

MAYOR
CAROLINE SIMMONS



CITY OF STAMFORD
OFFICE OF LEGAL AFFAIRS

888 WASHINGTON BOULEVARD
P.O. BOX 10152
STAMFORD, CT 06904 - 2152
Tel: (203) 977-4081
Fax: (203) 977-5560

**DIRECTOR OF LEGAL AFFAIRS
AND CORPORATION COUNSEL
THOMAS M. CASSONE**

DEPUTY CORPORATION COUNSEL
AMY J. LIVOLSI

ASSISTANT CORPORATION COUNSEL
CYNTHIA C. ANGER
BARBARA L. COUGHLAN
COLLEEN DEASY
CHRIS DELLASELVA
JOHN C. HARNESS
DANA B. LEE
BURT ROSENBERG
MICHAEL S. TOMA
ELIZABETH TURNER

To: Mary Fedeli, Minority Leader, Board of Representatives

From: Michael S. Toma, Esq., Assistant Corporation Counsel

Re: Regulation of Pet Shops

Date: February 7, 2024

You have asked whether state law continues to preempt municipal prohibition of pet shop sale of puppies. The Law Department had provided an opinion to the Board of Representatives (“Board”) in 2019 to that effect. I see no changes to state law that would change that opinion.

You also asked whether the Board is authorized to enact regulations on the sale of puppies in pet stores (such as the size of cages, frequency of veterinary visits, feeding practices, etc.). The Board is not so authorized. Municipalities have no inherent powers of their own and need statutory authority to enact regulations. An attempt to give municipalities authority to regulate pet shops was made in 2021, but did not pass the State Legislature. “An Act Concerning Municipal Restrictions on Pet Shops” (House Bill 6542) failed to pass, and the failure of this bill indicates that the State Legislature was unwilling to authorize municipalities to legislate in this area.

Additionally, the adoption in 2021 (the same year that the above-referenced bill failed) of new regulations at the State level regarding pet shops is further indication that the State decided to retain for itself the authority to regulate in this area. These new State regulations are extensive and address many particulars regarding the practices of pet shops (including regulation of animal enclosures, the temperature to be maintained, lighting, feeding practices, exercise out of cages, etc.).

Given the current status of the law as discussed above, the Board is not at this time authorized to regulate the sale of puppies in pet stores.