



# Office of the City Clerk

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## Legislation Text

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Committee on License & Consumer Protection Chicago City  
Council Meeting July 24, 2019

### ORDINANCE

WHEREAS, The City of Chicago ("City") is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, A disturbing practice has emerged in the retail pet industry, in which unscrupulous sellers offer to sell pets through installment sales agreements or lease agreements secured by the pet; and

WHEREAS, Such agreements are drafted with terms that are unfairly favorable toward the seller, and are often a financial hardship for the pet purchaser; and

WHEREAS, These agreements usually contain terms that allow the seller to repossess the pet from the purchaser in the event the purchaser cannot make a payment; and

WHEREAS, In addition to losing a beloved pet, the purchaser also forfeits any payments made under the agreement, and the seller may then resell the pet to another purchaser; and

WHEREAS, This body believes that such agreements have been, or may be, offered by pet sellers who conduct business in the City of Chicago; and

WHEREAS, The harsh consequences of these agreements affect the health and general welfare of residents of the City of Chicago, and as such they are void as against public policy; now, therefore,

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. The foregoing recitals are adopted and incorporated into and made a part of this Ordinance.

SECTION 2. Section 4-384-015 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

4-384-015 Retail sale of dogs, cats and rabbits: pet lease and finance agreements.

*(Omitted text not affected by this ordinance.)*

(e) Pet lease and finance agreements.

1) Except as provided herein, an agreement with a retailer or animal care facility entered on or after November 1, 2019, to transfer ownership of a pet to a consumer in which ownership of the pet is contingent upon the consumer making payments over a period of time after the transfer of possession of the pet is void as against public policy.

2) Subsection (e)(1) shall not apply to an unsecured installment sales agreement between a retailer or an animal care facility and a consumer to repay the purchase price of a pet.

3) An agreement between a retailer or animal care facility and a consumer entered on or after November 1, 2019, for the lease of a pet that provides for, or offers, the option of transferring ownership of the pet to the consumer at the end of the lease term is void as against public policy.

4) A consumer who takes possession of a pet under an agreement described in subsection (e)(1) or (e)(3) shall be deemed the owner of the pet, and shall be entitled to the return of all amounts paid under the agreement, in addition to any other remedy provided by law.

SECTION 3. This ordinance shall be in full force and effect upon passage and publication.