



500 CENTER AVENUE, BOX 779, MOORHEAD, MINNESOTA 56561

(218) 299-5166 TDD 711

PET SHOP LICENSE APPLICATION

Business Name: _____

Business Address: _____

Applicant's Name: _____

Applicant's Address _____

Business Phone No. _____ Home Phone No _____

Types of Animals to be sold: _____

LICENSE FEE

\$150.00

I agree to abide by the laws, ordinances and regulations pertaining thereto.

Fees are payable prior to January 1 of each year and are effective through December 31.

Enclosed is my check payable to the City of Moorhead for \$ _____ in payment of the license fee.

DATE _____ SIGNATURE _____

(For Office Use Only)

CHECK NUMBER _____ RECEIPT NUMBER _____

LICENSE NUMBER _____ LICENSE EXPIRES _____

INSPECTION DATE: _____ FINAL APPROVAL _____

Certificate of Compliance

Minnesota Workers' Compensation Law

PRINT IN INK or TYPE.

Minnesota Statutes, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in any activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minnesota Statutes, Chapter 176. The required workers' compensation insurance information is the name of the insurance company, the policy number, and the dates of coverage, or the permit to self-insure. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

BUSINESS NAME (Individual name only if no company name used)	LICENSE OR PERMIT NO (if applicable)
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DBA (doing business as name) (if applicable)

BUSINESS ADDRESS (PO Box must include street address)	CITY	STATE	ZIP CODE
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YOUR LICENSE OR CERTIFICATE WILL NOT BE ISSUED WITHOUT THE FOLLOWING INFORMATION. You must complete number 1, 2 or 3 below.

NUMBER 1 COMPLETE THIS PORTION IF YOU ARE INSURED:

INSURANCE COMPANY NAME (not the insurance agent)

WORKERS' COMPENSATION INSURANCE POLICY NO.	EFFECTIVE DATE	EXPIRATION DATE
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NUMBER 2 COMPLETE THIS PORTION IF SELF-INSURED:

I have attached a copy of the permit to self-insure.

NUMBER 3 COMPLETE THIS PORTION IF EXEMPT:

I am not required to have workers' compensation insurance coverage because:

I have no employees.

I have employees but they are not covered by the workers' compensation law. (See Minn. Stat. § 176.041 for a list of excluded employees.) Explain why your employees are not covered: _____

Other: _____

ALL APPLICANTS COMPLETE THIS PORTION:

I certify that the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify that I am authorized to sign on behalf of the business.

APPLICANT SIGNATURE (mandatory)	TITLE	DATE
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NOTE: If your Workers' Compensation policy is cancelled within the license or permit period, you must notify the agency who issued the license or permit by resubmitting this form.

This material can be made available in different forms, such as large print, Braille or on a tape. To request, call 1-800-342-5354 (DIAL-DLI) Voice or TDD (651) 297-4198.

CHAPTER 10 PET SHOPS

2-10-1: DEFINITIONS:

As used in this Chapter, unless the context otherwise indicates, the following definitions shall apply:

PET ANIMALS: Shall include any species of animals, except fish and except worms, leeches or the like sold for fishing bait.

PET SHOP: Any person, firm, company or corporation maintained separately or in connection with another commercial enterprise which keeps, handles, breeds, sells, offers for sale, or exchanges pet animals for the purpose of wholesale or retail sale. The term "pet shop" shall not include a person, firm, company or corporation which sells, offers for sale or exchanges less than twenty five (25) pet animals in any single calendar year, nor which keeps lost or homeless pet animals for the purpose of locating the existing owner of the pet animals or a new owner and which recoups solely expenses incurred in caring for said pet animal. (Ord. 97-15, 8-18-1997)

2-10-2: LICENSE REQUIRED; ARTIFICIALLY COLORED ANIMALS:

- A. It shall be unlawful to operate a pet shop unless a license is first obtained from the City Clerk.
- B. No artificially colored birds or animals shall be sold or displayed by any person at any time. (Ord. 97-15, 8-18-1997)

2-10-3: ANNUAL LICENSE; FEE; REGULATIONS:

The license mentioned in Section [2-10-2](#) of this Chapter shall be issued annually, January 1, by the City Clerk after an inspection by a City official. The fee therefor shall be as established by resolution of the City Council and applicants shall fill in and sign an application form furnished by the City Clerk.

