

California Pet Shop Law Guide

Updates as of November 7, 2017

Page 11

Additional Considerations: [REMOVED]

~~Below are some additional legal considerations for anyone operating, investigating, or patronizing a pet shop. These are not all-inclusive and do not contain all the requirements stated in the laws given later in this text.~~

~~• A health license is required for all new pet shops where dry and frozen feed is sold.~~

Page 25 (amendments effective January 1, 2017)

Penal Code 597u. (a) A person, peace officer, officer of a humane society, or officer of a pound or animal regulation department of a public agency shall not kill an animal by using either of the following methods:

(1) Carbon monoxide gas.

(2) Intracardiac injection of a euthanasia agent on a conscious animal, unless the animal is heavily sedated or anesthetized in a humane manner, or comatose, or unless, in light of all the relevant circumstances, the procedure is justifiable.

(b) With respect to the killing of a dog or cat, a person, peace officer, officer of a humane society, or officer of a pound or animal regulation department of a public agency shall not use any of the methods specified in subdivision (a) or any of the following methods:

(1) High-altitude decompression chamber.

(2) Nitrogen gas.

(3) Carbon dioxide gas.

Page 26 (amendments effective January 1, 2012)

Penal Code 597y. A violation of Section 597u or 597v is a misdemeanor.

Page 51 (new law effective January 1, 2019)

Health & Safety 122354.5. (a) A pet store operator shall not sell a live dog, cat, or rabbit in a pet store unless the dog, cat, or rabbit was obtained from a public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group that is in a cooperative agreement with at least one private or public shelter pursuant to Section 31108, 31752, or 31753 of the Food and Agricultural Code.

(b) All sales of dogs and cats authorized by this section shall be in compliance with paragraph (1) of subdivision (a) of Section 30503 of, subdivision (b) of Section 30520 of, paragraph (1) of subdivision (a) of Section 31751.3 of, and subdivision (b) of Section 31760 of, the Food and Agricultural Code.

(c) Each pet store shall maintain records sufficient to document the source of each dog, cat, or rabbit the pet store sells or provides space for, for at least one year. Additionally, each pet store shall post, in a conspicuous location on the cage or enclosure of each animal, a sign listing the name of the public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or nonprofit from which each dog, cat, or rabbit was obtained. Public animal control agencies or shelters may periodically require pet stores engaged in sales of dogs, cats, or rabbits to provide access to these records.

(d) A pet store operator who is subject to this section is exempt from the requirements set forth in Article 2 (commencing with Section 122125) of Chapter 5, except for the requirements set forth in Section 122135, paragraphs (3) and (4) of subdivision (a) of, and paragraphs (5) and (6) of subdivision (b) of, Section 122140, and Sections 122145 and 122155.

(e) A pet store operator who violates this section shall be subject to a civil penalty of five hundred dollars (\$500). Each animal offered for sale in violation of this section shall constitute a separate violation.

(f) For purposes of this section, a “rescue group” is an organization that is tax exempt under Section 501(c)(3) of the Internal Revenue Code, and that does not obtain animals from breeders or brokers for compensation.

(g) This section does not prohibit a local governing body from adopting requirements that are more protective of animal welfare than those set forth in this section.

(h) This section shall become operative on January 1, 2019.

Page 53 (amendments effective January 1, 2018)

Health & Safety 122357. A pet store operator who violates any provision of this chapter that is not specified in subdivision (a) of Section 122356 and is not proscribed by Section 122354.5 is guilty of a misdemeanor.