

**RESOLUTION NO. 894 -2011, ESTABLISHING A VOLUNTARY  
"PUPPY AND DOG PROTECTION RATING PROGRAM" FOR  
PET STORES IN SUFFOLK COUNTY**

**WHEREAS**, Suffolk County is a leader in promoting the humane treatment of animals; and

**WHEREAS**, puppies and dogs are a part of many families throughout Suffolk County; and

**WHEREAS**, while some families adopt pets through animal shelters, many choose to purchase their new family member through a pet store; and

**WHEREAS**, pet stores vary greatly in the care and treatment of the animals they sell, with some treating companion animals like extended family and others barely meeting State regulations; and

**WHEREAS**, breeders who sell puppies and dogs to pet stores also vary greatly in their care and treatment of animals and breeding practices; and

**WHEREAS**, some breeders of dogs operate substandard commercial facilities that provide minimal care to the dogs they breed and leave them in inhumane and unsafe living conditions to increase profit margins; and

**WHEREAS**, Suffolk County encourages pet stores and consumers to learn about the conditions in which puppies and dogs they purchase were bred and housed and to avoid breeders engaging in behaviors that endanger their animals; and

**WHEREAS**, it can be difficult for a consumer to judge how a pet store cares for the puppies it sells or how dogs were treated at their breeder's facility; and

**WHEREAS**, Suffolk County should establish a voluntary rating program for pet stores to obtain information on their practices and distill that information into an easy to understand rating for consumers; and

**WHEREAS**, a rating system will allow pet stores that adhere to a high quality of care and source puppies from responsible breeders to showcase their responsible practices and receive a higher rating than stores that provide lower-quality care and/or source from substandard breeders; and

**WHEREAS**, a rating program will also provide prospective pet owners with an objective and easy-to-understand rating of the source of their future pet, allowing consumers to decide which pet store they would like to patronize; now, therefore be it

**1st RESOLVED**, that the Puppy and Dog Protection Rating Program is hereby established under which any pet store located in Suffolk County that sells puppies can voluntarily provide information about its business and practices, with supporting documentation, to the Suffolk County Pet Store Rating Board; and

**2nd**           **RESOLVED**, that this program will rate stores to reflect the quality of care provided to puppies and dogs by the pet store as well as sourcing breeders; and be it further

**3rd**           **RESOLVED**, that a Suffolk County Pet Store Rating Criteria Committee ("Criteria Committee") is hereby established to set the criteria to be used in rating participating pet stores in the Puppy and Dog Protection Rating Program and develop the pet store application form and the rating form to be used by the Pet Store Rating Board established herein; and be it further

**4th**           **RESOLVED**, that the Criteria Committee consist of the following five (5) members:

- 1) the Commissioner of the Department of Consumer Affairs, or his or her designee, who shall serve as Chair of the Committee;
- 2) a representative from the American Society for the Prevention of Cruelty to Animals;
- 3) a representative from a Long Island-based animal welfare organization, to be selected by the County Legislature;
- 4) a representative from the American Kennel Club, or designee; and
- 5) a representative from the Pet Industry Joint Advisory Council, or designee;

and be it further

**5th**           **RESOLVED**, that the Committee shall hold its first meeting no later than thirty days after the oaths of office of all members have been filed, which meeting shall be convened for the purpose of organization and the appointment of a vice-chairperson and a secretary; and be it further

**6th**           **RESOLVED**, that the members of said Committee shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**7th**           **RESOLVED**, that no member of said Committee shall have a financial relationship with any pet store in the County of Suffolk; and be it further

**8th**           **RESOLVED**, that three (3) members of the Committee shall constitute a quorum for the purpose of transacting the business of the Committee; and be it further

**9th**           **RESOLVED**, that the Committee shall consider the factors set forth in Exhibit "A" of this resolution when establishing the criteria for the Pet Store Rating Program, however the Committee shall not be required to incorporate any or all of the considerations from Exhibit "A" into the finalized criteria; and be it further

**10th**          **RESOLVED**, that the Committee shall submit a written report of its proposed criteria to each member of the County Legislature and the County Executive no later than ninety (90) days subsequent to the effective date of this Resolution for consideration, review, and appropriate action, if necessary, by the entire County Legislature; and be it further

**11th**           **RESOLVED**, that the Committee shall expire, and the terms of office of its members terminate, as of January 31, 2012 at which time the Committee shall deposit all the records of its proceedings with the Clerk of the Legislature; and be it further