The City is authorized to promulgate regulations creating minimum standards for pet shops pertaining to the facilities for housing and maintenance of animals, requirements for feeding and watering animals, sanitary conditions for animals, disease control and medical care, record keeping requirements and minimum age requirements of animals to be sold, which regulations may be enforced by the City employees after they are approved by the City Council. (Ord. 97-15, 8-18-1997)

2-10-4: INSPECTION:

The members of the City Council, the Chief of Police, or any officer or employee of the Health or Police Department may, at any time, enter upon any licensed premises for the purpose of police inspection or to determine whether the licensed premises are in compliance with any and all ordinances of the City. (Ord. 97-15, 8-18-1997)

2-10-5: CRUELTY PROHIBITED:

It shall be unlawful for any person within the City to beat, injure, mistreat, or otherwise abuse inhumanely, unnecessarily, or cruelly any baby chicks, ducklings, canaries, parakeets, rabbits, or other pet birds or animals. (Ord. 97-15, 8-18-1997)

2-10-6: SANITATION; FOOD AND WATER REQUIRED:

All pet birds or animals kept for sale or display or any other purpose shall be provided with suitable sanitary housing with clean and proper food and water available at all times. (Ord. 97-15, 8-18-1997)

2-10-7: TERMINATION, SUSPENSION, REVOCATION:

All licenses issued under the provisions of this Chapter, unless otherwise specifically provided, shall terminate on December 31 following the date of issuance; provided, however, that any license issued under the provisions of this Chapter may, under certain circumstances, be terminated, suspended or revoked by the Council.

- A. The Council may, in its discretion, suspend or revoke for cause any license issued under the provisions of this Chapter. The grounds for suspension or revocation shall, among others, include the following:
1. The licensee has filed a petition in bankruptcy.
 2. An individual licensee, one of the partners in a partnership licensee, or one of the officers in a corporation licensee, or any individual in active management of the licensed business is convicted of violating any of the provisions of this Chapter.
 3. The licensee has been convicted of a felony under the laws of the United States or under the laws of one of the several states.
 4. The licensee has made any false statement in his application for a license.
 5. The licensee has violated one or more of the regulations created pursuant to Section [2-10-3](#) of this Chapter.
- B. The grounds enumerated in subsection A of this Section shall not be deemed to be exclusive and any license issued under the provisions of this Chapter may be suspended or revoked by the Council for any other reason deemed by the Council to be sufficient in order to promote and protect the health, safety, and humane treatment of animals in the care of the licensees. When any license is suspended or revoked by the Council pursuant to the provisions of this Section, or when the licensee voluntarily ceases business, no portion of the license fee previously paid shall be returned to the licensee or to anyone claiming under or through him.
- C. No license issued under the provisions of this Chapter shall be suspended or revoked for cause by the Council without a public hearing. In the event that the Council intends to consider the suspension or revocation of any license for cause, it shall direct the City Clerk to notify the licensee of its intention to consider the same. The notice shall specify the time and place of the suspension or revocation hearing and shall be served upon the licensee or his managing agent in the same manner as provided by law for the service of a summons in a civil action. No suspension or revocation hearing shall be

held before the expiration of fifteen (15) days after the date of the service of the notice upon the licensee.

If, upon such hearing, it appears to the Council that sufficient cause exists for the suspension or revocation of a license issued pursuant to the provisions of this Chapter, the Council shall make its order suspending or revoking the said license. (Ord. 97-15, 8-18-1997)

2-10-8: PENALTY:

Every person, firm, company, or corporation convicted of a violation of any of the provisions of Sections [2-10-2](#) through [2-10-6](#) of this Chapter shall be penalized in accordance with the provisions of Section [1-4-2](#) of this Code. (Ord. 97-15, 8-18-1997)

2-10-9: EFFECTIVE DATE:

This Chapter shall take effect on the date of publication in accordance with the Moorhead City Charter. Provided that any person or entity conducting a business as of the effective date of this Chapter requiring a license pursuant to this Chapter shall have thirty (30) days from the effective date of the Chapter to become licensed. (Ord. 97-15, 8-18-1997)

CITY OF MOORHEAD PET SHOP REGULATIONS

Section 1. Definitions.

