

An Ordinance for Companion Animal Litter Permit and Transfer and Sale of Dogs and Cats in DeKalb County, Georgia

WHEREAS, the DeKalb County Board of Commissioners finds and declares that there exists a serious pet overpopulation problem within the County of DeKalb that has resulted in a threat to public safety and health, inhumane treatment of animals, mass killing of animals at the local animal shelter and escalating costs for animal care and control; and,

WHEREAS, the Commissioners find that uncontrolled breeding is a cause and, without further action aimed at the source, this problem and its serious consequences will remain unabated and will increase in severity; and,

WHEREAS, the Commissioners find that part of the solution that regulation of the transfer of dogs and cats will help alleviate the County's pet overpopulation crisis by allowing the County to permit Companion Animals Litters and overseeing the means of obtaining a dog or cat.

NOW THEREFORE BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of the same, that the Code of DeKalb County, as Revised 1988, is hereby amended to add a new ArticleXXX to ChapterXXX as follows:

§ ##-##-## COMPANION ANIMAL LITTER PERMIT.

(1) Companion Animals Litter Permit (ICAP)

- a) Owners of female intact Companion Animals must obtain a Litter Permit (ICAP) prior to the birth of a Litter or within one week after the birth of the Litter.
- b) All female Intact Companion Animals must have an ICAP and be Microchipped or otherwise Permanently Identified before a Litter Permit will be issued.
- c) No Person shall apply for or obtain more than _____ Litter Permits per Household in any consecutive 12-month period.
- d) No Person shall apply for or obtain more than one Litter Permit per female Companion Animal per Household in any consecutive 12-month period.
- e) Litter Permits expire six months from the date of issue.
- f) During the time the Litter Permit is in effect and while the Litter is with the mother, but for no longer than six months from the time of birth of the Litter, the Litter Permit Holder may exceed the Animal Possession Limits in this article.
- g) Dekalb County Animal Services (DCAS) may waive the Litter Permit Fee for Rescue Groups and Fosters.

(2) The following Care and Disposition requirements regarding Litter Companion Animals are in effect whether or not the Owner of the Litter possesses a Litter Permit. No offspring may be sold, adopted, bartered, or otherwise transferred, whether for compensation or otherwise, until

- a) such offspring shall have at least the first in any series of required Vaccinations and be de-wormed by a de-worming treatment consistent with the size and age of the Animal before being transferred to a new Owner or otherwise separated from the mother. The Litter Permit Holder

shall upon transfer or conveyance of the kitten or puppy, deliver a complete Vaccination record to the new Owner.

b) such offspring shall not be released from the Permitted Premises prior to eight weeks of age.

c) such offspring shall be microchipped or otherwise Permanently Identified prior to being separated from the mother. Proof of Permanent Identification must be provided to DCAS.

d) The Litter Permit Holder shall document and retain for inspection the name and address of each recipient of any Litter Companion Animal once owned by the Litter Permit Holder.

(3) The Litter Permit Holder is liable for the medical costs, including medicine, for any puppy or kitten that is diagnosed as sick by a veterinarian within one week from the date of sale. The Litter Permit Holder shall reimburse the new Owner the costs associated with the sick Animal, up to the amount of money the puppy or kitten was purchased for. The new Owner shall be allowed to keep the puppy or kitten even if the Litter Permit Holder pays the medical costs. The new Owner or the Litter Permit Holder may appeal to the Administrative Hearing Officer if there is a dispute as to the fact of the Illness or the amount of the charges. If the Litter Permit Holder does not prevail on appeal, the Litter Permit Holder shall reimburse the costs of the appeal to the new Owner.

(4) A Litter Permit is required to advertise any Companion Animal under the age of six months old for sale, gift or other transfer or conveyance, in any local periodical or newspaper of general circulation. The Litter Permit number must be included in any advertisement to the public for the sale, adoption, or transfer (whether for compensation or otherwise) of the offspring. The Litter Permit Holder must provide the Litter Permit number to any person who purchases, adopts, or receives the offspring and include Litter Permit number on any receipt of sale or transfer document.

(5) Failure to advertise or without including a valid Litter Permit number shall be a violation of this article. Any Person who advertises a Companion Animal and purports in the advertisement to reside outside the County limits or lists a telephone number outside the County limits and is subsequently found to maintain Companion Animals inside the County limits or is found attempting to sell Companion Animals in the County limits is in violation of this article. Each day of possession of each said Animal will constitute a separate offense.

(6) Puppies and kittens can only be sold, given as a gift or other transfer or conveyance from the location listed on the Litter Permit. Puppies or kittens being sold on public property or commercial property even with the Owner's permission are in violation of this article and the puppies and kittens may be seized.

(7) Puppies and kittens shall not be sold to a Pet Store, Animal Broker, or other Animal dealer.

§ ##-##-## TRANSFER AND SALE OF DOGS AND CATS.

(1) Sale and Other Transfer of Dogs and Cats.

a. No person shall give away any dog or cat as a prize or as an inducement to enter into any contest, lottery, drawing, game or competition.

b. No person shall give away any dog or cat as an inducement to enter a place of business.

c. No person shall sell or give away any dog or cat in any public place or in front of any business not owned by him/her or at any swap meet or flea market.

d. No person shall sell, barter, exchange or offer for adoption, whether for compensation or otherwise, any dog or cat to any minor under the age of eighteen years, without the written permission of one of the minor's parents or legal guardians.

(2) Enforcement of Dog License Provisions. Any violation of this section shall be a violation of #####

ADOPTED by the DeKalb County Board of Commissioners, this _ day of _____, 2024.

MEREDA DAVIS JOHNSON
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2024.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia

ZACHARY WILLIAMS
Chief Operating Officer
DeKalb County, Georgia

