

**RESOLUTION NO. 818 -2012, APPROVING THE CRITERIA  
FOR THE COUNTY'S PET STORE RATING PROGRAM**

**WHEREAS**, Resolution No. 894-2011 established a voluntary rating program for pet stores operating in Suffolk County to ensure the health and safety of the animals they sell; and

**WHEREAS**, Resolution No. 894-2011 established the Pet Store Rating Criteria Committee ("Committee"), which set the criteria to be used in rating participating pet stores, and a Pet Store Rating Board, to determine a store's rating once criteria is established; and

**WHEREAS**, Resolution No. 894-2011 requires that the Suffolk County Legislature approve the rating criteria for the Pet Store Rating Program, as proposed by the Committee; and

**WHEREAS**, the Committee has developed the rating criteria for the Pet Store Rating Program and is seeking approval of same by the County Legislature; and

**WHEREAS**, the County Legislature should approve the rating criteria proposed herein so that the rating of pet stores can begin; now, therefore be it

**1st RESOLVED**, that the rating criteria for the Suffolk County Pet Store Rating Program, attached hereto as "Exhibit A" of this resolution, is hereby approved in its entirety; 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.

DATED: September 13, 2012

APPROVED BY:



County Executive of Suffolk County

Date: 9.21.12

## EXHIBIT "A"

### Pet Store Rating Criteria

#### Rating Standards

1. Yes - affirmation, and complies with laws and regulations where applicable.
2. Needs Improvement - does not comply with laws and regulations where applicable, but violations or issues are minor enough to warrant a 60 day window to rectify the issue(s) found by the inspector(s).
3. No - negation, and does not comply with laws and regulations where applicable.
4. Automatic Failure - occurs if a violation or other issue is found by the inspector(s) that endangers the health and/or wellbeing of the animals in the pet store.

\*NOTE - Should some of these criteria questions not warrant an answer listed above, it will be left to the store inspector(s) to make the determination of whether or not the store receives a positive or negative answer for that particular question and include any further explanation the inspector(s) believes is necessary.

Be it further noted that, in cases where store(s) are awarded answers of "Needs Improvement" and/or "Automatic Failure," it is necessary that the inspector(s) provide sufficient and specific explanation detailing their reasoning for awarding either one of those answers to be reviewed by the Commissioner of Consumer Affairs or his/her designee.

Be it further noted that this is a *voluntary program*. Any store wishing to be rated will, at their own discretion, apply to the Suffolk County Department of Consumer Affairs.

#### Definition of Term(s)

Appropriate - refers to the varying characteristics of the animals within each pet store and commonly-accepted animal husbandry practices for caring for the particular type of animals sold. The store's passage of some of the criteria questions, along with the general criteria, is dependent on these practices and varying animal characteristics, which includes, but is not limited to, breed, species, size, gender, etc..

Inspector(s) - refers to the Suffolk County Pet Store Rating Board as established by **Suffolk County Resolution 894-2011**, consisting of the following individuals:

1. the Commissioner of the Department of Consumer Affairs, or his or her designee;
2. a representative from the Suffolk County from the 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.

#### Section I - General/Laws

- . Are the pet store owners and managers knowledgeable and in compliance with federal, state, and local laws and regulations regarding their business operations, including the ownership and maintenance of pets?

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## **Section II – In-store Care**

- *Do the animals have daily access to appropriate amounts of clean, fresh water?*
- *Do the animals have daily access to appropriate amounts of properly stored, clean, fresh food?*
- *Do the animals of the pet store appear to be in appropriate healthy condition?*
- *Do the animals appear to be groomed and clean?*
- *Are the animals provided with appropriate and necessary health care by a properly licensed veterinary health professional?*
- *Have the animals received appropriate preventative care, including vaccinations and worming care?*
- *Are the appropriate animals microchipped?*

## **Section III – Housing**

- *Are the animal enclosures in the store appropriately large enough to accommodate the animals which they house?*
- *Are the animals appropriately confined and secured in those enclosures or located in appropriately climate-controlled areas?*
- *Do the animal enclosures protect the animals from adverse and/or extreme weather conditions?*
- *Are the animal enclosures cleaned and maintained as to ensure there is no danger to the animals' health, safety, and/or wellbeing?*

## **Section IV – Store Operations**

- *Does the store have an appropriate number of employees to ensure that the animals are properly taken care of?*
- *Are the store's floor and animal enclosures clean from materials that include, but are not limited to, odor, feces, or other debris?*
- *Does the store maintain an emergency preparedness and evacuation plan that includes the safe evacuation of their animals?*
- *Does the store maintain records and documentation for the appropriate species of animals (i.e. cats and dogs), including, but not limited to, health records and/or information regarding their place of origin?*
- *Does the store's staff have knowledge of the animals which they sell?*
- *Does the store maintain and provide published information regarding the care of the particular kinds of animals which they sell?*
- *What is the store's policy on how to handle unsold animals? Does the store adhere to that policy?*
- *How many animals has the store had returned and for what reasons?*
- *Has the store received any consumer complaints? If so, what type and how frequently?*

## **Section V – Sourcing of Animals**

- *Where do the animals in the store originate?*
- *Is information regarding the animals' places of origin provided to the customers prior to the time of sale?*
- *Are the animals in the store insourced from animal breeding entities and/or facilities that have previously been convicted of or plead guilty to violations, brought by the United States Department of Agriculture or by any other jurisdiction, to the Animal Welfare Act of 1966 (P.L. 89-544) or to other negligence/cruelty laws? If so, please provide explanation.*
- *Do the store's animal sources maintain official licenses as required by the Animal Welfare Act and/or similar licensing statutes originating in lesser jurisdictions?*

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 September 13, 2012 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

**Motion:**  
 Romaine, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Co-Sponsors:**  
 Romaine, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

**Second:**  
 Romaine, Schneiderman, Browning, Muratore, Anker  
 Calarco, Montano, Cilmi, Lindsay, Hahn, Barraga,  
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	✓				
2	Jay H. SCHNEIDERMAN	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
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, D.P.O.	✓				
8	William J. LINDSAY, P.O.	✓				
	Totals	15				

**MOTION**

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  FAILED \_\_\_\_\_

No Motion \_\_\_\_\_ No Second \_\_\_\_\_

**RESOLUTION DECLARED**

ADOPTED

NOT ADOPTED

Roll Call \_\_\_\_\_ Voice Vote

*Tim Laube*

Tim Laube, Clerk of the Legislature