The following terms used in these regulations shall be defined as follows:

- 1.1 "ADEQUATE EXERCISE" or "EXERCISE" means the opportunity for the animal to move sufficiently to maintain normal muscle tone and mass for the age, species, size, and condition of the animal.
- 1.2 "ADEQUATE SPACE" means sufficient height and sufficient floor space for caged animals to easily stand up, sit down, and turn about freely using normal body movements without the heads touching the top of the cage; lie in a natural position; and to experience necessary socialization with cage mates, if any. However, when freedom of movement would endanger the animals, temporarily and appropriately restricting movement of the animals according to professionally accepted standards for the species is considered provision of adequate space.
- 1.3 "ANIMAL" means any non-human vertebrate species.
- 1.4 "CITY CLERK" means the clerk of the City of Moorhead.
- 1.5 "ENRICHMENT" means providing objects or activities, which are compatible with the needs of the species that stimulate an animal and promote the animal's physical and/or psychological well-being.
- 1.6 "EXOTIC ANIMAL" means any member of the following families, including hybrids thereof, which, due to their inherent nature, may be considered dangerous to humans or pose a public health risk, and are further defined as follows:
 - a. Class Mammalia
 - i. Order Artiodactyla (hippopotamuses, giraffes, camels, deer, not cattle or swine or sheep or goats)
 - ii. Order Carnivora
 1. Family Felidae (lions, tigers, cougars, leopards, ocelots, servals, not domestic cats)
 2. Family Canidae (wolves, coyotes, foxes, jackals, not domestic dogs)
 3. Family Ursidae (all bears)
 4. Family Mustelidae (weasels, skunks, martins, minks, not ferrets)
 5. Family Procyonidae (raccoons, coatis)
 6. Family Hyaenidae (hyenas)
 7. Family Viverridae (civets, genets, mongooses, binturongs)
 - iii. Order Edentalia (anteaters, armadillos, sloths)
 - iv. Order Marsupialia (opossums, kangaroos, wallabies, not sugar-gliders)
 - v. Order Perissodactyla (rhinoceroses, tapirs, not horses or donkeys or mules)
 - vi. Order Primates (lemurs, monkeys, chimpanzees, gorillas)
 - vii. Order Proboscidea (elephants)
 - viii. Order Rodentia (squirrels, prairie dogs, beavers, porcupines, not guinea pigs, or rats, or mice, or gerbils, or hamsters, or chinchillas, or degus)
 - b. Class Reptilia
 - i. Order Squamata
 1. Family Colubridae (only boomslangs and African twig snakes)
 2. Family Elapidae (only coral snakes, cobras, mambas)

- 3. Family Nactricidae (only keelback snakes)
 - 4. Family Viperidae (such as copperheads, cottonmouths, rattlesnakes, etc.) - All species
 - ii. Order Crocodylia (such as crocodiles, alligators, caimans, gavials, etc.) - All species
 - c. Class Chelicerata
 - i. Subclass Acrachnida (mites, and ticks)
- 1.7 "EUTHANASIA" or "EUTHANIZE" means the humane destruction of an animal accomplished by a method that involves rapid unconsciousness and immediate death with a minimum of pain and distress inflicted on the animal, or by a method that involves anesthesia, produced by an agent that causes painless loss of consciousness, and death during such loss of consciousness.
- 1.8 "HAND-FEEDING" means the process by which an animal is manually fed by a human through the use of hand, spoon, bottle, or oral gavage.
- 1.9 "HUMANE" means any action taken in consideration of and with the intent of providing for the animal's health and well-being.
- 1.10 "INTACT" means an animal that retains its sexual organs and has not undergone surgical sterilization by a veterinarian.
- 1.11 "PERSON" means any individual, partnership, firm, joint-stock company, corporation, association, trust, estate, or other legal entity.
- 1.12 "PET SHOP" means an establishment or market place where twenty five (25) or more animals are bought, sold, exchanged, or offered for sale, in any single calendar year, to the general public with the intent of making a profit. This term includes the keeping for transfer or the transfer of animals at temporary facilities, such as flea markets, mobile facilities, department stores, merchandise outlets, discount outlets, animal shows conducting a sale, and other types of retail outlets where the animals are intended as companions or household animals.
- 1.13 "PET SHOP OPERATOR" or "OPERATOR OF A PET SHOP" means any individual, firm, corporation, partnership, other business unit, society, association or other legal entity, or public or private institution which maintains, owns, or operates a retail pet shop.
- 1.14 "PINKIE" means a young (newborn) mouse or rat with no hair yet so the skin is pink. They are generally anywhere from one to five days old for mice and one to six days old for rats. "Pinkie" is used to describe prey item for carnivorous pets.
- 1.15 "PRIMARY ENCLOSURE" means any structure used to immediately restrict an animal or animals to a limited amount of space and where the animal or animals reside until they are sold or transferred.
- 1.16 "SANITIZE" means to make physically clean and to remove excreta, other waste material, dirt and trash, and to destroy to a practical minimum any agents that are injurious to health.
- 1.17 "SOCIALIZATION" means physical contact with other animals of the same species or with human beings.
- 1.18 "TIME OF SALE" means the calendar date the retail purchaser removes the animal from the

premises of the pet shop following the retail sale of that animal.

