**Indiana Council for Animal Welfare”s**

**Suggested Model for Humane Ordinance.**

 **Preamble**

The Local Unit of Government recognizes that overcrowding in canine shelters is a real issue affecting communities across Indiana. While there are numerous reasons for shelter overcrowding, the number one is by far irresponsible pet owners. After coming out of a world wide pandemic, the shelter and rescue industry saw record high numbers of adoptions, while humane modeled pet stores and breeders saw record sales. Animal welfare, specifically canine welfare needs to be at the forefront of any law, regulation, or ordinance pertaining to pet store sales of canines. Humane Pet Stores can and do exist and these are the businesses that suffer the most when bans go into place. By implementing the following ordinance, the Local Unit of Government can ensure the pet store is putting welfare at the forefront. The Local Unit of Government Humane Pet Store Strategy will:

1. Increase awareness of well breed/responsibly bred dogs.

2. Increase transparency between breeder and end consumer.

3. Provide economic incentives for all breeders to develop exacting standards of both care and humane treatment.

4. Decrease the already small percentage of pets the are placed in shelters from the pet stores.

5. Reduce the overall numbers of “Puppy Mills” operating as they cannot meet the standards required of breeders nor will the pet store purchase from them due to liability.

6. Increase overall pet health that will benefit consumers.

The Local Unit of Government recognizes that not all pet stores operate with these standards in place. In order to avoid any serious interruptions in their business operations it is advised that the Local Unit of Government give them six(6) months to comply with this ordinance.

This ordinance describes a suite of measures to ensure humane treatment of canines in both breeding facilities and retail pet stores, including proper kennel management, veterinarian health care, and even canine socialization strategies, when it comes to third party audits, we understand that not all breeders are under federal oversight. It is the goal of this Local Unit of Government to have a comprehensive plan that addresses both canine welfare and the elimination of the Puppy Mill issue by allowing even non licensed(hobby breeders) to participate in wholesale business transactions with retail outlets if they are willing to be subjected to a third party audit.

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An ordinance for the humane model pet store in relation to new puppy sales.

BE IT ORDAINED by the Local Government Unit

WHEREAS, Local pet stores will adopt the humane pet store model to ensure healthy new pets to the general public and that such new puppies are not products of “Puppy Mills”, but rather responsible, humane, and transparent breeders.

WHEREAS, if a retail pet store knowingly violates this ordinance the first offense is a $1,000.00 fine and will have 30 days to rectify the violation.

WHEREAS, if a retail pet store knowingly violates this ordinance after receiving their first violation in the same Calander year they will be prohibited from selling puppies or adult canines indefinitely.

NOW THEREFORE, BE IT ORDAINED by the Local Unit of Government

**Section 1.** *Application.* Any entity (Limited Liability Co, Sole Proprietorship, Partnership, S Corp, C Corp) or individual(s) owning or operating a retail establishment within the jurisdictional limits of the Local Unit of Government. Breeders making direct to the public sales would be excluded from this ordinance.

**Section 2.** *Declaration of Need.* New laws, regulations and ordinances continue to pass eliminating an individual’s right to open or maintain a business dealing in the retailing of new puppies (pet store selling canines), regardless of the condition of the breeding facility or condition of the puppies. While the intentions are well meaning, these laws, regulations, and ordinances do nothing to stop the “Puppy Mills” and in fact drive them further underground as the public will still demand puppies and have multiple online resources to purchase them if no pet store is available in their area. Not all online resources are reputable. This ordinance allows the public access to well-bred canines and allows the pet store to operate in a manner that is recognized as a humane model.

**Section 3.** *Transparency Measures.* To ensure that the pet store is sourcing from reputable breeders.

a. All Puppies sold by the store must be microchipped by breeder.

b. Breeder records including any Kennel Club registration, Breeder name, and medical records must be displayed or made immediately available on request.

c. State of Origin must be displayed with puppy.

d. USDA License and or State License must be displayed or also be available upon request. Broker’s licenses are not acceptable for transparency measures. If the pet store utilizes a broker, they must still provide all information about the breeder of each puppy.

**Section 4.** *Veterinary Health/Health Guarantees/Shelter Burden.* To ensure the canines are getting the best standards of care while waiting to be placed.

a.) The pet store must have a STORE VETRENARIAN. This is a vet or Veterinary practice that works directly with the store. The veterinarian(s) or practice must be in good standing with all state and federal licensing and must be local to the district of the Local Unit of Government. If there is no practice within jurisdictional limits, then the closest practice will suffice.

b.) Pet Store must provide a health certificate from a qualified veterinarian when a puppy is sold.

c.) Store must offer one free veterinarian visit and 30 days of vet health coverage for kennel cough, internal/external parasites, and any other CONTAGIOUS disease. The store must cover 100% of the cost for first 30 days after purchase for contagious disease.

d. The pet store must offer a three (3) year congenital health guarantee. If any life threatening congenital issues are found with a canine sold by the store, the store must offer a full refund or new puppy that cost would equal the price paid in the original purchase. Under no circumstance can the pet store demand the puppy/canine back.

e. Pet store must take the puppy/dog back ANYTIME if the owner chooses to surrender the puppy/dog. No refund or store credit will be extended, but the burden of rehoming is taken on by the store, not a municipal shelter or rescue. The store can only charge a minimal adoption fee to cover the cost of the rehoming process.

