

**Town of Lexington**

**Motion**

**2023 Annual Town Meeting**

**ARTICLE 31 FAIR TRADE RESTRICTIONS-FUR PRODUCTS (Citizen Petition)**

**A Bylaw Amending Chapter 9 of the General Bylaws of the Town of Lexington – Trade In Fur Products Prohibited**

**MOTION:** Chapter 9 of the General Bylaws of the Town of Lexington is hereby amended by adding a new Section 9-8 as follows:

**Section 9-8. Trade in Fur Products.**

**A.** To protect the health and welfare of the inhabitants of this Town, this bylaw will restrict trade in fur products. The fur production process is energy intensive and has a significant environmental impact, including air and water pollution, and animals that are slaughtered for their fur endure tremendous suffering. Eliminating the sale of fur products in the Town of Lexington will decrease the demand for these cruel and environmentally harmful products and promote community health and wellbeing as well as animal welfare, and, in turn, will foster a more humane environment in the Town and enhance the reputation of the Town.

**B.** The following words as used in this Section shall have the following meanings:

(1) “Fur” means any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.

(2) “Fur product” means any article of clothing or covering for any part of the body, or any fashion accessory, including but not limited to handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:

a. 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;

b. Cowhide with the hair attached thereto;

c. Deerskin 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” means any corporation that is organized under 26 U.S.C. § 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.

(4) “Taxidermy” means the practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.

(5) “Ultimate consumer” means an individual who buys a fur product for their own use, or for the use of another, but not for resale or trade.

(6) “Used fur product” means a fur product that has been worn or used by an ultimate consumer.

**C.** Notwithstanding any other provision of law, no person shall sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in the Town of Lexington. For purposes of this Section, the sale of a fur product shall be deemed to occur in the Town of Lexington if:

- (1) The buyer takes physical possession of the fur product in the Town; or
- (2) The seller is located in the Town.

**D.** This section shall not apply to the sale, offer for sale, display for sale, trade, or distribution of:

(1) A used fur product by an individual (excluding a retail transaction), non-profit organization, or second-hand store, including a pawn shop.

(2) A fur product required for use in the practice of a religion;

(3) A fur product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized or state recognized Native American tribe; or

(4) A fur product where the activity is expressly authorized by federal or state law.

**E.** Whoever violates this Section shall be punished by a fine of \$300 pursuant to G.L. c. 40, § 21D and § 1-6 of the Town’s Code of Bylaws. Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

**F.** The invalidity of any provision of this By-Law shall not invalidate any other section or provision thereof.

**G.** This By-Law shall become effective upon satisfaction of the requirements for Attorney General approval and for posting or publication provided in M.G.L. c.40, § 32, and no earlier than 6 months after passage.

(Revised 03/06/2023)