- 1.19 "UNWEANED" means any animal that is nursing, requires hand-feeding or is otherwise unaccustomed to eating enough food without human or animal assistance to sustain at least 90 percent of its own weight for at least two weeks.
- 1.20 "VETERINARY TREATMENT" means treatment by or on the order of a licensed veterinarian.
- 1.21 "WEANED" means any animal that has become accustomed to taking solid food and has done so without nursing, hand-feeding, or human or animal assistance for a period of at least two weeks and is capable of sustaining at least 90 percent (90%) of its own weight, notwithstanding any illness or injury.
- 1.22 "WELL-PLACED PERCH" means that the bird can stand completely upright on the perch without having any head contact with the ceiling of the cage and at the same time, the bird's tail does not touch the floor or grate of the cage.

Section 2. Animal Care and Handling

2.1 Animal Care.

2.1.1 The pet shop operator or an agent of the operator must be present at least once daily for general care and maintenance of the animals in the custody of the pet shop.

2.1.2 Pet shop operators must ensure that:

- a. Each animal is handled in a manner which will not cause discomfort, physical harm, or undue stress to that animal.
- b. Adequate socialization and exercise are provided to dogs, cats, birds, rabbits, chinchillas, ferrets, rats and guinea pigs in the custody of the pet shop.
- c. Pet shop operators and their agents wash their hands before and after handling each infectious or contagious animal.

2.2 Water and Food. Pet shop operators must ensure that:

2.2.1 Clean, potable water in sufficient quantity to satisfy the animal's needs is accessible to the animal at all times. Snow or ice is not an adequate water source. Exceptions:

- a. If withholding water is otherwise required to provide adequate veterinary care to the animal on the advice of the attending veterinarian.
- b. If the animal is in transit for less than four (4) hours.

2.2.2 Food must be provided to each animal at least once during each twenty-four (24) hour period. Any animal with a nutritional need or disease condition must be fed more frequently on the advice of the attending veterinarian. Young animals must be fed more than once daily. Reptiles, fish or amphibians must be fed and cared for in accordance with the eating patterns and environmental conditions compatible with each individual species.

2.2.3 Animal food must be wholesome, palatable, free from contamination, and of sufficient quantity and nutritive value to meet the normal daily requirements for the animal, based upon its species, age, condition and size.

2.2.4 Water and food receptacles must be in sufficient number, of adequate size and so located as to enable each animal in the enclosure to be supplied with an adequate amount of water and food. Bowls, dishes and other containers used for the feeding and watering of animals must be cleaned daily, or more often if necessary to maintain them free from contamination of excrement or urine. Water and food

receptacles must be so located as to minimize their potential contamination from excreta.

2.3 Sanitation.

- 2.3.1 Animals must be removed from the primary enclosures when water or any chemical solution is used in cleaning. All empty cages must be kept clean at all times.
- 2.3.2 Excreta must be removed from each enclosure at least once daily. The enclosures must be cleaned and sanitized as often as necessary to:
 - a. prevent contamination of the animals contained therein;
 - b. prevent disease hazards; and
 - c. reduce odors.
- 2.3.3 For bird enclosures, perches also must be cleaned on a regular basis.
- 2.3.4 Cages, rooms and pens which contain any animal having an infectious or transmissible disease must be washed each day, and after each occupancy. Effective disinfectant must be applied as an incident of each washing.
- 2.3.5 Aquariums containing fish must be kept in a clean, healthful condition. Live algae are not considered an unhealthful condition. Any dead fish must be removed promptly from aquariums.

Section 3 Veterinary Care and Euthanasia.

