



### Pet Sales Frequently Asked Questions

The Austin City Council passed an ordinance amending City Code sections 3-1-1, 3-2-3, and 3-7-2 relating to the requirements for the sale of cats and dogs. Below are the amended definitions and frequently asked questions.

#### FAQ's

##### **Does the ordinance apply to “backyard breeders”?**

Yes. Any person or business that offers dogs or cats for sale, regardless of the animal's age, must either pay the \$50 fee to register the animal, or provide veterinary documentation showing that the animal has been spayed or neutered prior to sale. A person selling a dog or cat should provide the buyer with proof the animal has been properly registered with the City of Austin.

##### **What are the penalties for not complying?**

Selling a dog or cat that has not been properly registered is a Class C Misdemeanor. Each unauthorized sale constitutes an offense, punishable by a minimum fine of \$200 and up to \$2,000 per animal sold. ([Austin City Code § 3-7-2](#)). Any person in Austin who conducts a sale is legally required to first pay the requisite animal processing fee or provide veterinary documentation indicating that the animal is sterile to avoid criminal penalties.

##### **Does someone selling a single dog or cat still need to register the pet for sale?**

Yes. Anyone offering a dog or cat for sale in the City of Austin must first register the pet for sale and pay the requisite fee or provide proper documentation from a licensed veterinarian indicating that the animal has been spayed or neutered.

##### **Do I have to register every animal in a litter?**

Yes. Each individual animal offered for sale must be registered. Failure to register every animal sold constitutes a Class C Misdemeanor offense and is punishable by the penalties described above.

##### **How can I show that I've complied with the law?**

When you register an animal for sale, you will receive a registration confirmation indicating that you have properly complied with municipal law and that the animal has been deemed eligible for sale. This document will contain a unique ID number. Please keep the proof of registration form for your records and provide this information to the buyer as well.

##### **What is a not for profit 501(c)(3)?**

An organization that is not established for the purpose of making a profit and that is registered with the Texas Secretary of State and the Federal Internal Revenue Service (I.R.S.) as a non-profit and tax-exempt organization

### **How do I become a City registered 501(c)(3) animal welfare organization?**

Non-profit Rescue Groups and animal welfare organizations must provide their articles of incorporation and documentation showing they are in good standing both on their non-profit status and on their incorporation records with the Texas Secretary of State's Office and the I.R.S. Organizations must also be in good standing with the Austin/Travis County Animal Services and not have any pending animal cruelty convictions or animal cruelty convictions. The information provided will be reviewed by City of Austin Animal Services Office and the group will be notified if they have been approved and registered by the City.

### **What is an Animal Shelter Certified Rescue Partner?**

An animal shelter certified rescue partner is a non-profit rescue group or other animal rescue organization or shelter that has submitted documentation and has been approved by the Animal Shelter Rescue/Placement Partner office, received confirmation of approval, and been issued an ID number. These groups are approved to pull animals from the Animal Shelter to adopt out.

### **How do I become a City of Austin Animal Shelter Certified Rescue Partner?**

Rescue groups interested in becoming a certified rescue partner should contact us via email at [animal.rescue@austintexas.gov](mailto:animal.rescue@austintexas.gov).

### **What is the difference in a Certified Rescue Partner and a 501(c)(3) animal welfare organization?**

A certified rescue partner is an organization/shelter that has been approved by the TLAC Rescue Program to pull animals from the Austin Animal Center and adopt out from their group. A 501(c)(3) animal welfare organization is a group that has received confirmation that they are approved and registered which excludes them from being considered a "Pet Trader" by definition. A city certified 501(c)(3) animal welfare organization can adopt out animals but they cannot pull animals from Austin Animal Center as a rescue partner without first becoming a certified rescue partner.

### **City Code Section 3-1-1 Definitions**

(9) **Pet Trader** means a person who exchanges for consideration dogs or cats, including puppies and kittens, regardless of age of the dog or cat. The term excludes the City of Austin animal shelter or a City of Austin animal shelter certified partner or a not for profit 501(c)(3) animal welfare organization registered with the City.

(8) **Off-Site Retail Sale** means the exchange of consideration for a cat or dog, regardless of the age of the cat or dog, at a location other than where the cat or dog was bred.

(11) **Retail Sale** means the exchange for consideration for a cat or dog, regardless of the age of the cat or dog.