

ORDINANCE NO. 07 – 2025

BOROUGH OF WEST CHESTER

CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, CHAPTER 37, ANIMALS TO ADD A NEW ARTICLE VII TO BE ENTITLED “SALE OF DOGS, CATS AND RABBITS” TO PROVIDE FOR REGULATIONS AND RESTRICTIONS UPON THE SALE OF DOGS, CATS AND RABBITS WITHIN THE BOROUGH AND TO RENUMBER THE CURRENT ARTICLE VII. VIOLATIONS. TO BE ARTICLE VIII CONTINUING TO PROVIDE FOR THE SAME VIOLATION AND PENALTY PROVISIONS.

BE IT ENACTED AND ORDAINED, and it is hereby enacted by the authority of the Council of the Borough of West Chester that Chapter 37 of the Code of the Borough of West Chester, titled, “ANIMALS,” shall be amended as follows:

SECTION 1. The current Article VII. Violations. and §37-19 titled “Violations and Penalties” shall be renumbered as Article VIII, §37-20.

SECTION 2. A new article entitled and numbered as Article VII. Sale of Dogs, Cats and Rabbits shall be adopted and read as follows:

“Article VII. Sale of Dogs, Cats and Rabbits.

§37-19. Sale of Dogs, Cats and Rabbits.

A. Definitions.

As used in this Part, the following terms have the meaning indicated, unless a different meaning clearly applies from the context:

ANIMAL RESCUE ORGANIZATION — A nonprofit organization incorporated under the law of any state and exempt from federal taxation under Section 501(c)(3) of the Federal Internal Revenue Code, as amended, and whose principal purpose is the prevention of cruelty to animals and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good, permanent homes. "Animal rescue organization" shall not include any entity that breeds animals or that: 1) is located on the same premises as; 2) has any personnel in common with; 3) obtains, in exchange for payment or any other form of compensation, dogs or cats from; or 4) facilitates the sale of dogs or cats obtained from a person that breeds animals.

ANIMAL SHELTER — either:

1. A facility maintained or operated by a nonprofit organization incorporated under the law of any state and exempt from federal taxation under Section 501(c)(3) of the Federal Internal Revenue Code, as amended, and whose principal purpose is the prevention of cruelty to animals and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good, permanent homes; or
2. A facility maintained, operated by, or under contract with a political subdivision of any state for the impoundment and care of seized, stray, homeless, abandoned, unwanted, or surrendered animals.

CAT — Any member of the species *Felis catus*.

DOG — Any member of the species *Canis familiaris*.

OFFER FOR SALE — To display or proffer for acceptance.

RABBIT – any member of the species *Oryctolagus cuniculus domesticus*.

RETAIL PET STORE — A commercial establishment that sells or offers for sale animals on its premises. "Retail pet store" shall not include an animal shelter, an animal rescue organization, or an individual selling only animals that the individual has bred and raised.

SELL — To exchange for consideration, barter, trade, lease, or otherwise transfer.

B. Prohibition of Sale of Dogs, Cats and Rabbits.

1. It shall be unlawful for a retail pet store, as defined in this Article, to sell, offer for sale, deliver, barter, auction, or transfer a dog, cat or rabbit.
2. Nothing in this Article shall be construed to prohibit a retail pet store from providing space to either an animal shelter or to an animal rescue organization, whether such shelter or organization is located within or outside the Commonwealth of Pennsylvania, for the purposes of displaying dogs, cats or rabbits available for adoption.
3. In the event that an animal shelter or animal rescue organization is determined by the Borough of West Chester to be substantially out of compliance with animal welfare standards, laws or regulations, the retail pet store displaying dogs, cats and rabbits available for adoption will be precluded from offering animals from said organization until the organization's compliance is remediated to the satisfaction of the Borough.

4. This Article shall not apply to the display, sale, offer for sale, delivery, bartering, auction, giving away, or transfer of dogs, cats and rabbits from the premises on which they were bred and reared."

SECTION 3. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

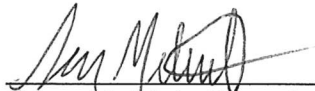
SECTION 4. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

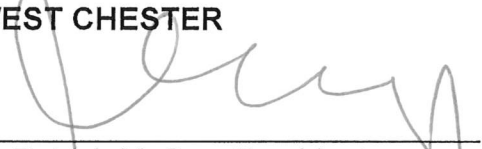
SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective upon enactment as provided by law.

ENACTED AND ORDAINED THIS 20th DAY OF AUGUST, 2025.


ATTEST:

**COUNCIL FOR THE BOROUGH
OF WEST CHESTER**


Sean Metrick, Secretary

By: 
Patrick McCoy, President

APPROVED THIS 20TH DAY OF AUGUST, 2025.


Lillian L. DeBaptiste, Mayor