

From: Christina Flores
Sent: Thursday, January 7, 2021 4:16 PM
To: Bryan Pankhurst
Cc: Karen Phillips
Subject: FW: January 11 Agenda Item 10.a Ordinance 20-71; Please amend to remove problematic loophole
Attachments: Port St. Retail Sales Ordinance ASPCA 01 07 2021.pdf
Importance: High

Good afternoon,

Can you please add this to Monday's agenda for item 10a?

Thank you,

Christina Flores

Executive Assistant

Office of the Mayor and City Council

City of Port St. Lucie

121 SW Port St. Lucie Blvd.

Port St. Lucie, FL 34984

(772) 873-6472 office; (772) 871-7382 fax

cflores@cityofpsl.com

From: Jennifer Hobgood <jennifer.hobgood@aspca.org>
Sent: Thursday, January 07, 2021 4:08 PM
To: Daisy Ruiz <DRuiz@cityofpsl.com>; Greg Oravec <Mayor@cityofpsl.com>; Shannon Martin <Shannon.Martin@cityofpsl.com>; Stephanie Morgan <Stephanie.Morgan@cityofpsl.com>; John Carvelli <John.Carvelli@cityofpsl.com>; Daisy Ruiz <DRuiz@cityofpsl.com>; Jolien Caraballo <Jolien.Caraballo@cityofpsl.com>; Christina Flores <CFlores@cityofpsl.com>; Caroline Valentin <cvalentin@cityofpsl.com>
Subject: January 11 Agenda Item 10.a Ordinance 20-71; Please amend to remove problematic loophole
Importance: High



Dear Mayor Oravec, Vice Mayor Martin, and Council Members:

I'm writing on behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and our supporters in Port St. Lucie. In November, the ASPCA wrote to express our concerns about the City's draft proposal to restrict the retail sale of dogs and cats, particularly the problematic loophole that undermines the intended protections. As we noted in that letter, we share Council's concern that the

retail sale of dogs and cats presents risks to both animals and consumers. Unfortunately, the amended proposal before Council on January 11 (First Reading Agenda Item 10.a Ordinance 20-17) would continue to allow pet stores to sell puppies and kittens obtained from certain sources – and thus the proposal maintains the problematic loophole in the law that we have already seen exploited in other jurisdictions.

The amendments made to the language that attempt to exclude animals obtained from breeders will *not* close the problematic loophole in the ordinance. Allowing pet stores to sell adoptable animals for profit opens the door for industry exploitation. Time and time again, pet store owners have circumvented similar sourcing restrictions by passing cruelly bred animals off as rescued or abandoned.^[1] We urge the Council to *reject* the current proposed language that conflates adoption and retail sales and will be extremely difficult to enforce. Instead, the City should adopt an amendment to clearly and simply prohibit all retail sales of dogs and cats:

ASPCA Proposed Amendment

Ordinance 20-71. Delete Sec. 92.20 (a)-(d) and insert the following:

(a) A pet store shall not sell or offer for sale a dog or cat.

Under this amended proposal, stores can continue to partner with shelters and rescues to provide space in their stores to display adoptable animals, and ownership of the adoption animal remains with the partnering non-profit or governmental organization. This is the model that many retail pet stores currently employ to great success and is the only model the ASPCA supports. It is the most effective way to prevent puppy mill cruelty and safeguard public health and consumers. Absent this language, the ASPCA must oppose this version of the proposed ordinance. We hope you will make the needed amendments to ensure that the City of Port St. Lucie will enact a sound law that effectively addresses the puppy mill problem.

^[1] “Are sick ‘puppy mill dogs being disguised as rescues to sidestep new California law?: Puppy Laundering Schemes Adapt to Keep High-Priced, Purebred, Puppy-Mill ‘Products’ Flowing into local pet shops, officials say” *The Orange County Register*. Nov. 8, 2019. Accessed online Feb. 5, 2020 at: <https://www.ocregister.com/2019/11/08/are-sick-puppy-mill-dogs-being-disguised-as-rescues-to-sidestep-new-california-law/>

^[1] Sforza, Teri. “California steps up effort to crush flow of puppy mill dogs, disguised as rescues, into local pet stores.” *The Orange County Register*. April 09, 2020. Accessed online August 20, 2020 at: <https://www.ocregister.com/2020/04/09/why-the-supply-of-puppy-mill-dogs-disguised-as-rescues-is-drying-up-in-california-pet-stores/>

See also:

Spielman, Fran. “Alderman moves to close legal loophole in Chicago’s puppy mill ordinance.” *Chicago Sun Times*. May 20, 2020. Accessed online August 20, 2020 at: <https://chicago.suntimes.com/city-hall/2020/5/20/21265137/puppy-mills-ordinance-loophole-chicago-city-council>
<https://www.desmoinesregister.com/story/news/crime-and-courts/2019/03/18/iowa-home-national-puppy-laundering-ring-iowa-attorney-general-tom-miller-lawsuit-says/3160148002/>

