

From: [Lee, Benjamin](#)
To: [Emmett, Kathryn](#)
Cc: [Rosenson, Valerie](#); [Isidro, Judith](#)
Subject: Re: issue re ordinance prohibiting pet stores from selling dogs and cats
Date: Monday, August 19, 2019 6:27:43 PM

Thank you Kathy. Yes, I would be obliged if we could get an opinion, though naturally I understand that will take until at least our next meeting.

Valerie, could you please have this distributed to the committee, with a copy of the relevant statute?

Best regards,

Ben

Benjamin Lee
Stamford Board of Representatives
District 15 Representative
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From: Emmett, Kathryn
Sent: Monday, August 19, 2019 6:20:07 PM
To: Lee, Benjamin
Cc: Rosenson, Valerie; Isidro, Judith
Subject: issue re ordinance prohibiting pet stores from selling dogs and cats

Ben,

As a follow up to our telephone call, I'm emailing to let you and the L&R Committee of the BOR know that the in house counsel for CT's Department of Agriculture alerted me today to the Department's concern that State of CT statutes – in particular Conn. Gen. Stats. Sec. 22-344 which gives the Department of Agriculture the authority to license pet stores and to adopt regulations to protect the health and safety of pets in pet stores – would preempt any local laws in CT concerning these issues, including any municipal law prohibiting pet stores from selling dogs and cats. As you know, I believe that the Department's concern in regard to the preemption issue has a reasonable foundation based on the relevant statutory framework. It would be advisable, in my view, to evaluate the preemption concern that the Department has raised before moving forward with the ordinance. If you would like the Law Department to look into this issue, please let me know.

Thank you,
Kathy

Kathryn Emmett, Esq.

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