

INTRODUCED: September 13, 2021

AN ORDINANCE No. 2021-249

To amend City Code § 4-309, concerning the sale, adoption and other transfers of dogs and cats, for the purpose of changing the penalty for failure to display the breeding permit number related to the advertisement for the sale, adoption, or transfer of dogs and cats from a civil penalty to a Class 4 misdemeanor.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEP 27 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 4-309 of the Code of the City of Richmond (2020) be and hereby is **amended** as follows:

Sec. 4-309. Sale, adoption and other transfers.

(a) Any person who offers or provides, whether for compensation or otherwise, any dog or cat for sale or other type of transfer shall disclose to the transferee information regarding the license and permit requirements of the City applicable to the transferred animal.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEP 27 2021 REJECTED: _____ STRICKEN: _____

(b) No person shall present any dog or cat for sale, adoption, barter, or exchange, whether for compensation or otherwise, in any public place without first obtaining a breeding permit pursuant to Section 4-307. This prohibition shall not apply to the following:

(1) Government agencies, nonprofit animal rescue organizations exempt from taxation under Internal Revenue Code section 501(c)(3), or Humane Societies or societies for the prevention of cruelty to animals if such societies are incorporated under State law;

(2) Permitted dog or cat shows;

(3) Permitted pet stores which sell or otherwise transfer dogs or cats, whether for compensation or otherwise, within the store; or

(4) Any dog or cat that has been sterilized.

(c) 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.

(d) No person shall give away any dog or cat as an inducement to enter a place of business or to enter into a business arrangement.

(e) 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 18 years, without the written permission of one of the minor's parents or legal guardians.

(f) Commercial establishments that sell dogs and cats that were not bred within the City shall prominently display the name and address of the breeders of such dogs and cats and any other pertinent information required by the Director.

(g) The failure to display the breeding permit number or include it in any advertisement for sale, adoption or other transfer of dogs and cats is ~~[an infraction punishable by a civil penalty~~

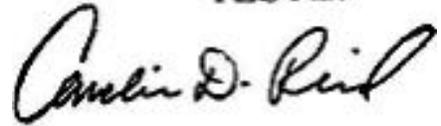
~~of \$50.00 for the first occurrence, \$75.00 for the second occurrence and \$100.00 for each subsequent occurrence]~~ a Class 4 misdemeanor.

(h) The possession of a valid permit under this division does not entitle the permit holder to engage in an activity that is otherwise prohibited by law.

§ 2. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:

A handwritten signature in black ink, appearing to read "Amelia D. Reil". The signature is written in a cursive style with a large initial 'A'.

City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: July 19, 2021 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor *[Signature]*

THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer *[Signature]*

THROUGH: Robert C. Steidel, Deputy Chief Administrative Officer *[Signature]*

FROM: Christie Chipps Peters, Director of Richmond Animal Care and Control *[Signature]*

RE: Amendment to Sec. 4-309 of the Richmond City Code which concerns Sale, adoption and other transfers.

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer to amend Sec. 4-309 of the Richmond City Code, Sale, adoption and other transfers.

REASON: The requested amendment, attached, would modify the existing text to change the penalty for failure to display the breeding permit number related to the advertisement, sale, adoption, or transfer of dogs and cats.

RECOMMENDATION: Approval.

BACKGROUND: In its current form, this section of Richmond City Code mandates that an animal owner failing to display the breeding permit number related to the advertisement, sale, adoption, or other transfer of dogs and cats be subject to a civil penalty. The requested amendment would change the civil penalty to Class 4 misdemeanor. These changes will be keeping the practices and procedures of Richmond Animal Care and Control in alignment with industry best practices while prioritizing the safety and welfare of City animals and residents.

FISCAL IMPACT / COST: None at this time.

FISCAL IMPLICATIONS: None at this time.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: N/A.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: September 13, 2021

CITY COUNCIL PUBLIC HEARING DATE: September 27, 2021

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: Governmental Operations Standing Committee.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A.

AFFECTED AGENCIES: Richmond Animal Care and Control.

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A.

REQUIRED CHANGES TO WORK PROGRAM(S): N/A.

ATTACHMENTS: Requested text amendments to Richmond City Code Sec. 4-309.

STAFF: Christie Chipps Peters, Director of Richmond Animal Care and Control
Christie.Peters@richmondgov.com – 804-646-5740