



## Legislation Text

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**File #:** ORD. 2021-247, **Version:** 1

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To amend City Code § 4-307, concerning breeding permits, for the purpose of increasing the allowable age of an unspayed or unneutered cat or dog that a person may own, harbor, or keep without a breeding permit from four months to six months.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That section 4-307 of the Code of the City of Richmond (2020) be and hereby is **amended** as follows:

**Sec. 4-307. Breeding permit.**

(a) As used in this section, the term “breeding permit” means a written authorization, issued annually by the Department, giving its lawful holder permission to breed a dog or a cat.

(b) No person shall own, harbor or keep an unspayed or unneutered dog or cat in the City that is over the age of [~~four~~] six months without obtaining a breeding permit as provided in this section, regardless of such person’s intent to breed or not to breed any such animal.

(c) Each breeding permit shall be valid for one year from the date of issuance and may be renewed annually before its expiration date. Each applicant for such a permit shall pay an annual fee of \$200.00 per dog or cat. A separate permit must be obtained for each owned dog or cat which is allowed to breed.

(d) The Division of Animal Control shall administer an animal breeding permit program to allow the breeding of dogs and cats that are not sterilized consistent with criteria and according to procedures established by the Director. Under no circumstances shall such a permit be issued to a person who has been convicted of animal cruelty or neglect. In addition to the criteria and procedures established by the Director pursuant to this subsection, all breeding permits shall contain the following terms and conditions:

(1) The owner of a female dog or cat that is not sterilized shall not allow the whelping of more than one litter per animal in any household within the permit year. Notwithstanding this requirement, the Director is

hereby authorized, upon application of a permittee, to allow on a one-time basis the whelping of up to two dog or cat litters per breeding animal within any domestic household within a permit year, if the permittee establishes, according to regulations promulgated by the Director, that such breeding is required to protect the health of the animal or to avert a substantial economic loss to the permittee. If a permittee is forced to euthanize a litter of dogs or cats for medical reasons, the Director may authorize the whelping of one additional litter of dogs or cats within the same permit year by the permittee without penalty;

(2) No offspring may be sold, adopted, bartered, or otherwise transferred, whether for compensation or otherwise, until it has reached the age of at least seven weeks;

(3) No offspring may be sold, adopted, bartered or otherwise transferred until immunized against common diseases. The sale, adoption, bartering or transfer of a dog or cat shall include a statement signed by the seller or adopter attesting to the signatory's knowledge of the animal's health and the animal's immunization history;

(4) Any holder of a breeding permit who advertises to the public the availability of any dog or cat for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the permit number in any such advertisement. Further, the breeding permit holder must provide the permit number to any person who purchases, adopts or receives any animal from the permit holder and include the permit number on any receipt of sale or transfer document;

(5) Commercial establishments that sell dogs or cats bred within the City shall prominently display the breeding permit number of the breeder whose dogs and cats are sold in such establishments and any other pertinent information required by the Director. Commercial establishments that sell dogs and cats which were not bred within the City shall prominently display the name and address of the breeder of such dogs and cats and any other pertinent information required by the Director;

(6) Any breeding permit holder selling or otherwise transferring a dog or a cat, whether for compensation or otherwise, shall submit to the Department the name, address and telephone number of the

animal's new owner within five days from the sale or other transfer, on a City-approved form; and

(7) Any breeding permit holder or commercial establishment which sells or otherwise transfers a dog or cat, whether for compensation or otherwise, shall provide to the new animal owner the City application for a license and breeder's permit as well as written information regarding the license and permit requirements of the City applicable to such animal.

(e) The following animals are exempt from the breeding permit requirements:

(1) Dogs documented as having been appropriately trained and actively used by law enforcement agencies for law enforcement and rescue activities;

(2) Dogs documented as guide dogs, signal dogs, or service dogs pursuant to State law;

(3) Dogs and cats certified by a licensed veterinarian as not being suitable subjects for spaying and neutering due to medical reasons;

(4) Dogs and cats under the care of governmental animal control agencies; animal rescue organizations which have demonstrated to the Director that they have implemented an ongoing spay/neuter plan, as well as an adoption plan; or Humane Societies or societies for the prevention of cruelty to animals, if such societies are incorporated under State law; and

(5) Dogs documented as enrolled in a guide dog, signal dog or service dog breeding program administered by a person licensed under State law.

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