

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-192**

**A RESOLUTION REQUESTING THAT THE GOVERNOR AND STATE
LEGISLATURE REVIEW THE NEW JERSEY PET PURCHASE PROTECTION
LAW AND ENHANCE REGULATIONS AND RESTRICTIONS ON THE SALE
OF DOGS AND CATS FROM COMMERCIAL BREEDING FACILITIES**

Councilwoman Horgan offered the following resolution and moved its approval:

WHEREAS, the Animal Welfare Advisory Committee (the "AWAC") of the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough"), together with several outside animal welfare advocacy groups, brought to the attention of the Borough's Governing Body the existence of numerous lapses in regulation and loopholes in restrictions with respect to the State of New Jersey's Pet Purchase Protection Law; and

WHEREAS, the Borough's Governing Body has spent several months meeting with members of the AWAC, pet shop industry advocates, and animal welfare advocates in order to review and study the alleged lapses in regulation and loopholes in restrictions under the State's Pet Purchase Protection Law; and

WHEREAS, after months of review and research, the Borough's Governing Body has concluded that there are a significant number of puppies and kittens sold at pet shops in the State of New Jersey, including some puppies and kittens sold within the limits of the Borough, that come from commercial breeding facilities where the health and welfare of the animals are not adequately provided for; and

WHEREAS, the Borough's Governing Body has further concluded that, undoubtedly, certain problems exist within the regulatory framework surrounding the State's Pet Purchase Protection Law, including, but not limited to, the disguised sourcing of animals, the lack of adequate information available to retail customers, the falsification of documents by industry participants, the federal government's refusal to make available to the public certain USDA inspection reports, and the fact that the vast majority of disreputable commercial breeding facilities are located out-of-state; and

WHEREAS, after reaching said conclusions, the Borough's Governing Body attempted to draft an Ordinance to utilize municipal resources to augment the Pet Purchase Protection Law for the benefit of local residents and consumers; and

WHEREAS, the Borough's Governing Body introduced two proposed Ordinances and met with the AWAC, pet shop industry advocates, and animal welfare advocates on numerous occasions in an attempt to craft a municipal regulatory framework that worked both practically and economically for the Borough's residents, business owners, visitors, and taxpayers; and

WHEREAS, despite their substantial work on this issue and receipt of valuable input from the AWAC and other advocates, the Borough's Governing Body has determined that any Ordinance augmenting the regulations and restrictions of the State's Pet Purchase Protection Law within the limits of the Borough would likely face substantial challenges when it comes to enforcement and would certainly require substantial municipal resources to create a new regulatory framework within the local Borough government; and

WHEREAS, the Borough's Governing Body has further determined that, even if the Borough were to adopt an Ordinance and commit municipal resources to augmenting the Pet Purchase Protection Law within the limits of the Borough, the larger federal and state regulatory problems with the Pet Purchase Protection Law would continue to exist;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, hereby requests that the Governor and State Legislature review the New Jersey Pet Purchase Protection Law and, at minimum, introduce legislation amending said Law to resolve the numerous problems within its regulatory framework, including, but not limited to, the disguised sourcing of animals, the lack of adequate information available to retail customers, the falsification of documents by industry participants, the federal government's refusal to make available to the public certain USDA inspection reports, and the fact that the vast majority of disreputable commercial breeding facilities are located beyond the jurisdiction of the State of New Jersey; and

BE IT FURTHER RESOLVED that, in the alternative, the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, hereby requests that the Governor and State Legislature consider a state-wide ban on the retail sale of certain dogs and cats, as has been enacted in the State of Maryland and the State of California; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, hereby directs that a certified copy of this Resolution be forwarded to Governor Philip D. Murphy, State Senator Vin Gopal (NJLD-11), Assemblyman Eric Houghtaling (LD-11), and Assemblywoman Joann Downey (LD-11).

Seconded by Councilman Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	(X)	()	()	()
Councilman Whelan	(X)	()	()	()
Councilman Yngstrom	()	()	()	(X)
Councilman Ballard	(X)	()	()	()
Councilman Zipprich	(X)	()	()	()
Councilwoman Horgan	(X)	()	()	()

Dated: July 18, 2018

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on July 18, 2018.

Pamela Borghi

Pamela Borghi, Municipal Clerk