

**ORDINANCE NO.** \_\_\_\_\_

An ordinance adding Chapter [REDACTED] to the Portland Municipal Code to prohibit the sale or manufacture for sale in Portland of fur products.

**WHEREAS**, Oregon law in Chapter 167 (Section 167.305) states “Animals are sentient beings capable of experiencing pain, stress and fear”;

**WHEREAS**, the Federal Dog and Cat Protection Act of 2000 (19 U.S.C. Section 1308) makes it unlawful to import into, or export from the United States any dog or cat fur product;

**WHEREAS**, Oregon law in Chapter 167 (Section 167.390) makes it unlawful to “buy, sell, barter or otherwise exchange for commerce in fur purposes the raw fur or products that include the fur of a domestic cat or dog if the fur is obtained through a process that kills or maims the cat or dog”;

**WHEREAS**, other than banning the buying, selling, barter or otherwise exchange of dog or cat fur products, neither the federal government nor the Oregon State legislature prohibits the manufacture or sale of fur.

**WHEREAS**, each year, more than 1 billion animals are killed for their fur worldwide, including rabbits, foxes, coyotes, chinchillas, racoons, and seals. Roughly 85% of animals killed for fur are raised on fur factory farms. These animals are often forced to live in very crowded, stressful, and unsanitary conditions and are killed by inhumane methods including anal and genital electrocution, gassing, and neck breaking.

**WHEREAS**, through technology, new methods for manufacturing warm clothing and plant based materials have advanced, making the use of animal fur for warm clothing unnecessary. Consequently, most animal furs are now used solely for fashion;

**WHEREAS**, considering the wide array of alternatives for fashion and apparel, the demand for fur does not justify the confinement, inhumane treatment, and killing of animals;

**WHEREAS**, eliminating the sale and manufacture of fur in the City of Portland will promote community awareness of animal welfare and, in turn, will foster a more kind and humane environment within the City; and

**NOW, THEREFORE,**

**THE PEOPLE OF THE CITY OF PORTLAND**

**DO ORDAIN AS FOLLOWS:**

Section 1. Chapter \_\_\_\_ is added to Title \_\_\_\_ of the Portland Municipal Code to read as follows:

**Chapter \_\_\_\_ . PROHIBITION TO MANUFACTURE, SELL, DISTRIBUTE, TRADE, IMPORT, OR EXPORT FUR.**

**Definitions.** For the purposes of this Chapter, the following words shall have the following meanings:

1. **Fur.** Any animal skin or part thereof with Fur, fleece or Fur fibers attached thereto, either in its raw or processed state.
2. **Fur Product.** Any article of clothing or covering for any part of the body or fashion accessory made in whole or in part of fur, including, but not limited to, a

coat, jacket, handbag, purse, wallet, shoe, slipper, hat, earmuff, scarf, shawl, glove, jewelry or keychain. "Fur Product" does not include any of the following;

- a. A dog or cat fur product, as defined in Section 1308 of Title 19 of the United States Code.
- b. An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed.
- c. Cowhide with the hair attached thereto;
- d. Lambskin or sheepskin with the fleece attached thereto; or
- e. The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.

3. **Non-Profit Organization.** Any charity or corporation that is authorized under United States Code 26 Section 501(c)(3) for charitable, religious, philanthropic, educational or other similar purposes.

4. **Taxidermy.** The practice of preparing and preserving the skin and Fur of a deceased animal or part of a deceased animal that is stuffed and mounted in a lifelike form.

5. **Used Fur Product.** Fur or Fur Product in any form which has been worn or used by an ultimate consumer.

6. **Effective and Operative Dates.** This ordinance shall be effective 6 months after passage. Passage of the ordinance shall occur after two (2) public readings of its title or the effect thereof.

**Prohibitions.** It shall be unlawful to manufacture, sell, display for sale, distribute, or trade for monetary or nonmonetary consideration any Fur or Fur Product in the City, with the following exceptions:

1. A Fur Product where the activity is expressly authorized by federal or state law;
2. A Fur Product used by or traded with an American Indian, Alaskan Native, Indian tribe member, and/or persons having origins in any of the original peoples of North, Central, or South America, as a sacred object, funerary object, cultural item, or object of cultural patrimony, as these terms are defined under state and federal law, referencing ORS 97.740, ORS 358.905, the American Indian Religious Freedom Act (42 USC 1996), and the Native American Graves Protection and Repatriation Act (25 USC 3001 and 43 C.F.R. Part 10);
3. A Used Fur Product bought, sold, donated or owned by a person not in the primary business of selling Fur or a Fur Product, including a Non-Profit Organization, second hand store, or pawn shop; and
4. The manufacture for sale of a Fur Product using Fur sourced exclusively from a Used Fur Product.

**Implementation and Enforcement.** Violations of this Chapter or of any rule or regulation issued under this Chapter shall be punishable by administrative fines imposed pursuant to administrative citations.

Violations of Chapter      shall be subject to: **1. a.** \$500 for the first violation in a calendar year; **b.** \$750 for the second violation in the same calendar year; and **c.** \$1000 for any subsequent violation within the same calendar year. **2.** Upon making a determination that a violation of this code or regulations duly adopted pursuant to this

Chapter [REDACTED] has occurred, the Director will send a written notice of the violation by mail to the violator specifying the violation and the applicable penalty as set forth in Subsection [REDACTED]. **3.** Any violator receiving a notice of violation must pay to the City the stated penalty or appeal the finding of a violation to the Code Hearings Officer in accordance with the procedures set forth in Section [REDACTED]. **4.** Each Fur Product that does not comply with Section [REDACTED], on each day a violation is committed or permitted to continue, shall constitute a separate violation of this Section.

**Severability.** If any provision of this section is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provisions, and to this end, the provisions of this section are declared to be severable.

