AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADDING SECTION 4-511 TO THE CODE OF ORDINANCES TO PROHIBIT THE RETAIL SALE, OFFER OR DISPLAY FOR SALE, OR OTHER TRANSFER FOR CONSIDERATION OF DOGS OR CATS BY OR THROUGH COMMERCIAL PET STORES, SUBJECT TO AN EXCEPTION FOR ADOPTION PARTNERSHIPS WITH ANIMAL CARE FACILITIES AND ANIMAL RESCUE ORGANIZATIONS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

§ 1. WHEREAS, the members of the Animal Welfare Oversight Committee provide advice and recommendations to the City Council related to the Norman Animal Shelter and issues pertaining to animal care and welfare, animal rescue, fostering and adoption, control of the animal population, standards for animal shelters, recruiting volunteers, budget priorities as identified by the Committee and suggest modifications to the City of Norman Code of Ordinances; and

§ 2. WHEREAS, on September 16, 2026, the members of the Norman Animal Welfare Oversight Committee voted unanimously to recommend adoption of an ordinance that would prohibit any commercial pet store from selling, offering for sale, displaying or transferring for consideration any dog or cat obtained directly or indirectly from a commercial breeder; and

§ 3. WHEREAS, the City has a legitimate governmental interest in protecting the health, safety, and welfare of persons and animals within the City and ensuring that dogs and cats offered for retail sale are obtained from sources that provide for the health, welfare, humane treatment, and responsible placement of such animals; and

§ 4. WHEREAS, commercial pet stores selling live animals have traditionally been a sales outlet for young dogs and cats bred in “puppy mills” and “kitten mills” both in the United States and abroad. According to the Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than two million puppies a year in the United States and that most pet store puppies and kittens come from puppy and/or kitten mills. When consumers buy puppies and kittens from pet stores, there is a strong likelihood that they unknowingly support the puppy or kitten mill industry; and

§ 5. WHEREAS, commercial pet stores in Norman do not currently sell dogs or cats, and local pet stores partner with the Norman Animal Shelter and nonprofit animal rescue organizations to facilitate adoptions; and

§ 6. WHEREAS, the City Council seeks to address pet overpopulation by prohibiting retail sales of dogs and cats through commercial pet stores in Norman while preserving partnerships that allow those stores to house and display animals for adoption through animal care facilities and animal rescue organizations. These measures are intended to encourage adoption, reduce the number of abandoned and stray dogs and cats, ease the burden on shelters and nonprofit animal rescue organizations, and reduce the City’s animal control costs.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA:

§ 7. THAT Section 4-511 of the Code of the City of Norman, Oklahoma, shall be added to read as follows:

(a) Definitions.

For purposes of this section:

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county or municipality, whose mission and practice, in whole, or significant part, is the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue organization means any non-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. This term does not include an entity that is a breeder or broker or one that obtains animals from a breeder or broker for profit or compensation.

Breeder means a person or entity that breeds dogs or cats.

Broker means a person or entity that, as an intermediary, sells or arranges the sale or resale of a dog or cat bred by another person or entity.

Cat means a domestic feline.

Commercial pet store means a retail establishment in the City of Norman that is primarily engaged in selling animals as pets, pet food, pet supplies, or other pet care products to the general public, or that, as part of its retail business, sells, offers or displays for sale, otherwise transfers for consideration, or arranges any such transaction involving a dog or cat as a pet. The term excludes an animal care facility or animal rescue organization as defined in this section.

Dog means a domestic canine.

Offer for sale means to advertise, display, solicit an offer for, or otherwise represent that a dog or cat is available for purchase or other transfer for consideration.

Transfer for consideration means the transfer of a dog or cat in exchange for money, goods, services, fees, or anything else of value, whether directly or indirectly.

(b) Restriction on the Sale of Animals.

(1) Except as provided in paragraph (2) herein, a commercial pet store shall not sell, offer for sale, display for sale, or otherwise transfer for consideration any dog or cat. A commercial pet store shall not arrange any such transaction on behalf of another person or entity. These prohibitions apply whether the activity is conducted in person, online, by telephone, or by other means.

(2) A commercial pet store may partner with an animal care facility or animal rescue organization to house, care for, and display dogs and cats at the store for adoption and to assist with their placement. The facility or organization shall retain legal custody of the animals and final authority over adoption decisions. Any adoption fee shall be payable to and retained by the facility or organization. The store shall have no ownership interest in the animals and shall not charge for adoption space, receive compensation contingent on an adoption, or require an adopter to purchase goods or services.

(3) An animal care facility or animal rescue organization may provide food, supplies, and care directly or pay the store reasonable, itemized charges for food, supplies, and care actually provided to the animals. Such payments shall be separate from any adoption fee.

(4) This section does not prohibit a breeder from selling a dog or cat the breeder bred directly to a purchaser, or a broker from selling a dog or cat directly to a purchaser, provided that no commercial pet store acting separately from the breeder or broker offers or displays the animal for sale, arranges the sale, accepts payment on behalf of the seller, or otherwise conducts the transaction. The location of payment or delivery does not determine whether a sale is direct. A broker may not use a commercial pet store that the broker owns or operates to conduct a sale under this paragraph.

(c) Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining provisions of this ordinance. A holding that any portion of this ordinance is invalid or unconstitutional shall not, by itself, alter the effective date of the remaining provisions.

ADOPTED this _____ day of _____, 2026.

_____
Mayor

ATTEST:

_____
City Clerk

NOT ADOPTED this _____ day of _____, 2026

_____
Mayor