



## Legislation Details (With Text)

**File #:** 18-438      **Version:** 1  
**Type:** Ordinance      **Status:** Agenda Ready  
**File created:** 5/23/2018      **In control:** City Council  
**On agenda:** 6/5/2018      **Final action:**  
**Title:** Conduct the first reading of the ordinance amending Chapter 4 (Animal Control) of Title 10 (Police Regulations) of the Naperville Municipal Code

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Animal Ordinance - Final Version for Agenda

Date	Ver.	Action By	Action	Result
6/5/2018	1	City Council	directed staff	Pass
6/5/2018	1	City Council	directed staff	

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Conduct the first reading of the ordinance amending Chapter 4 (Animal Control) of Title 10 (Police Regulations) of the Naperville Municipal Code

**DEPARTMENT:** Legal Department

**SUBMITTED BY:** Kristen Foley, Senior Assistant City Attorney

**BACKGROUND:**

At the December 5, 2017 City Council meeting, City Council considered several amendments to the current animal control ordinance increasing protections for companion animals including:

- Restrictions against animals making excessive noise while left outside; and
- Prohibitions against exposing animals to extreme heat or cold weather conditions; and
- Doubling fines for violations of Animal Protection Act; and
- Mandatory microchipping of animals obtained from shelters, rescue organizations or pet stores; and
- Prohibitions against leaving animals in cars in certain weather conditions

Also considered at the December 5, 2017 Council meeting were several options to amend the animal control ordinance as to pet stores and the sale of animals obtained from commercial breeders.

Due to possible filing of new legislation prohibiting pet stores from selling pets sourced from commercial breeders, Council tabled the amendment to the animal control ordinance and requested staff provide an update in two months.

On January 29, 2018, Council was updated that on January 10, 2018, Illinois Senator Mike Connelly filed SB 2280, amending the Animal Welfare Act to prohibit all pet stores in DuPage and Will County from selling animals obtained from commercial breeders required to be licensed by the USDA. This bill was referred to the Assignment Committee the same day and is still in Committee.

Councilmen Coyne, Councilman Krummen and Councilwoman Broadhead have requested this ordinance be returned to City Council for discussion and approval.

### **DISCUSSION:**

The proposed amendment to the animal control ordinance includes:

1. Incorporating all the humane protections for companion animals outlined above;
2. Adopting the new state law regulating pet stores' sourcing of animals from commercial breeders, including prohibiting pet stores from purchasing animals from commercial breeders with USDA violations;
3. Requiring pet shop operators to make available for inspection, the most recent USDA inspection report from each breeding facility sourcing animals to said pet shop operator;
4. Requiring pet shop operators to offer their own hereditary and congenital warranty on a dog or cat for a minimum of 48 months from the date of consumer purchase; and
5. Requiring pet shop operators to actively promote and encourage the spay and neutering of dogs and cats sold within the City.

If passed, the ordinance will be effective immediately.