**Section 5.** *Enclosures, housing, and socialization*. Primary kennel management

a. Kennel area must be kept between 65-77 degrees Fahrenheit.

b. Individual/primary enclosures must be cleaned a minimum of two (2) times per day.

c. Individual/primary enclosure must have soft bedding for the puppy to lay on.

d. Every Puppy in the store must have 45 minutes of socialization and playtime outside of their primary enclosure.

e. Puppies must be fed, a minimum of two times per day and always have access to fresh water. *Exceptions.* Vetrenarian care may call for a specialized feeding schedule for an individual puppy.

**Section 6.** *Breeder Standards* Applies to any breeder that the store acquires puppies from. If the store purchase through a broker, the broker must make sure that their breeders meet or exceed these standards.

1. Breeder must meet all licensing requirements required by the state and federal governance bodies. If a breeder meets USDA requirements, they must be licensed.
2. All brokers must have a Class B Broker license through the USDA.
3. If a breeder or a broker has had a direct violation from the USDA in the last three years the store may not purchase puppies from that breeder/broker.
4. Breeder must be audited at least once a year by a third party.
5. Breeder STANDARDS:

 1. All Breeding stock, both male and female must be retired and rehomed after an appropriate time working as a breeding dog. Under no circumstance can the dog be sold for anything other than a campion animal. The appropriate retirement is based on size, breed, and recommendation of a Licensed Veterinarian.

2. An active socialization program recognized by trusted animal behaviorist sources must be in place for both puppies and adults. This must include toys and outlets to normal canine behavior to allow for enrichment.

3. All litters are planned. Litters are well bred with temperament, hereditary disease, and physical wellbeing considered when planning a litter.

4. Housing- A clean, safe environment. Temperature controlled indoors with access to a secure outside enclosure. Appropriate living space based on size/breed. Wire flooring is prohibited. Daily cleaning schedule. Padded area for bedding. Females with litters must have a quiet environment for nursing/whelping puppies. Sufficient space to move around puppies and not on top of them. Female must be able to rest comfortably away from puppies.

5. Food. All dogs and puppies must have access to high quality, vet recommended feed. Feeding schedules must be based on breed, size, and veterinarian recommendations.

6. Veterinarian Care- All dogs and puppies must be given preventative veterinary care as well as provided veterinarian care when sick or injured. All breeders must work with a licensed Veterinarian that is in good standing with all local and state Veterinarian Medicine boards.

**Section 7.** *Exemptions* Pet Store Owners/Operators who breed their own dogs are exempt from meeting the auditing requirements. If a city official or enforcement needs to see the dogs, the Pet Store must allow them access to their breeding operation. They are still required to meet all state and federal guidelines when it comes to licensee requirements.

**Section 8.** *Notice* There is no notice of inspection required by the Local Unit of Government’s enforcement agency. If the establishment passes/fails, this will be published in a local newspaper of general circulation, or other means deemed appropriate by the Local Government Unit.

**Section 9.** *Enforcment* Any user who violates Section 4, 5 or 6 of this ordinance may be punished by a fine of not more than $2,500 (see IC 36-1-3-8 (a)(10)(B)). Each day of violation shall constitute a separate offense. In addition to, or in the alternative to, a fine, the business license may be terminated for any user who violates Section 4, 5, or 6 of this ordinance.

**Section 10.** *Effective Date* This ordinance shall be in full force and effect upon passage.

Passed and adopted by the Local Unit of Government on the\_\_\_\_\_ day \_\_\_\_\_\_\_\_ 20\_\_\_\_\_\_

**Glossary of Terms**

**Local Unit of Government-** Any county or municipality having the ability to promulgate ordinances including those having enforceable penalties related to Pet Stores and Animal Welfare.

**Puppy Mill/Puppy Farm-** an establishment that breeds puppies for sale, typically on an intensive basis and in conditions regarded as inhumane.

**Rehoming-** The adoption/sale of retired dogs used in breeding operation.

**Socializing-** the process of training canines on how to behave in various social and everyday settings. Often this can include puppy socialization, or teaching an older dog how to behave around unfamiliar people, other pets, in off-leash situations, and in various settings.

**USDA Licensed Breeder-** Dog breeders with a USDA license are licensed to breed dogs and produce puppies under the oversight of the United States Department of Agriculture (USDA). The USDA’s Animal and Plant Health Inspection Service’s (APHIS) Animal Care division is the enforcement arm that oversee the animals covered by the federal Animal Welfare Act.

**Third Party Audit-** Any federal, state, local or accredited agency that reviews, surveys, audits dog breeding operations.