**12th**           **RESOLVED**, that a Suffolk County Pet Store Rating Board is hereby established to analyze and verify information provided by participating pet stores and to rate each pet store based on their adherence to local, state and federal laws, regulations and humane standards on the care and treatment of puppies and dogs in their store and at the breeders they purchase puppies and dogs from, as set forth in the criteria established by the Criteria Committee; and be it further

**13th**           **RESOLVED**, that the Suffolk County Pet Store Rating Board shall consist of the following five (5) members:

- 1) the Commissioner of the Department of Consumer Affairs, or his or her designee;
- 2) a representative from the Suffolk County Society for the Prevention of Cruelty to Animals;
- 3) a representative of a Long Island-based animal welfare organization, to be selected by the County Legislature;
- 4) a retired veterinarian selected by the Long Island Veterinary Medical Association; and
- 5) a representative of the Pet Industry Joint Advisory Council, or designee.

and be it further

**14th**           **RESOLVED**, that the chairperson of the Board shall be selected by a majority of the membership of said Board; and be it further

**15th**           **RESOLVED**, that the Board shall hold its first meeting no later than thirty (30) days after the oaths of office of all members have been filed, which meeting shall be convened for the purpose of organization and the appointment of a chairperson, vice chairperson and a secretary; and be it further

**16th**           **RESOLVED**, that the members of said Board shall serve without compensation and shall serve at the pleasure of their respective appointing authorities; and be it further

**17th**           **RESOLVED**, that no member of said Board shall have a financial relationship with any pet store or offer pets or pet products for retail sale in the County of Suffolk; and be it further

**18th**           **RESOLVED**, that three (3) members of the Board shall constitute a quorum for the purpose of transacting the business of the Board; and be it further

**19th**           **RESOLVED**, that the Board shall review rating applications, perform site visits of pet stores and establish ratings for individual pet stores based upon the criteria set by the Criteria Committee, which encompasses local, state and federal regulations and humane standards on the breeding, transportation and sale of puppies and dogs, as well as their care

and treatment from birth through sale, for the purpose of evaluating pet stores that seek a rating; and be it further

**20th** **RESOLVED**, that pet stores operating in Suffolk County shall be eligible to voluntarily submit information regarding their businesses and business practices on an annual basis to the Board and receive a rating on a scale to be established by the Suffolk County Pet Store Rating Criteria Committee which compares said practices with local, state and federal regulations, humane standards, and considerations established herein; and be it further

**21st** **RESOLVED**, that the Board shall provide a brief explanation of the reason a pet store has received the rating selected; and be it further

**22nd** **RESOLVED**, that the Suffolk County Department of Consumer Affairs shall post a list of all pet stores in Suffolk County that sell puppies and shall include the rating for each participating pet store or a statement that a non-participating pet store has chosen not to undergo review under the Rating Program; and be it further

**23rd** **RESOLVED**, that any pet store owner or operator dissatisfied with the rating assessed by the Board shall have the right to update the information provided to the Board and seek a review of their rating within thirty (30) days of receiving their original rating assessment. No rating shall be published on the Department of Consumer Affairs website until after the rating has been finalized by the Board; and be it further

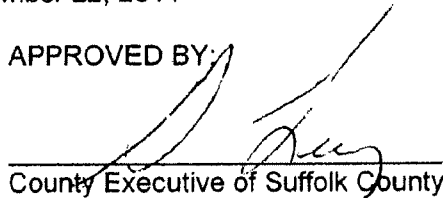
**24th** **RESOLVED**, that all pet stores who choose to participate in this program shall post the rating received from the Board in a prominent location within the store, as well as on a window in close proximity to the store's main entrance; and be it further

**25th** **RESOLVED**, that the Board shall investigate any allegations of fraudulent submission of information by a pet store and may revoke a store's rating for a period of one year if the Board determines that the pet store made material misrepresentations in seeking same; and be it further

**26th** **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 22, 2011

APPROVED BY:

  
\_\_\_\_\_  
County Executive of Suffolk County

Date: 12/7/11

## Exhibit "A"

# Suggestions for Criteria for "Puppy and Dog Protection Rating Program" for Pet Stores

### **Possible PET STORE CONDITIONS AND OPERATIONS**

#### **Appearance and Atmosphere of Pet Store**

Criteria could address whether the store is clean, appealing and welcoming or dirty and smelly. Also, does the store have a fire suppression system with an alarm and climate controls.

#### **Condition of Puppies in Pet Store**

Criteria could address the physical conditions of the puppies and their housing. Some issues to address could be: are they clean, healthy and happy; are they housed in proper, clean, well-kept cages or kennels with solid flooring; do they have access to clean water and food; are their dishes clean and accessible; do they have appropriate and adequate bedding; do they get regular socialization and exercise; were the parent dogs screened for hereditary diseases and does the store provide copies of screening certificates to the consumer.

