

Proposed Substitute to File #16-2675

THE COOK COUNTY COMPANION ANIMAL AND CONSUMER PROTECTION ORDINANCE

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 10 Animals, Article I, In General, Section 10-13 of the Cook County Code of Ordinances is hereby amended as follows:

Sec. 10-13. - Prohibiting the sale of commercially bred dogs, cats and rabbits in pet shops.

(a) A pet shop operator may offer for sale only those dogs, cats or rabbits obtained from:

- (1) An animal control center, animal care facility, kennel, pound or training facility operated by any subdivision of local, state or federal government; or
- (2) A humane society or rescue organization;
- (3) Animal obtained from breeders. No pet shop operator may offer for sale any dog, cat or rabbit obtained from a breeder unless the following requirements are met:
 - (i) The breeder holds a valid USDA class "A" license as defined by the Animal Welfare Act, as found in the Code of Federal Regulations, listing all site addresses where regulated animals are located; and
 - (ii) The breeder owns or possesses no more than five female dogs, cats or rabbits capable of reproduction in any 12-month period; and
 - (iii) No more than five female dogs, cats or rabbits capable of reproduction are housed at the site address where the retail animal was born or housed, including animals owned by persons other than the breeder; and
 - (iv) In addition to any disclosures required by subsection (c) or otherwise required by law, the following information shall be maintained and provided for each animal:
 - a. the active USDA license number(s) of the animal's breeder;
 - b. any previous USDA license number(s) held by the animal's breeder in the last five years;
 - c. the name, mailing and site address location(s) of the breeder as they appear on the breeder's active USDA license;
 - d. All names the breeder is doing business as;
 - e. The total number of female dogs, cats or rabbits capable of reproduction owned or possessed by breeder;
 - f. The sire and dam of the animal;
 - g. The name and address of the location where the animal was born; and
 - h. The name(s) and address of any other location(s) where the animal was housed by the breeder after birth.

(b) Exemptions. The restrictions on pet shop operators set forth in subsection (a) of this section shall not apply to any entity listed in paragraphs (1) or (2) of Subsection (a) of this Section, or to

any veterinary hospital or clinic licensed pursuant to the Veterinary Medicine and Surgery Practice Act of 2004, codified at 225 ILCS 115.

(c) Disclosures required. Any pet shop operator that offers for sale a dog, cat or rabbit shall make the following disclosures to the customer about such animal:

(1) For each dog or cat: A written disclosure meeting all of the requirements set forth in Sections 3.5 or 3.15, as applicable, of the Animal Welfare Act, codified at 225 ILCS 605; and

(2) For each rabbit:

- (i) The breed, approximate age, sex and color of the animal;
- (ii) The date and description of any inoculation or medical treatment that the animal received while under the possession of the pet shop operator;
- (iii) The name and address of the location where the animal was born, rescued, relinquished or impounded; and
- (iv) If the animal was returned by a customer, the date of and reason for the return.

(d) The disclosures required under Subsection (c) shall be provided by the pet shop operator to the customer in written form and shall be signed by both the pet shop operator and customer at the time of sale. The pet shop operator shall retain the original copy of such disclosure and acknowledgement for a period of two years from the date of sale. Upon request by an authorized Administrator or Animal control warden, the original copy of such disclosure and acknowledgement shall be made immediately available for inspection by such authorized official. The pet shop operator shall post, in writing, in a conspicuous place on or near the cage of any dog, cat or rabbit offered for sale all of the information about a dog, cat or rabbit required under this subsection and other applicable law.

(e) Applicability of this Section. This Section shall apply to all areas within Cook County, Illinois, except those areas which are governed by an Ordinance of another governmental entity (which by law may not be superseded by this Section).

(f) Enforcement. The Department of Animal Control ~~is authorized to~~ shall enforce this Section, and the Sheriff ~~is authorized to~~ shall assist the department in said enforcement.