

6-3H-10: SALE OF ANIMALS FROM INHUMANE COMMERCIAL BREEDING FACILITIES:

A. As used in this Section the following words shall have the following meanings:

ANIMAL CARE FACILITY: An animal control center or animal shelter, maintained by or under contract with any state, county or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes.

ANIMAL RESCUE ORGANIZATION: 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: Has the meaning provided in Section [6-2-2](#) of this Code.

DOG: Has the meaning provided in Section [6-2-2](#) of this Code.

OFFER FOR SALE: To sell, offer for sale or adoption, advertise for sale of, barter, auction, give away, or otherwise dispose of a dog or cat.

PERSON: Has the meaning provided in Section [1-3-2](#) of this Code.

PET SHOP: A retail establishment where dogs and/or cats are sold, exchanged, bartered, or offered for sale as pet animals to the general public at retail. Such definition does not include an animal care facility or animal rescue organization as defined in this Section.

B. No pet shop shall sell, deliver, offer for sale, barter, auction, or otherwise dispose of a dog or a cat.

C. A pet shop that offers space for the adoption of dogs or cats shall post, in a conspicuous location on the 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 or cat.

D. Each violation of this Section shall constitute a separate offense.

E. It is unlawful and a misdemeanor offense for any person to violate any provision of this Section. Any person convicted of violating any provision of this Section shall be punished as provided in chapter [4](#), title [1](#) of this code.

F. The operation of a pet shop in violation of this Section is declared to be a public nuisance, and is subject to abatement as provided by law. In any case in which the town prevails in a nuisance abatement action initiated pursuant to this Section, the town may recover its reasonable attorney fees plus costs of the proceeding. (Ord. 28, Series 2019)

The Breckenridge Town Code is current through Ord. 29, Series 2022, passed August 23, 2022.

Disclaimer: The town clerk's office has the official version of the Breckenridge Town Code. Users should contact the town clerk's office for ordinances passed subsequent to the ordinance cited above.

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