

ORDINANCE NO.: 5234

AN ORDINANCE to amend Section 6-1, amend Subsection 6-104(2), amend Subsections 6-104(8) and (9), and renumbering existing Subsection 6-104(9) to Subsections 6-104(10) of the Code of Ordinances of the City of La Crosse regarding pet shops.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 6-1 is hereby amended to add the following descriptions and to amend the definition of "Pet Shop" as follows:

Animal rescue organization means any not-for-profit organization that has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or significant part, the rescue and placement of animals in permanent homes. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.

Breeder means a person that maintains a dog or cat for the purpose of breeding and selling their offspring.

Broker means a person that transfers a dog or cat from a breeder for resale by another person.

Pet shop means a retail establishment where companion animals are sold, exchanged, bartered or offered for sale to the general public. Such definition shall not include an animal shelter, humane society, or animal rescue organization. ~~any person, partnership or corporation, whether operated separately or in connection with another business enterprise, except for a licensed kennel or cattery that buys, sells, or boards any species of animals.~~

SECTION II: Section 6-104(2) is hereby amended to read as follows:

(2) Keep accurate records of each ~~dog, cat~~ bird or nonhuman primate sale for a minimum period of 12 months after date of sale or transfer of animal, and shall include the source of animal, date of sale, description, approximate age and sex of animal sold, and the name and address of purchaser, records of sales of small mammals and fish are not required.

SECTION III: Section 6-104(8) and (9) are hereby amended to read as follows:

(8) Restrictions on the sale of animals. No pet shop shall sell, deliver, offer for sale, barter, auction, give away or otherwise transfer or dispose of cats or dogs. Nothing in this section shall be construed to prohibit a pet shop from providing space to an animal rescue organization, animal shelter, or humane society, whether such entity is located in or outside the State of Wisconsin, to showcase adoptable animals to the public; provided that the pet shop has no ownership interest in the animals offered for adoption and shall not receive a fee for providing space for the adoption of any of these animals. Dogs may not be kept overnight.

(8)(9) Written statement required for purchase. The permit holder shall furnish the purchaser a written statement at the time of sale. The statement shall show:

- a. Date of sale;
- b. Name, address and telephone number of both permit holder and purchaser;
- c. ~~Breed,~~ Description and approximate age of ~~dog, cat or~~ nonhuman primate;
- d. Prophylactic medication and immunizations and dates administered;
- e. Internal parasite medication(s) and date(s) administered; and
- f. Guarantee, if offered. If none, so state.

SECTION IV: Section 6-104(9) is hereby renumbered to 6-104(10)

SECTION V: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION VI: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki M. Elsen, City Clerk

Passed: 10/13/2022
Approved: 10/17/2022
Published: 10/22/2022