

Model Ordinance – Pet-Friendly Low-Income Housing

MUNICIPALITY

ORDINANCE NUMBER

AN ORDINANCE to amend [SECTION] of the [MUNICIPAL STATUTES/CODE] authorizing a tenant of housing acquired, constructed or rehabilitated with money from [MUNICIPAL PUBLIC HOUSING FUND] to keep a pet within the tenant’s residence.

WHEREAS, pet owners make up a growing segment of the population; and

WHEREAS, a recent study from the National Association of REALTORS® found that 81% of American households say animal-related considerations play a role in choosing where they’ll live next; and

WHEREAS, some property managers contribute to a lack of pet-friendly housing by prohibiting tenants from keeping companion animals, placing restrictions on a pet’s breed, size or weight, or charging expensive fees for pet-ownership; and

WHEREAS, requiring public housing in [MUNICIPALITY] to allow pets will allow owners to avoid the devastating choice of keeping a roof over their heads or surrendering their pets to a shelter;

Be it ordained by the Mayor and Council of [MUNICIPALITY, COUNTY, AND STATE] as follows:

SECTION 1. The [STATUTE/CODE] is amended by adding new section [SECTION] as follows:

a. As used in this ordinance:

- (1) “Pet” means any domesticated cat or dog [ADD ANY OTHER ANIMAL CATEGORIES AS NECESSARY] kept for pleasure and not commercial use.
- (2) “Service animal” means an animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.
- (3) “Service animal in training means an animal that is being trained as a service animal.

b. A tenant of housing acquired, constructed, or rehabilitated with any money from the [MUNICIPAL PUBLIC HOUSING FUND], created by [SECTION ESTABLISHING PUBLIC HOUSING FUND] must be allowed to keep one or more pets within the residence of a tenant in accordance with any applicable ordinances.

c. The provisions of subsection a. do not prohibit the enforcement of policies and ordinances relating to keeping a pet within a residence, including, without limitation:

- (1) Compliance with noise and sanitation standards;
- (2) Registration of the pet with the owner of the housing facility;
- (3) Restraint of the pet in common areas of the housing facility;
- (4) Timely removal of pet waste;
- (5) Vaccination requirements; and
- (6) Enforcement of violations of the policy.

d. Nothing in this section shall be construed to limit or otherwise affect other ordinances that require reasonable accommodations to be made for individuals with disabilities who maintain service animals or individuals handling service animals in training.

SECTION 2: The provisions of this ordinance apply to any rental agreement entered into before, on, or after [DATE], for housing that is acquired, constructed or rehabilitated with money from the [MUNICIPAL PUBLIC HOUSING FUND].

SECTION 3. This ordinance shall take effect on [DATE].

Explanation of the Model Ordinance

a. Section 1(a)

Section 1(a) provides definitions for key terms used in the ordinance, including defining “pet” as a domesticated, bird, cat, dog, or aquatic animal not kept for commercial use.

b. Section 1(b)

Section 1(b) establishes that tenants of housing financed using municipal funding for low-income housing must be allowed to keep pets.

c. Section 1(c)

Section 1(c) provides that tenants who own pets may still be required to follow certain policies related to pets, including:

1. Noise and sanitation standards;
2. Registering the pet with facility management;
3. Restraining the pet in common areas of the facility;
4. Removing pet waste in a timely manner; and
5. Vaccinating the pet.

The section also provides that housing facilities subject to this ordinance may enforce the above policies.

d. Section 1(d)

The section provides that this ordinance does not restrict a tenant’s right to maintain a service animal or keep a service animal in training.

e. Section 2

Section 2 outlines the date on which all rental agreements for affected housing will be required to be pet-friendly.

f. Section 3

Section 3 provides the date that this ordinance will go into effect.