Pet shop operators must ensure that:

- 3.1 cats and dogs have been examined by a veterinarian prior to offering the cats and dogs for sale.
- 3.2 veterinary treatment is provided to the animals in the custody of the pet shop without delay when needed:
 - 3.1.1 to prevent suffering; or
 - 3.1.2 to prevent disease transmission.
- 3.3 a documented program for disease prevention, parasite control, euthanasia and adequate veterinary care must be established and maintained with a veterinarian as follows:
 - 3.3.1 Each animal must be observed daily by the animal caretaker in charge, or by someone under his or her direct supervision, for the purpose of monitoring health, nutrition and well being; and
 - 3.3.2 Animals that become seriously ill or seriously injured must be diagnosed by a veterinarian in a timely manner and the prescribed therapy followed. Sick or injured animals must be:
 - a. provided with timely veterinary treatment as is needed for the health and well-being of the animal;
 - b. euthanized humanely and promptly by the pet shop's attending veterinarian; or
 - c. surrendered, with the express consent of the recipient, to a local public or private animal shelter.
 - 3.3.3 Animals can not be euthanized in any way except through the most current, approved euthanasia methods established by the American Veterinary Medical Association panel on euthanasia. Euthanasia by placing a live animal in a freezer is prohibited.
- 3.4 veterinary treatment records must be kept for all animals, except fish, that receive any medications and/or immunizations while in the care of the pet shop. These records must be made available to the enforcing officer.

Section 4. General Housing Requirements for Pet Shops. Pet shop operators must ensure that:

- 4.1 All enclosures in which one or more animals are housed or exercised must be:
 - 4.1.1 structurally sound; and
 - 4.1.2 constructed and maintained in good repair so as to prevent injury to the animal, to contain the animals and keep other animals out, and to promote the health and safety of the enclosed animals and the public.
- 4.2 A shelter that protects the animal from inclement weather, wind, and direct rays of the sun should be supplied for each animal. A shaded area must be provided that is sufficient to protect the animal from the direct rays of the sun at all times during the months of May to October.
- 4.3 Intact mammals that have reached sexual maturity must be housed in a manner to prevent reproduction unless the animals are intentionally bred by the pet shop to produce additional animals for sale.
- 4.4 The animals in the pet shop's custody are kept clean and dry unless species-specific requirements dictate an aquatic or semi-aquatic environment.
- 4.5 Mammals housed on wire flooring are provided with a rest board, floor mat, or similar device that is large enough to provide adequate space for all the occupants of the primary enclosure at the same time. If the floor is constructed of mesh or slats, it must be strong enough to prevent sagging and with a mesh small enough that it will not allow the animals' feet to pass through any openings in the floor.
- 4.6 Adequate space is provided in the primary enclosure for the particular type of animal enclosed therein.
- 4.7 Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin. Refrigeration shall be provided for supplies of perishable food and medical supplies.
- 4.8 Washrooms, basins, or sinks shall be provided in the facility to maintain cleanliness among animal caretakers; hot and cold water, germicidal soap, and towels shall be provided for animal caretakers.

Section 5. Specific Housing Requirements for Animals.

Pet shop operators must ensure that the following housing requirements are met.

- 5.1 Specific requirements of primary enclosures for dogs are:
 - 5.1.1 Each confined dog must be provided a minimum square footage of floor space. The minimum square footage of floor space is equal to the mathematical square of the sum of the length of the dog in inches, as measured from the tip of its nose to the base of its tail, plus 25 percent as represented by the following formula. The calculation is: (length of dog in inches multiplied by 1.25) multiplied by (length of dog in inches multiplied by 1.25) equals the required floor space in square inches. Required floor space in inches divided by 144 equals required floor space in square feet.
 - 5.1.2 The interior height of a primary enclosure must be at least six (6) inches higher than the head of the tallest dog in the enclosure when the dog is in a normal standing position.

