

**CITY OF REXBURG
ORDINANCE 1336**

SALE OF ANIMALS IN PUBLIC PLACES AND RETAIL STORES PROHIBITED

AN ORDINANCE PROHIBITING THE SALE OF ANIMALS IN PUBLIC PLACES; PROVIDING EXCEPTIONS FOR ANIMAL SHELTERS, NON-PROFIT ANIMAL RESCUE ORGANIZATIONS, AND CITY ENFORCEMENT OFFICERS; PROHIBITING THE SALE OF DOGS AND CATS IN A RETAIL BUSINESS OR COMMERCIAL ESTABLISHMENT IN THE CITY OF REXBURG; PROVIDING EXCEPTIONS FOR ANIMAL SHELTERS, HUMANE SOCIETY, AND NON-PROFIT ANIMAL RESCUE ORGANIZATIONS THAT DO NOT BREED DOGS OR CATS FOR COMPENSATION; PROVIDING PENALTIES FOR THE VARIOUS VIOLATIONS OF THIS ORDINANCE; AMENDING ORDINANCE NO 1225 AND ALL OTHER ORDINANCES OR PORTIONS THEREOF IN CONFLICT HERewith; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, the City of Rexburg recognizes the need to protect the health, safety, and welfare of animals and residents within the City;

WHEREAS, prohibiting the sale of dogs and cats in public places and retail businesses, except through reputable animal rescue organizations, is intended to reduce the number of homeless animals and promote responsible pet ownership;

NOW THEREFORE, be it ordained by the Council of the City of Rexburg, in the State of Idaho, as follows:

SECTION 1: **REPEAL** “7.03.050 Public Disposition Of Animals” of the Rexburg Municipal Code is hereby *repealed* as follows:

R E P E A L

7.03.050 Public Disposition Of Animals (*Repealed*)

It shall be unlawful to give away animals at any place of business or on City owned land within the city limits without first obtaining a permit from the Rexburg Police Department. The form to be completed for approval of permit application is attached hereto as Attachment #1. Within five (5) days of the date of disposition, the completed permit must be returned to animal control. The fines for violating this section are established by resolution and detailed on the City of Rexburg master fee list. (*Ord. 1225 §22, 2020*).

SECTION 2: **ADOPTION** “7.03.053 Sale Of Certain Animals In Public Places Prohibited” of the Rexburg Municipal Code is hereby *added* as follows:

A D O P T I O N

7.03.053 Sale Of Certain Animals In Public Places Prohibited(*Added*)

1. It shall be unlawful for any person to display, offer for sale, barter, auction, give away, transfer, sell, or otherwise transfer ownership of any animal to another upon a street, sidewalk, public park, public right-of-way, or other public place.
2. The prohibitions in this subsection shall not apply when transfer of animal ownership is conducted by an animal shelter; non-profit animal rescue organization; or an enforcement officer, law enforcement, or any other City employee charged with enforcing the provisions of this subsection.
3. This subsection shall not apply to the sale of a dog or cat from the premises on which they were bred and reared.

SECTION 3: **ADOPTION** “7.03.055 Sale Of Dogs And Cats In Retail Stores Prohibited” of the Rexburg Municipal Code is hereby *added* as follows:

A D O P T I O N

7.03.055 Sale Of Dogs And Cats In Retail Stores Prohibited(*Added*)

1. It shall be unlawful for any person to display, offer for sale, deliver, barter, auction give away, transfer or sell any live dog or cat of any age in a retail business or other commercial establishment located within the City, except for a dog or cat obtained from an animal shelter, humane society, or non-profit animal rescue organization that does not breed dogs or cats and does not obtain dogs or cats from a person who breeds or or resells such animals for payment or compensation.
2. Every establishment lawfully selling or boarding for the purpose of eventual sale of any dog or cat shall maintain a certificate of source for each such animal and shall make it available upon request to enforcement officers, law enforcement, or any other City employee charged with enforcing the provisions of this subsection.
3. This subsection shall not apply to the sale of a dog or cat from the premises upon or in which they were bred and reared.

SECTION 4: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 5: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

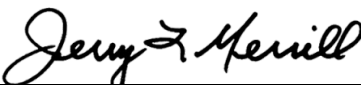
SECTION 6: EFFECTIVE DATE This Ordinance shall be in full force and effect from June 3, 2026 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL JUNE 03, 2026.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Colin Erickson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Bryanna Johnson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Eric Erickson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember David Reeser	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Bill Riggins	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Councilmember Alisha Tietjen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City
of Rexburg



Deborah Lovejoy, Rexburg City
Clerk, City of Rexburg