^[1] Iowa Department of Justice Office of the Attorney General Press Release. March 25, 2020. “Miller dismantles national ‘puppy laundering’ ring.” Accessed online August 20, 2020 at: <https://www.iowaattorneygeneral.gov/newsroom/puppy-mill-laundering-ring-rescue-settlement-california-chicago>

Spielman, Fran. “Alderman moves to close legal loophole in Chicago’s puppy mill ordinance.” *Chicago Sun Times*. May 20, 2020. Accessed online August 20, 2020 at: <https://chicago.suntimes.com/city-hall/2020/5/20/21265137/puppy-mills-ordinance-loophole-chicago-city-council>

I would welcome the opportunity to discuss this matter further with each of you on request. Please contact me at jennifer.hobgood@aspca.org or (850) 445-5245 if you have questions or we can assist further.

Sincerely,

Jen Hobgood, Ph.D.
Senior Director of State Legislation, Southern Division
ASPCA[®]
The American Society for the Prevention of Cruelty to Animals[®]
Tallahassee, FL
850.445.5245



Government
Relations

January 7, 2021

City of Port St. Lucie
Office of the Mayor and City Council
Port St. Lucie City Hall
121 SW Port St. Lucie Blvd.
Port St. Lucie, FL 34984

<sent via email to: druiz@cityofpsl.com; mayor@cityofpsl.com; Shannon.Martin@cityofpsl.com; Stephanie.Morgan@cityofpsl.com; John.Carvelli@cityofpsl.com; DRuiz@cityofpsl.com; Jolien.Caraballo@cityofpsl.com; CFlores@cityofpsl.com; cvalentin@cityofpsl.com>

RE: Item 10.a Ordinance 20-71; Proposed amendment to remove problematic “adoption-based business model” loophole

Dear Mayor Oravec, Vice Mayor Martin, and Council Members:

I’m writing on behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA) and our supporters in Port St. Lucie. In November, the ASPCA wrote to express our concerns about the City’s draft proposal to restrict the retail sale of dogs and cats, particularly the proposal contained a problematic loophole that undermines the intended protections. As we noted in that letter, we share Council’s concern that the retail sale of dogs and cats presents risks to both animals and consumers. Unfortunately, the amended proposal before Council on January 11 (First Reading Agenda Item 10.a Ordinance 20-17) would continue to allow pet stores to sell puppies and kittens obtained from certain sources – and thus the proposal maintains the problematic loophole in the law that we have already seen exploited in other jurisdictions.

The amendments made to the language that attempt to exclude animals obtained from breeders will *not* close the problematic loophole in the ordinance. Allowing pet stores to sell adoptable animals for profit opens the door for industry exploitation. Time and time again, pet store owners have circumvented similar sourcing restrictions by passing cruelly bred animals off as rescued or abandoned.¹ We urge the Council

¹ “Are sick ‘puppy mill dogs being disguised as rescues to sidestep new California law?: Puppy Laundering Schemes Adapt to Keep High-Priced, Purebred, Puppy-Mill ‘Products’ Flowing into local pet shops, officials say” *The Orange County Register*. Nov. 8, 2019. Accessed online Feb. 5, 2020 at: <https://www.ocregister.com/2019/11/08/are-sick-puppy-mill-dogs-being-disguised-as-rescues-to-sidestep-new-california-law/>

¹ Sforza, Teri. “California steps up effort to crush flow of puppy mill dogs, disguised as rescues, into local pet stores.” *The Orange County Register*. April 09, 2020. Accessed online August 20, 2020 at: <https://www.ocregister.com/2020/04/09/why-the-supply-of-puppy-mill-dogs-disguised-as-rescues-is-drying-up-in-california-pet-stores/>

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to *reject* the current proposed language that conflates adoption and retail sales and will be extremely difficult to enforce. Instead, the City should adopt an amendment to clearly and simply prohibit all retail sales of dogs and cats:

ASPCA Proposed Amendment

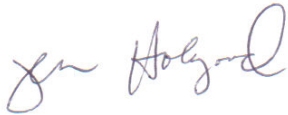
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I would welcome the opportunity to discuss this matter further with each of you on request. Please contact me at jennifer.hobgood@aspca.org or (850) 445-5245 if you have questions or we can assist further.

Sincerely,



Jennifer Hobgood, Ph.D.
Senior Director of Legislation, Southern Region
Government Relations

<https://www.desmoinesregister.com/story/news/crime-and-courts/2019/03/18/iowa-home-national-puppy-laundering-ring-iowa-attorney-general-tom-miller-lawsuit-says/3160148002/>

¹ Iowa Department of Justice Office of the Attorney General Press Release. March 25, 2020. "Miller dismantles national 'puppy laundering' ring." Accessed online August 20, 2020 at:

<https://www.iowaattorneygeneral.gov/newsroom/puppy-mill-laundering-ring-rescue-settlement-california-chicago>

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