- 5.1.3 Not more than 4 adult dogs may be housed in the same primary enclosure.
- 5.2 Specific requirements of primary enclosures for cats and rabbits are that each rabbit and each cat, including a weaned kitten that is housed in any primary enclosure must be provided minimum vertical space and floor space as follows:
 - 5.2.1 Each primary enclosure housing cats or rabbits must be at least twenty-four (24) inches high.
 - 5.2.2 Each cat or rabbit must be provided with at least three (3) square feet.
 - 5.2.3 The litter pan may be considered part of the floor space if properly cleaned and sanitized.
- 5.3 Specific requirements of primary enclosures for birds are:
 - 5.3.1 A shelter or cage for a bird must be constructed of materials that are impervious to moisture and can be readily cleaned.
 - 5.3.2 Sandpaper-covered perches or perches covered in an abrasive material are not permitted.
 - 5.3.3 Enclosures must allow the birds within to fly, hop or otherwise move about.
 - 5.3.4 Each enclosure must have at least one form of enrichment appropriate for the species per 4 animals.
 - 5.3.5 Perches or other space must be provided to allow each bird to perch without physical harassment from other birds.
 - a. A single well-placed perch may be adequate for psittacines.
 - b. Two perches (one at each end of the cage) must be provided for all bird species, including finches and canaries that prefer flying or jumping to climbing.
 - c. Perches must be strategically placed to minimize droppings from contaminating other birds and the birds' food and water supply and also to prevent the bird's tail from having contact with the food and water.
 - 5.3.6 Sufficient space must be provided for each bird to obtain exercise to maintain itself in good health. All birds must be housed in cages of sufficient size and dimensions to allow each bird an amount of perch space to enable it to fully extend its wings in every direction while all birds are simultaneously perched without having to touch another bird, obstacle or the side of the cage.
 - a. For medium-sized psittacines, including lorries, conures, Amazons, and African greys, each cage must measure at least twenty-four (24) inches wide, eighteen (18) inches deep, and twenty-four (24) inches high.
 - b. For small-sized psittacines, including cockatiels and parakeets, each cage must measure at least eighteen (18) inches by eighteen (18) inches, and eighteen (18) inches high.
 - c. For passerines, including canaries and finches, each cage must measure at least twelve (12) inches by seventeen (17) inches, and seven (7) inches high.
- 5.4 Specific requirements of primary enclosures for rodents are:
 - 5.4.1 Each enclosure housing one or more rodents must include materials that allow necessary chewing to prevent detrimental overgrowth of the animals' teeth. Each enclosure also must include an enrichment, which can include climbing boxes, balls, and PVC tubing. Each enclosure must include shelters or nest box(es) that are of sufficient size to accommodate all animals in the enclosure simultaneously.
 - 5.4.2 The materials used to construct the enclosures must be of sufficient strength to prevent escape and injury from gnawing or chewing and to protect the animals housed inside from predators.

- 5.4.3 An enclosure with a solid bottom must be constructed of materials that are impervious to moisture. An enclosure with a wire or mesh bottom must be constructed to allow excreta to pass through the spaces in the wire or mesh. However, the wire or mesh floor must be constructed to prevent injury to the feet and legs of the animals.
- 5.4.4 There must be sufficient height and floor space for caged animals to obtain proper exercise and maintain good health.
 - a. Enclosures which house up to four (4) small rodents must measure at least one square foot wide and nine (9) inches high. For each additional animal, increase the cage space by twenty-five (25) percent of original floor area. Each enclosure must have one gnawing item and an exercise wheel per 4 adult animals.
 - b. Enclosures housing one or two medium-sized rodents, including rats and guinea pigs, must measure at least one square foot, twelve (12) inches high, per animal. For each additional animal, increase the cage size by twenty-five (25) percent of original floor area. Each enclosure must have one gnawing item and a nest box for every 4 animals.

Section 6. Ambient Conditions. Pet shop operators must ensure that:

- 6.1 Each confinement area which houses one or more animals is maintained at a temperature suitable for the animal housed within and which maintains the animals' health and comfort. For cold-blooded animals, a temperature that is compatible to the well-being of the species must be maintained.
- 6.2 Lighting of sufficient intensity and distribution must be available to permit:
 - 6.2.1 routine inspection of the animals, including "pinkie" mice and rats, in the pet shop's custody for signs of stress, illness and injury; and
 - 6.2.2 proper cleaning of the enclosures and the premises.
- 6.3 Primary enclosures for birds must allow at least eight (8) hours of either natural or artificial light daily to allow the birds to intake food and water.
- 6.4 Primary enclosures must provide adequate ventilation to the confined animals. Additional ventilation must be provided when the ambient temperature rises to a level that may negatively impact the health of the animal.

Section 7. Sale or Transfer of Animals.

- 7.1 A pet shop must not sell or offer for sale any exotic animal.
- 7.2 A pet shop must not sell or offer for sale any regulated animal as defined by MN Statute 346.155 Subd 1 (e).
- 7.3 A pet shop must not offer any live animal as a raffle, prize, advertising device or promotional consideration.
- 7.4 A pet shop must not sell, offer for sale, trade or barter an animal, except a reptile or amphibian, that is under the age of eight (8) weeks, with the exception of pinkies. An animal that is over the age of eight (8) weeks can be sold, offered for sale, traded or bartered only if the animal is weaned.
- 7.5 Unweaned birds.