#### **Overall Business Operation**

Criteria could address how the business is run and if the pet store owner adheres to current local, state and federal laws. Some issues to address could include: has the store changed its name in the past twelve months; does the store use misleading advertising (i.e.: falsely claiming they are a breeder over the phone or in newspaper ads); has the store received poor inspections from governing agencies; does the store provide appropriate sourcing documentation indicating where each individual puppy was obtained; does the store provide health certificates, including vaccination records, for every puppy they sell; does the store continually purchase puppies from the same breeders and are those breeders highly rated; are salespeople knowledgeable when questioned about breed traits and hereditary issues for the puppies they are selling; does the store ask for and review proper customer identification; does the store check the Suffolk County Animal Abuser Registry before selling a puppy to a customer; does the store maintain appropriate records regarding sale of puppy to customer; does the store provide a health guarantee for all the puppies they sell; does the store provide some socialization and exercise for puppies; does the store encourage and provide information regarding micro-chipping; do salespeople attempt to educate the consumer of breed-specific needs before selling them a puppy and attempt to educate the consumer about the breed's specific health issues (if any) and what to watch out for; does the store either house or showcase homeless puppies in need of adoption through a partnering animal shelter or rescue organization; does the store check the customers' references before a sale; does the store provide veterinary care; does the store have employees or owners currently charged with animal cruelty or abuse.

#### **Miscellaneous Issues:**

Miscellaneous issues to address could include: What does the pet store do with puppies and dogs that do not sell? How many sick puppies and dogs have been returned to the store in the past twelve months? How many dead puppies have been returned or reported to the store in the past twelve months? How many consumer complaints have been filed regarding the store in the past twelve

months?

## **Possible BREEDER CONDITIONS AND OPERATIONS**

### **Appearance and Atmosphere of Breeding Facility or Facilities from Which Pet Store Obtain Puppies**

Criteria could address whether the breeding facilities are clean, appealing and welcoming or dirty and smelly. Also, do they have a fire suppression system with an alarm and climate controls.

### **Condition of Dogs and Puppies at Breeding Facility or Facilities**

Criteria could address the physical conditions of the dogs and puppies and their housing at the breeding facility. Some issues to address could be: are they clean, healthy and happy; are they housed in proper, clean, well-kept cages or kennels with solid flooring; do they have access to clean water and food; are their dishes clean and accessible; do they have appropriate and adequate bedding; do they get regular socialization and exercise; were the parent dogs screened for hereditary diseases; does the breeder provide copies of screening certificates to the pet store or consumer.

### **Overall Business Operation**

Criteria could address how the breeding business is run and if the breeder adheres to current local, State and Federal laws. Some issues to address could include: has the breeder changed its name more than once in the past 5 years; does the breeder sell puppies over the Internet; does the breeder have multiple websites; does the breeder continue to breed puppies with food or environmental allergies, mange, or other obvious genetic defects; does the breeder participate in puppy auctions; does the breeder deliver puppies by airplane or other climate-controlled vehicle; does the breeder allow open inspections by not only government inspectors but also potential buyers; does the breeder provide health certificates, including vaccination records, for all puppies they sell; does the breeder allow customers to purchase puppies and dogs on premises at their facility; what is the ratio of handlers to the total number of dogs and puppies at the breeding facility; does the breeder screen puppies and dogs for hereditary diseases and provide copies of the screening certificates to the pet store or customer; does the breeder participate in dog sports, shows or other outside activities with their adult dogs; does the breeder DNA test their puppies and dogs to prove parentage and provide results upon request; does the breeder have employees or owners currently charged with animal abuse or cruelty.

### **Miscellaneous Issues:**

Miscellaneous issues to address could include: What does the breeder do with dogs that can no longer be used for breeding? What does the breeder do with puppies that are suffering from incurable diseases? How many sick puppies and dogs were returned to the breeder in the past twelve months? How many dead puppies and dogs were returned to the breeder in the past twelve months? How many consumer complaints were filed against the breeder and affiliates in the past twelve months?

### **Conditions for an automatic failure rating could include:**

If the pet store:

- has an employee or owner who has been convicted of animal abuse or cruelty.
- does not comply with local, state and/or federal laws.
- has received USDA violations or has had their licenses revoked in the past two years.
- has received poor or failing inspection reports from governing agencies.
- fails to accurately disclose the name of the pedigree organization that registers their puppies.
- purchases puppies from a broker rather than directly from a breeder.

