

ORDINANCE

AN ORDINANCE TO AMEND THE CODE OF DEKALB COUNTY, GEORGIA, CHAPTER 5, TO REGULATE THE SALE OF DOGS, CATS AND RABBITS IN PET SHOPS

WHEREAS DeKalb County is charged with preserving the health, safety and welfare of the citizens of the county; and

WHEREAS DeKalb County wishes for dog, cat and rabbit sales and adoptions within its boundaries to be conducted in a safe and healthy manner; and

WHEREAS puppy and kitten mills are mass-breeding facilities that produce puppies and kittens with an emphasis on profit over welfare of the animal. These mills generally house these animals in overcrowded and unsanitary conditions without adequate veterinary care, food, water, and socialization; and

WHEREAS the inhumane conditions in puppy and kitten mill facilities can lead to health and behavioral issues as well as congenital and hereditary illness and disease. Puppies from puppy mills are linked to zoonotic disease outbreaks that impact the health of buyers and pet store employees; and

WHEREAS the large number of dogs, cats and rabbits bred by pet mills places a burden on DeKalb County Animal Services, with facilities regularly overcrowded and the County recently constructing an overflow facility at the DeKalb County Animal Shelter; and

WHEREAS according to the Georgia Department of Agriculture, over 33,000 dogs and cats were euthanized in Georgia government shelters in 2024, approximately double the number of animals euthanized in 2021; and

WHEREAS reputable dog breeders will not provide puppies for sale by pet stores as outlined in the code of ethics for many national and state single-breed clubs; and

WHEREAS DeKalb County wishes to amend the Code of Ordinances to promote responsible pet ownership, help prevent inhumane breeding conditions, promote community awareness of animal welfare and foster a more humane environment within the local community; and

WHEREAS this ordinance will not affect a consumer's ability to obtain a dog, cat or rabbit of his or her choice directly from a breed-specific rescue organization or shelter, or from a breeder where consumers can see directly the conditions in which the dogs, cats or rabbits are bred, or can directly confer with the breeder concerning those conditions; and

WHEREAS pet stores under a pet-free model can continue to thrive in DeKalb County by tapping into the massive \$152 billion pet products and services industry.

WHEREAS based on these facts, it is in the best interests of DeKalb County to adopt reasonable regulations to reduce costs to the DeKalb County government, control pet overpopulation, protect its residents who may purchase dogs, cats or rabbits from a pet shop, and help prevent inhumane breeding conditions; and

WHEREAS the proposed text amendment allows County staff to issue citations for any unauthorized pet sales.

NOW, THEREFORE, the Board of Commissioners of DeKalb County HEREBY ORDAIN that Chapter 5 – Animals is amended to add the following:

ARTICLE XX. - PET SHOPS

Sec. XX. - Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except which the context clearly indicates a different meaning:

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county or municipality, whose mission and practice is the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means any not-for-profit organization which has tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

Rabbit means a member of the species of domestic rabbit, *Oryctolagus cuniculus*.

Pet shop means a retail establishment where dogs, cats, and rabbits are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Sec. XX. - Restrictions on the sale of animals.

- (a) A pet shop may not sell, deliver, offer for sale, barter, auction, or otherwise dispose of dogs, cats, and rabbits but may offer for adoption only those dogs, cats, and rabbits that the pet shop has obtained from or displays in cooperation with:
 - (1) An animal care facility; or
 - (2) An animal rescue organization.

- (b) A pet shop shall not offer for adoption a dog, cat, or rabbit that is younger than eight weeks old.

Sec. XX. - Recordkeeping and disclosures.

- (a) A pet shop shall maintain records sufficient to document the source of each dog, cat, or rabbit the pet shop acquires, for at least one year following the date of acquisition. Such records shall be made available immediately upon request by the city manager, the chief of police, or any authorized designee of these city officials.
- (b) A pet shop that offers space for the adoption of dogs, cats, or rabbits shall post, in a conspicuous location on the cage or enclosure of each such animal, a sign listing the name of the animal care facility or animal rescue organization from which the pet shop acquired each dog, cat or rabbit.

Sec. XX. - Penalties.

- (a) Each failure to post a sign for an individual dog, cat, or rabbit as required by this section shall constitute a separate offense.
- (b) Each dog, cat, or rabbit sold, exchanged, bartered, offered for sale, auctioned, delivered, or transferred in violation of this section shall constitute a separate offense of up to \$500.00 per violation.
- (c) Each day's failure to comply with this section shall constitute a separate offense.

Sec. XX. - Enforcement.

The Director of Public Safety, the Police Chief, or any authorized designee of these officials shall be primarily responsible for the enforcement by means of court citations and are authorized to delegate enforcement authority to their designated employees.