



## City Council

# Approval of an Ordinance Enacting a New Chapter of the Olympia Municipal Code Regulating the Retail Sale of Dogs and Cats

**Agenda Date:** 2/25/2020  
**Agenda Item Number:** 4.1  
**File Number:**20-0129

---

**Type:** ordinance **Version:** 2 **Status:** Passed

---

### Title

Approval of an Ordinance Enacting a New Chapter of the Olympia Municipal Code Regulating the Retail Sale of Dogs and Cats

### Recommended Action

#### Committee Recommendation:

Not referred to a committee.

#### City Manager Recommendation:

Approve the ordinance regulating the retail sale of dogs and cats on second reading.

### Report

#### Issue:

Whether to enact an ordinance regulating the retail sale of dogs and cats and enacting a new chapter in the Olympia Municipal Code for said purposes.

#### Staff Contact:

Mark Barber, City Attorney, 360.753.8338

#### Presenter(s):

None - Consent Calendar Item.

### Background and Analysis:

A change to the ordinance will close an identified loophole that thwarts the purpose of the proposed ordinance. The additional language proposed under Section 6.01.050 reads as follows:

*No pet store, or its owner or legal entity operating a retail pet store, shall receive any compensation from pet adoptions or for the use of the store and its resources in connection with adoption events.*

This language seeks to ensure that pets adopted out to the public are truly from legitimate animal welfare/non-profit entities and that adoption fees are not in excess of that which is necessary to support animal welfare/non-profit organizations. The lack of compensation to retailers for hosting

adoption events may work to discourage the mass production of animals for financial gain, at least with respect to the profitable sale of such animals to the unsuspecting public in Olympia.

The cities of Olympia, Lacey, Tumwater and Thurston County incur significant costs operating and caring for the treatment of animals brought into Joint Animal Services (JAS), including food, supplies, drugs, medicine and chemical materials for the animals. Each year thousands of dogs and cats are euthanized because they are not wanted, many times due to surrender by pet owners. This Ordinance should reduce the number of unwanted animals brought to organizations like JAS that may have health or behavioral issues, which would also serve to reduce the financial burden on Olympia's taxpayers. Further, consumers may be more likely to adopt a dog or a cat if dogs and cats were not readily available for purchase in pet stores. Moreover, there is a large financial benefit to consumers who adopt animals, as the fee charged by JAS is in many cases significantly lower than the cost of purchasing a dog or cat from a pet store.

According to The Humane Society of the United States, hundreds of thousands of dogs and cats in the United States have been housed and bred at substandard breeding facilities known as "puppy mill" or "kitten factories," that mass produce animals for sale to the public; and many of these animals are sold at retail in pet stores. Because of the lack of proper animal husbandry practices these facilities, animals born and raised there are more likely to have genetic disorders and lack adequate socialization, while breeding animals utilized there are subject to inhumane housing conditions are indiscriminately disposed of when they reach the end of their profitable breeding cycle.

In the United States and Canada alone, over 40 cities have enacted ordinances addressing the sale of puppy and kitten mill dogs and cats, including Chicago, Illinois; Los Angeles, California; San Diego, California; Albuquerque, New Mexico; Austin, Texas; Brick, New Jersey; Poulsbo, Washington, and Toronto, Canada, to name but a few.

**Neighborhood/Community Interests:**

Citizens have expressed support during Public Comment for regulation of the retail sale of dogs and cats in Olympia.

**Options:**

1. Approve the proposed ordinance enacting a New Chapter to Title 6 of the Olympia Municipal Code regulating the retail sale of dogs and cats on second reading.
2. Direct staff to modify the proposed ordinance.
3. Do not enact the proposed ordinance.

**Financial Impact:**

No immediate impacts.

**Attachments:**

Ordinance