

ORDINANCE NO. 20080228-057

AN ORDINANCE AMENDING SECTIONS 3-1-1 AND 3-2-3 OF THE CITY CODE RELATING TO COMMERCE IN LIVE ANIMALS; AND AMENDING THE 2007-08 FEE SCHEDULE IN ORDINANCE 20070910-008 TO ADD AN ANIMAL PROCESSING FEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 3-1-1 (*Definitions*) of the City Code is amended to add the following definition and renumber the remaining definitions accordingly:

- (9) PET TRADER means a person who exchanges for consideration more than fifteen dogs or cats, or both, in a year. The term excludes the animal shelter or a person who makes an exchange that is not for profit.

PART 2. Section 3-2-3 (*Commerce in Live Animals*) of the City Code is amended to add Subsections (C), (D), and (E) to read:

- (C) A pet trader who exchanges a dog or cat shall pay an animal processing fee prescribed by ordinance, except that the fee is not required for a spayed female or neutered male dog or cat, or a dog or cat certified by a licensed veterinarian to be incapable of breeding or being bred.
- (D) A pet trader shall implant an identification microchip in the dog or cat before an exchange.
- (E) This subsection prescribes requirements for disclosure of information by a pet trader to a recipient of the dog or cat.
 - (1) A pet trader shall deliver to a recipient of a dog or cat at the time of exchange the following information on a form prescribed by the city manager:
 - (a) the breeder's name and address, if known, and if the person from whom the dog or cat is obtained is a dealer licensed by the United States Department of Agriculture, the dealer's name, address, and federal dealer identification number;
 - (b) the date of the dog or cat's birth, if known, and the date the trader received the dog or cat;

- (c) the breed, sex, color, and identifying marks at the time of exchange, if any;
 - (d) a record of each inoculation and worming treatment administered, if any, to the dog or cat, including the date of administration and the type of vaccine or worming treatment;
 - (e) a record of veterinarian treatment or medication received by the dog or cat while in the possession of the pet trader; and
 - (f) a document signed by a veterinarian licensed in the State of Texas:
 - (i) stating that the dog or cat has no known disease or illness, and that the dog or cat has no known congenital or hereditary condition that adversely affects the health of the dog or cat at the time of the exchange or that is likely to adversely affect the health of the dog or cat in the future; or
 - (ii) describing any known disease, illness, or congenital or hereditary condition that adversely affects the health of the dog or cat, or that is likely to adversely affect the health of the dog or cat in the future.
- (2) A pet trader shall sign the completed form to certify the accuracy of the information, and the recipient of the dog or cat shall sign the completed form to acknowledge receipt of the information.
- (3) In addition to providing the completed and signed form to the recipient, the pet trader shall verbally disclose the information on the form to the recipient.
- (4) A pet trader shall:
- (a) retain a copy of each completed and signed form for a period of not less than two years after the exchange of the dog or cat; and
 - (b) make each completed and signed form available for inspection or copying by a humane officer, animal control officer, or law enforcement officer during business hours.

PART 3. The Fiscal Year 2007-2008 Fee Schedule of Ordinance No. 20070910-008 is amended to add to the Health and Human Services Department an “animal processing fee” category of \$50:

	Approved	Approved	
	<u>2006-2007</u>	<u>2007-2008</u>	<u>Change</u>
<i>Health and Human Services Department – General Fund</i>			
<u>Animal Processing Fee</u>	<u>None</u>	<u>\$50</u>	

PART 4. This ordinance takes effect on March 10, 2008.

PASSED AND APPROVED

February 28, 2008

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk