

ORDINANCE NO. ____-24

CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND THE CITY OF LATHRUP VILLAGE CODE OF
ORDINANCES BY ADDITION OF, CHAPTER 10 - ANIMALS,
ARTICLE IV. PET ACQUISITION

THE CITY COUNCIL OF THE CITY OF LATHRUP VILLAGE ORDAINS:

That Chapter 10 Animals, Article IV. Sections 10-161 through 10-199 are hereby added as follows:

Chapter 10 – ANIMALS

ARTICLE IV. – PET ACQUISITION

Sec. 10-161. – Short Title

This chapter shall be known and cited as the Pet Acquisition Ordinance of the City of Lathrup Village and will so be referred to within this chapter.

Sec. 10-162. - Definitions.

As used in this chapter unless the context requires a different meaning, the following words and phrases shall have the meaning ascribed by this section:

Animal control shelter means a facility operated by or under contract with a state, county, or a municipality for the impoundment and care of animals that are delivered to the facility, found, recovered, or at large, or otherwise held, due to violations of a municipal ordinance, state law, or which otherwise are surrendered.

Animal protection shelter means the facility operated by a person, humane society, a society for the prevention of cruelty to animals, or another non-profit organization for care of homeless animals.

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 an animal of the species of domestic cat, *Felis catus*.

Certificate of origin means a document requiring the source of the animal sold or transferred by the retail seller. The certificate shall include the name, premise address, phone number and email address, if available, of the source of the animal.

Dog means an animal of the species of domestic dog, *Canis lupus familiaris*.

Ferret means a domesticated animal of any age of the species *Mustela furo*.

Large reptiles means the members of the class reptilian including, but not limited to monitor lizards, alligators, pythons, boa constrictors, venomous reptiles and constrictor snakes that grow to more than seventy-two (72) inches long.

Long lived birds means any bird whose life expectancy is expected to exceed twenty-five (25) years, including but not limited to cockatoos, macaws, and amazons.

Offsite retail sale means the exchange of consideration for an animal regardless of the age of the animal at a location other than where the animal was bred.

Pet store means a place where animals are sold or offered for sale, including retail sale or other sale, exchanged or transferred.

Pet store operator means a person who has an ownership interest in or operates a pet store or both.

Rabbit means a long eared, short tailed lagomorph mammal with long hind legs of the leporidae family.

Retail sale means an offer for sale, offer for adoption, barter, auction, giving away, display for commercial purposes or otherwise transfer of any animal that is not bred on the premises.

Zoological park means any facility other than a pet shop or kennel displaying or exhibiting one (1) or more species of non-domesticated animals operated by a person, partnership, corporation or any other business entity or government agency and accredited by the Association of Zoos and Aquariums.

Sec. 10-163. - Prohibitions.

- (a) No pet store shall sell, offer for retail sale, or sale, offer for adoption, trade, barter, auction, give away, deliver, or otherwise dispose of or transfer dogs, cats, ferrets, rabbits, long lived birds, or large reptiles.
- (b) No person or entity shall offer for retail sale, offer for adoption, trade, barter, auction, give away or otherwise transfer dogs, cats, ferrets, rabbits, long lived birds, or large reptiles on a roadside, public right-of-way, commercial parking lot or sidewalk, outdoor special sale, swap meet, flea market, or other similar event or location.
- (c) No person or business entity shall hold off-site retail sales of animals in a location other than where the animal was bred.
- (d) A pet store shall not sell or transfer any live animal without providing disclosure through a certificate of origin prior to the sale or transfer.
- (e) No person shall knowingly provide or present an inaccurate certificate of origin.

Section 10-164. – Exemptions.

This article does not apply to:

- (1) A person or business entity that sells, offers for sale, offers for adoption, trades, barter, gives away, delivers or otherwise transfers or disposes of dogs, cats, ferrets, rabbits, long lived birds or large reptiles that were bred and reared on the premises of the person or business entity.

- (2) A publicly operated animal control shelter, animal protection shelter, or zoological park.
- (3) A private, charitable, non-profit humane society or animal rescue organization.
- (4) A publicly operated animal control agency, non-profit humane society, or non-profit animal rescue organization that operates out of or in connection with a pet store.

Section 10-165. – Existing pet store.

An existing pet store may continue to display, offer for sale, offer for adoption, barter, auction, give away or otherwise transfer dogs, cats, ferrets, rabbits, large lived birds, or large reptiles for a period of one year from the date of adoption of the ordinance from which this article is derived.

Any pet store or pet operator that displayed, sold, delivered, offered for sale, offered for adoption, bartered, auctioned, gave away or otherwise transferred live animals as the principal business of such facility on the effective date of the ordinance from which this article is derived and complied with all applicable provisions of the City of Lathrup Village Code of Ordinances and state law.

Section 10-166. – Adoption of shelter and rescue animals

Nothing in this article shall prevent a pet store or its owner operator, or employees from providing space and appropriate care for animals owned by an animal control shelter, animal protection shelter, non-profit humane society or non-profit animal rescue agency and maintained at the pet store for the purpose of adopting those animals by the public.

Section 10-167. – Penalties.

Any person, corporation, or other entity that violates this chapter shall be responsible for a civil infraction, punishable by a fine up to \$500.00 per violation. Each day shall constitute a separate and distinct violation.

Secs. 10-168—10-199. - Reserved.

PART IV. SEVERABILITY.

If any section, subsection, clause, phrase, or portion of this article is for any reason held invalid by a court of competent jurisdiction, such portion shall be deemed a separate and distinct provision, and such holding shall not affect the validity of the remaining portions.

PART V. SAVINGS.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force where they commenced.

PART VI. EFFECTIVE DATE.

This Ordinance shall be published in the manner required by law and shall become effective ten (10) days after the date of its publication. A copy of the ordinance shall also be made available for public use and inspection in the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL, CITY OF LATHRUP VILLAGE, OAKLAND COUNTY, MICHIGAN THIS _____ DAY OF _____, 2024.

, City Clerk

Date of Introduction: April 15, 2024
Date of Adoption: _____
Date of Publication of _____
Notice of Adoption: _____