified, so that permits are properly issued
- The Director is authorized to make inspections necessary for the issuance of permits and compliance with the title
- Sick or injured animals may not be sold, transferred, displayed or exhibited to the public

Animal Sales, Breeding & Shows

- Breeders, businesses, animal establishments and animal welfare organizations must maintain proper records and keep animals in sanitary conditions
 - Records must include the date, type of animal, type of activity conducted, and the parties to a transaction or transfer of an animal

Animal Sales & Transfers

- No person may sell a dog or cat except for a breeder of competition dogs and cats, as provided in the ordinance
- Exception provided to allow offspring born prior to September 1, 2010 or the offspring of a dog or cat that is pregnant on September 1, 2010, to be sold between September 1, 2010 and January 31, 2010

Animal Sales & Transfers

- Pet stores may not sell dogs and cats
- Pet stores may sell animals as allowed by the code, other than dogs and cats
- Exception provided to allow dogs and cats in the documented possession of a pet store in El Paso on September 1, 2010, to be sold between September 1, 2010 and January 31, 2010

Animal Welfare Organizations

- Animal welfare organizations must register and obtain permits, at no cost
 - Defined as a tax exempt non-profit organization providing sanctuary or shelter, or any recognized animal rescue organization, as registered and permitted by the Department
- Organizations may transfer and offer to transfer dogs and cats as follows:

Animal Welfare Organizations

- Animal welfare organizations may transfer dogs and cats one year of age and older to new owners on the premises of a pet store
- Organizations may advertise dogs and cats less than one year of age at a pet store, but they cannot be transferred to a new owner on the premises of the pet store
- Organizations must spay or neuter all dogs and cats four months of age and older before transferring them to new owners

Animal Welfare Organizations

- Organizations must check for microchips and hold dogs and cats for either 3 or 6 days, depending on whether the animal is registered or has a microchip
- Organizations are not prohibited by the ordinance from charging to recover costs and for purposes consistent with a non-profit status

Animal Sales & Transfers

- Other persons may transfer (give away) dogs and cats at no cost to the new owner
- Any person advertising the sale (if allowed) or transfer (give-away) of a dog or cat must include the litter permit number in the advertisement
- No person may sell or transfer a puppy or kitten under the age of 8 weeks of age

Additional definitions

- “Dog” or “cat” shall include “puppy” or “kitten” and the terms are interchangeable
- “Kennel” is re-defined to exclude any implied permission to conduct sales
- “Pet Store” is defined to be distinct from an animal establishment
- “Sellers’s litter permit” is defined for a breeder of competition dogs and cats

Additional definitions

- “Transfer” or “offer to transfer” is defined so as to be different from a sale. It includes a free give-away
- “Veterinary officer” is revised to allow the director to designate an appropriate, qualified person to serve in this capacity
- “Established fee” is defined to refer to the fee amount as listed in the City budget resolution

Miscellaneous provisions

- Allows for a reduce registration fee amount for dogs and cats that are spayed and neutered
- The director may establish written guidelines for use by the veterinarians in properly registering and charging fees for dogs and cats, in addition to the exceptions contained in the ordinance

Miscellaneous provisions

- Exceptions/eligibility to pay the discounted registration fee for an unaltered dog or cat:
 - Dog or cat should not be altered for health reasons or is infertile
 - Dog or cat is up for adoption
 - Competition dog or competition cat
 - Dog or cat is less than four months old
 - Dog or cat resides with a non-resident and is in the City for less than 60 days

Miscellaneous provisions

- All dogs trained and used in an official capacity by governmental agencies are eligible for a fee-exempt registration
- All changes in ownership or contact information for the owner (new address or phone number) must be reported to the Department within 7 days of the change

Miscellaneous provisions

- All animals impounded at Animal Services must be spayed or neutered before being returned, at the owner's cost
 - The owner will pay the City's fee for this service, or
 - The owner will pay the City in advance for the City's costs in obtaining the services of a veterinarian in the community