- 7.5.1 For purposes of this section:
- a. "Bird" means any bird of the order Psittaciformes.
 - b. "Bird mart" means an event at which two or more persons offer birds for sale or exchange and/or where a fee is charged for the privilege of offering or displaying the birds.
 - c. "Vendor" means any person or entity, including, but not limited to, a broker, agent, aviary, or breeder, who sells birds directly to the retail purchaser at a bird mart or at a swap meet.
- 7.5.2 A pet shop may not sell a bird unless the bird is weaned. A vendor may not sell a bird at a swap meet or bird mart, unless the bird is weaned.

7.6 This chapter does not apply to publicly operated pounds and humane societies.

Section 8. Consumer Disclosure.

Pet shop operators must ensure that:

- 8.1 A notice is conspicuously posted stating:
"Consumer concerns and inquiries regarding pet shops and the animals in their custody can be directed to the Environmental Health Practitioner at 218-299-5328."
- 8.2 A notice is conspicuously posted in a prominent location of the facility, in 48 bold-face type, containing the following language:
"Information on all dogs and cats is available. You are entitled to a statement of consumer rights. Make sure you receive this statement at the time of purchase. "
- 8.3 The pet shop furnishes written recommendations for the generally accepted care for each type of animal to each purchaser at the time of sale. The written document must include recommendations for safe housing, feeding, equipment, sanitation, environment, behavior, and enrichment for the type of animal.
- 8.4 The pet shop furnishes the purchaser of each cat, dog, and medium and large psittacene, a written statement at the time of sale. The statement must show:
- 8.4.1 The name, address, and USDA license number of the breeder and any broker who has had possession of the animal.
 - 8.4.2 Date of sale and date of birth, if known.
 - 8.4.3 Name, address, and telephone number of the pet shop.
 - 8.4.4 Name, address, and telephone number of purchaser.
 - 8.4.5 Breed and description of animal, including age, sex and weight of the animal; and
 - 8.4.6 For birds, the leg band identification number of the bird being sold, if available.
 - 8.4.7 All treatments administered for thirty (30) days prior to transfer. This applies to immunizations, medications, wormers, and treatments for parasites. A record detailing the product used, dosage and date administered must be provided.
- 8.5 Pet shops, which sell hamsters, must conspicuously post a notice, which warns that there is a risk of the transmission of viral infection to humans from hamsters.
- 8.6 Pet shops, which sell reptiles or offer reptiles for sale, must conspicuously post a notice which warns that the transmission of salmonella disease by reptiles is possible.
- 8.7 A complete copy of this act, containing state laws governing pet shops, is posted in the pet shop premises and provided to all staff members.

Section 9. Recordkeeping.

Pet shop operators must ensure that:

- 9.1 Records of veterinary visits to the pet shop premises are documented. Veterinary treatment records must be kept for all animals that receive any medications and/or immunizations while in the care of the pet shop. These records must include:
 - 9.1.1 the identification of the animal receiving medical treatment;
 - 9.1.2 the name of the medication and/or immunization used
 - 9.1.3 the amount of medication used; and
 - 9.1.4 the time and date on which the medication and/or immunization was administered.These records must be kept at the pet shop for one year after the sale of the animal.

- 9.2 Accurate records are kept and maintained for each animal purchased, acquired, held, transported, sold, or otherwise disposed of. The records must include all of the following:
 - 9.2.1 the name, address and telephone number of the person from whom each animal was acquired and, if the person is a licensed dealer, his license number, or if the person is not a licensed dealer, his driver's license number or social security number or federal tax identification number.
 - 9.2.2 the date each animal was acquired.
 - 9.2.3 a description of each animal showing age, size, color, markings, sex, breed, and species. Records must also include any other significant identification for each animal, including any microchip, official tag number, official leg band number, or tattoo.
 - 9.2.4 the name and address of the person to whom each animal is sold, given, or delivered. The record must show the method and date of disposition.
 - 9.2.5 a written record on the health, status, disposition, age at time of acquisition and age at sale of each psittacene bird.
 - 9.2.6 the records must indicate any psittacene bird which the pet shop operator knows to be or have been sick or diseased or to have died.
 - 9.2.7 these records must be maintained by the licensee for a minimum of one year after the sale or transfer of the animal.