

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 4
ANIMALS AND FOWL

No..... Date.....

Approved.....Mayor

Be it ordained by the City of Warwick:

Section I. Chapter 4 of the Code of Ordinances of the City of Warwick is hereby amended to add the following:

~~Sec. 4-113. Spaying and neutering of dogs and cats adopted from releasing agency Required; exemptions.~~

~~(a) No releasing agency shall release, sell, trade, give away, exchange, adopt out, or otherwise transfer with or without a fee any dog or cat that has not been spayed or neutered unless the adopting party executes a written agreement with the releasing agency to have the dog or cat spayed or neutered within 30 days of the adoption date or within 30 days from the date that the dog or cat reaches sexual maturity, with the cost of such spaying or neutering to be the responsibility of the adopting party. The written agreement must include the dog or cat's age, sex, and general description; the date of adoption and the date by which the dog or cat must be spayed or neutered; the adopting party's name, address, phone number, and signature; the releasing agency's name, address, phone number and the dollar amount of the deposit remitted. In addition to executing the written agreement the adopting party must leave with the releasing agency a deposit as provided in [section 18-1](#). The amount of the deposit shall be determined by the releasing agency. Said deposit will be refunded by the releasing agency to the adopting party upon presentation of a written statement or receipt from a licensed veterinarian of the adopting party's choice where the dog or cat was spayed or neutered providing that the spaying or neutering was performed within the 30-day period. Alternatively, the releasing agency shall make appropriate arrangements for the spaying or neutering of the dog or cat by a licensed veterinarian and have the surgery completed before releasing the dog or cat to the adopting party.~~

~~(b) The following are exemptions from the provisions of subsection (a) of this section:~~

~~(1) A releasing agency returns a stray dog or cat to its owner.~~

~~(2) A releasing agency receives a written report from a licensed veterinarian stating that the life of the dog or cat would be jeopardized by the surgery and that such health condition is likely to be permanent.~~

1 ~~(3) A releasing agency receives a written report from a followup program to ensure that dogs and~~
2 ~~cats adopted from the releasing agency are spayed or neutered and a licensed veterinarian stating~~
3 ~~that there is a temporary health condition, including sexual immaturity, which would make~~
4 ~~surgery life threatening to the dog or cat or impracticable, in which instance the releasing agency~~
5 ~~shall grant the adopting party an appropriate extension of time in which to have the dog or cat~~
6 ~~spayed or neutered based on the veterinarian's report.~~

7 ~~The exemptions provided in subsections (b)(2) and (3) of this section shall only be applicable if~~
8 ~~the releasing agency receives said written report from a licensed veterinarian within the 30 day~~
9 ~~period during which the spaying or neutering would otherwise be required, or, in the case of a~~
10 ~~report contemplated by subsection (b)(2) of this section, said report may be provided to the~~
11 ~~releasing agency during any temporary extension period provided by subsection (b)(3) of this~~
12 ~~section if the health condition of the dog or cat has changed.~~

13 ~~(c) If requested to do so, a releasing agency shall refund deposited funds to the adopting party upon~~
14 ~~reasonable proof being presented to the releasing agency by the adopting party that the dog or cat~~
15 ~~died before the expiration of the period during which the spaying or neutering was required to be~~
16 ~~completed.~~

17 ~~(d) Any and all releasing agencies:~~

18 ~~(1) May enter into cooperative agreements with each other and with veterinarians in carrying out the~~
19 ~~provisions of this section; and~~

20 ~~(2) Shall make a good faith effort to cause an adopting party to comply with the provisions of this~~
21 ~~section.~~

22
23 **Sec. 4-113. Mandatory spaying and neutering of dogs and cats adopted from a licensed**
24 **releasing agency.**

25 (a)(1) No licensed releasing agency shall release, sell, trade, give away, exchange, adopt out, or
26 otherwise transfer with or without a fee any dog or cat that has not been spayed or neutered unless
27 the adopting party executes a written agreement with the licensed releasing agency to have the dog or
28 cat spayed or neutered in accordance with subdivisions (2) and (3).

29 (2) The licensed releasing agency is authorized to enter into a written adoption agreement with the
30 adopting party provided that at the time of execution of the written agreement, the licensed releasing
31 agency collect from the adopting party an amount equal to the cost to the licensed releasing agency
32 for the spaying or neutering of the dog or cat to be adopted. The written agreement must include the
33 dog or cat's age, sex, and general description; the date the adoption agreement was executed; the date
34 by which the licensed releasing agency anticipates that the dog or cat will be spayed or neutered; the
35 date by which the adoptive party shall claim the dog or cat; the adopting party's name, address, phone
36 number, and signature; the licensed releasing agency's name, address, phone number, and the dollar
37 amount remitted to the licensed releasing agency for the cost of spaying or neutering the dog or cat.

38 (3) After execution of the agreement, the licensed releasing agency shall cause the dog or cat to be
39 spayed or neutered and, when medically fit, shall transfer custody of the dog or cat to the adopting

1 party. Any dog or cat that is not claimed by the adoptive party within ten (10) days of the date
2 enumerated in the written adoption agreement shall be considered unclaimed and may be offered for
3 adoption to another party.

4 (b) The following are exemptions from the provisions of subsection (a):

5 (1) A licensed releasing agency returns a stray dog or cat to its owner.

6 (2) A licensed releasing agency receives a written report from a licensed veterinarian stating that the
7 life of the dog or cat would be jeopardized by the surgery and that this health condition is likely to be
8 permanent.

9 (3) A licensed releasing agency receives a written report from a licensed veterinarian stating that
10 there is a temporary health condition, including sexual immaturity, which would make surgery life
11 threatening to the dog or cat or impracticable, in which instance the licensed releasing agency shall
12 enter into a written agreement for the spaying or neutering of the dog or cat upon resolution of the
13 temporary health condition or the animal reaching maturity and shall collect from the adopting party
14 an amount equal to the cost to the licensed releasing agency for the spaying or neutering of the dog or
15 cat to be adopted. The licensed releasing agency may then allow the transfer of the dog or cat to the
16 adopting party who shall return the dog or cat to the licensed releasing agency for spaying or
17 neutering upon resolution of the temporary health condition or the animal reaching sexual maturity.
18 The licensed releasing agency may grant the adopting party an appropriate extension of time in
19 which to have the dog or cat spayed or neutered based on the veterinarian's report.

20 (4) A licensed releasing agency transfers a dog or cat to another licensed releasing agency.

21 (c) If requested to do so, a licensed releasing agency shall refund fees collected for the purpose of
22 spaying or neutering the dog or cat to the adopting party upon reasonable proof being presented to
23 the releasing agency by the adopting party that the dog or cat died before the spaying or neutering
24 was required to be completed.

25 (d) Any and all licensed releasing agencies:

26 (1) May enter into cooperative agreements with each other and with veterinarians in carrying out this
27 section; and

28 (2) Shall make a good faith effort to cause an adopting party to comply with this section.

29
30 Section II. This Ordinance shall take effect upon passage and publication as prescribed by law.

31
32 SPONSORED BY: COUNCIL PRESIDENT SOLOMON
33 On Behalf of MAYOR AVEDISIAN

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35 COMMITTEE: Ordinance