

ORDINANCE NO. 123, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF FORT  
COLLINS TO BAN THE RETAIL SALE OF DOGS AND CATS

A. The City of Fort Collins has an interest in maintaining the public safety and welfare of the community.

B. In addition to state and federal laws, the City has a local responsibility to promote animal welfare and encourage best practices in the breeding and purchasing of dogs and cats. City Council believes that a community that promotes animal welfare is a healthier community.

C. The sale of dogs and cats sourced from large-scale commercial breeding facilities where the health and welfare of the animals is disregarded to maximize profits (“puppy mills” and “kitten mills,” respectively) is a business practice that is not in the best interest of the public welfare of the City.

D. While City Council recognizes that not all dogs and cats retailed in stores **or elsewhere** are products of inhumane breeding conditions and would not classify every commercial breeder selling dogs or cats to retail stores as a puppy or kitten mill, puppy and kitten mills continue to exist in large part because of public demand and the sale of dogs and cats in stores.

E. The retail sale of dogs and cats in the City is inconsistent with the City’s desire to be a community that is committed to its pets and animal welfare.

F. Section 35-80-108.5(3) of the Colorado Revised Statutes recognizes the authority of the City, as a Colorado home rule municipality, to prohibit the sale or offer for sale of dogs and cats.

G. A ban on the retail sale of dogs and cats will promote community awareness of animal welfare and, in turn, will foster a more humane environment in the City.

H. Most pet stores, both large chains and small, family-owned shops, are already in compliance with the proposed Ordinance as they already do not sell dogs and cats but rather profit from selling products, offering services, and in some cases, collaborating with local animal shelters and rescues to host charitable adoption events.

I. This Ordinance sets an implementation date of May 20, 2025, to allow sufficient time for any stores within the City that sell dogs and cats at retail to bring their operations into compliance.

J. This Ordinance would not affect a consumer’s ability to obtain a dog or cat of their choice from an animal rescue, animal shelter, or the City’s small, reputable, in-home breeders.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Section 4-1 of the Code of the City of Fort Collins is hereby amended by the addition of the following new definitions, which read in their entirety as follows:

**Sec. 4-1. Definitions.**

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section:

...

*Animal rescue organization* shall mean any not-for-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* shall mean a person that maintains a dog or cat for the purpose of breeding and selling their offspring.

*Broker* shall mean a person that transfers a dog or cat from a breeder for resale by another person.

*Cat* shall mean any animal of the species *Felis catus* or any hybrid thereof.

...

*Dog* shall mean any animal of the family *Canidae* including, without limitation, those related to the wolf, fox, coyote, or any other domestic canid hybrid thereof.

...

*Hobby breeder* shall mean a person who lawfully delivers, offers for sale, barter, auctions, gives away, or otherwise transfers directly to the public only dogs or cats that were bred and reared on the premises of the person, on which premises a consumer may view the conditions where the dogs or cats were bred and reared, and speak with the breeder directly.

...

*Offer for sale* shall mean to sell, offer for sale or adoption, advertise for sale of, barter, auction, give away, or otherwise dispose of a dog or cat.

...

Section 2. Chapter 4, Division 6 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 4-122 which reads in its entirety as follows:

**Sec. 4-122. Retail sale of dogs and cats in stores prohibited.**

(a) No retail store or its owner, operator or employees shall sell, deliver, offer for sale or adoption, advertise for sale of, barter, auction, give away, or otherwise transfer or dispose of cats or dogs.

(b) This prohibition shall not apply to lawfully operated hobby breeders, animal rescue organizations, and animal shelters.

(c) Nothing in this section shall prevent a retail store or its owner, operator or employees from transferring any cats or dogs to a lawfully operated animal rescue organization or animal shelter.

(d) Nothing in this section shall prevent a retail store or its owner, operator or employees from providing space and appropriate care for dogs and cats owned by a lawfully operated animal rescue organization or animal shelter for the purpose of the lawfully operated animal rescue organization or animal shelter adopting those animals to the public, provided that the following requirements are met:

(1) The retail store shall not have any ownership interest in the animals offered for adoption and shall not receive a fee for the animals adopted, or for providing space or appropriate care.

(2) A retail store that lawfully offers space for the adoption of dogs or cats must post, in a conspicuous location on the enclosure of each such animal, a sign listing the name and address of the animal rescue organization or animal shelter from which the retail store acquired that dog or cat.

Section 3. Chapter 4, Division 6 of the Code of the City of Fort Collins is hereby amended by the addition of a new Section 4-123 which reads in its entirety as follows:

**Sec. 4-123. Sale of dogs and cats in public places prohibited.**

(a) No person shall sell, deliver, offer for sale or adoption, advertise for sale of, barter, auction, give away, lease, or otherwise transfer or dispose of cats or dogs at or on any street, public right-of-way, parkway, median, park, recreation area, outdoor market, or parking lot regardless of whether such access is authorized by the owner.

(b) This prohibition shall not apply to lawfully operated animal rescue organizations or animal shelters.

Section 34. Only violations of Section 4-122 as of May 20, 2025, or after are subject to enforcement.

Introduced, considered favorably on first reading on August 20, 2024, and approved on second reading for final passage on September 3, 2024.

---

Mayor Pro Tem

ATTEST:

---

City Clerk

Effective Date: September 13, 2024  
Approving Attorney: Madelene Shehan