Or if the breeding facility from whom they purchase their puppies:

has an employee or owner who has been convicted of animal abuse or cruelty.  
does not comply with local, state and/or federal laws.  
has received USDA violations or has had their licenses revoked in the past two years.  
has received poor or failing inspection reports from governing agencies.  
does not allow open inspections of their facility by potential buyers.  
euthanizes dogs that are past their useful breeding life rather than putting them up for adoption.

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on November 22, 2011 and that the same is a true and correct transcript of said resolution and of the whole thereof.*

*In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.*

*Tim Laube*

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Clerk of the Legislature



Intro. Res.

1769

Res. No.

894

November 22, 2011

**Motion:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Co-Sponsors:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

**Second:**

Romaine, Schneiderman, Browning, Muratore, Anker  
Eddington, Montano, Cilmi, Lindsay, Vilorio-Fisher, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/				
2	Jay H. SCHNEIDERMAN	/				
3	Kate M. BROWNING	/				
4	Thomas MURATORE	/				
6	Sarah S. ANKER	/				
7	Jack EDDINGTON	/				
9	Ricardo MONTANO		/			
10	Thomas CILMI	/				
11	Thomas F. BARRAGA		/		/	
12	John M. KENNEDY, JR.				/	
13	Lynne C. NOWICK	/				
14	Wayne R. HORSLEY	/				
15	DuWayne GREGORY	/				
16	Steven H. STERN	/				
17	Lou D'AMARO	/				
18	Jon COOPER	/				
5	Vivian VILORIA-FISHER, D.P.O.	/				
8	William J. LINDSAY, P.O.	/				
Totals		15	2	-	1	-

MOTION
<input checked="" type="checkbox"/> Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess
APPROVED <input checked="" type="checkbox"/> FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

*Tim Laube*

Tim Laube, Clerk of the Legislature

Roll Call \_\_\_ Voice Vote

**RESOLUTION NO. 825-2013, AMENDING RESOLUTION NO. 894-2011, TO CHANGE THE MEMBERSHIP OF THE SUFFOLK COUNTY PET STORE RATING BOARD**

**WHEREAS**, Resolution No. 894-2011 established a voluntary pet store rating program; and

**WHEREAS**, to ensure that pet stores are rated properly, a Pet Store Rating Board ("Board") was established to review rating applications, conduct site visits and establish each applicant's rating; and

**WHEREAS**, the Board membership includes a retired veterinarian to be appointed by the Long Island Veterinary Medical Association; and

**WHEREAS**, no retired veterinarian was ever appointed; and

**WHEREAS**, the composition of the Board should be amended to allow for a working veterinarian to be appointed to serve; now, therefore be it

**1st RESOLVED**, that the 13<sup>th</sup> RESOLVED clause of Resolution No. 894-2011 is hereby amended as follows:

**13<sup>th</sup> RESOLVED**, that the Suffolk County Pet Store Rating Board shall consist of the following five (5) members:

\* \* \* \*

- 4) [a retired veterinarian selected by the Long Island Veterinary Medical Association] a veterinarian practicing in the County of Suffolk, to be appointed by the Presiding Officer of the County Legislature; and

\* \* \* \*

and be it further

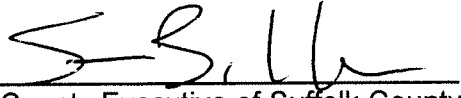
**2nd RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

[ ] Bracket denotes deletion of existing language

\_\_\_ Underlining denotes addition of new language

DATED: OCT 08 2013

APPROVED BY:



County Executive of Suffolk County

Date: 10/17/13

SUFFOLK COUNTY  
County Legislature  
RIVERHEAD, NY



*This is to Certify That I*, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on October 8, 2013 and that the same is a true and correct transcript of said resolution and of the whole thereof.

*In Witness Whereof*, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

*Tim Laube*

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Clerk of the Legislature

Intro. Res.

1723

Res. No.

825

October 8, 2013

**Motion:**

Krupski, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**

Krupski, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**

Krupski, Schneiderman, Browning, Muratore, Anker  
Calarco, Montano, Cilmi, Hahn, Barraga,  
Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Thomas MURATORE					
5	Kara HAHN					
6	Sarah S. ANKER					
7	Rob CALARCO					
8						
9	Ricardo MONTANO					
10	Thomas CILMI					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	William SPENCER					
14	Wayne R. HORSLEY, P.O.					
	Totals	17				

MOTION
<input checked="" type="checkbox"/> Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess
APPROVED <input checked="" type="checkbox"/> FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
___ NOT ADOPTED

Roll Call \_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature