## SECTION .1100 – FACILITIES AND OPERATING STANDARDS

### 21 NCAC 66 .1101 GENERAL

(a) Housing facilities for dogs and cats shall be structurally sound and maintained to protect the animals from injury, contain the animals, and restrict the entrance of other animals and people.

(b) All light fixtures and electrical outlets in animal areas shall be in compliance with the State Building Code. Electrical appliances, light fixtures, electrical outlets, and electrical cords shall be located or protected in such a way that animals do not have access to them.

(c) Facilities shall have adequate, as defined in Rule .1003 of this Chapter, electric power.

(d) Storage of food and bedding:

(1) food and bedding shall be stored in cabinets and/or sealed containers which adequately protect such supplies against infestation or contamination by vermin and insects;

(2) all open bags of food and edible treats shall be stored in airtight containers with lids;

(3) refrigeration shall be provided for supplies of perishable food including opened cans of food;

(4) clean bedding and laundry shall be: stored in cabinets and/or sealed containers; stored separately from soiled laundry and materials; and stored separately from general housing areas for animals; and

(5) in areas housing animals being observed or treated for contagious disease, bedding shall only be stored in sealed cabinets if that clean laundry is dedicated solely for the use for those specific animals.

(e) The facility shall provide for the daily removal and disposal of animal and food waste, soiled bedding, and debris from the facility, in accordance with local ordinances, to assure the facility will be maintained in a clean and sanitary manner.

(f) Hot and cold running, potable water, as defined in Rule .1003 and compliant with Rule .1106 of this Section, must be available. Facilities such as a washroom, basin, or sink shall be provided to maintain cleanliness among animal caretakers, animals, and animal food and water receptacles.

(g) Each facility shall have the ability to confirm ambient temperature. A functional room thermometer shall be present in each separate area of indoor enclosures, common areas, and exercise areas.

(h) A separate five-foot tall perimeter fence is required if any animal(s) has/have unsupervised access to an outdoor primary enclosure, common area, and/or exercise area. Supervision of animals is required for any animal(s) within any outdoor enclosure, common area, or exercise area without a separate five-foot tall perimeter fence.

(i) A suitable method of drainage, as defined in Rule .1003 of this Chapter, must be installed for the facility.

(j) All areas of a facility are subject to review or inspection by the Board or its authorized representative during normal business hours (8:00 a.m. through 5:30 p.m. Monday through Friday).

(k) All animals in a facility are subject to the requirements of this Section, regardless of ownership.

(l) A facility shall comply with all federal, state, and local laws, rules and ordinances relating to or affecting the welfare of dogs and cats in its facility.

(m) All persons of the facility shall be truthful with the Board during all phases of inspections or investigations.

(n) Neither an applicant for a permit or any agent of a facility may abuse, harass, delay, or obstruct any inspector or State official while inspectors or officials are attempting to discharge their official duties. For the purposes of this Rule, the following definitions apply:

(1) "Abuse" means:

(A) Communicating a threat as defined by G.S. 14-277.1;

(B) Using profane, indecent, or threatening language to any person over the telephone, annoying or harassing by repeated telephoning or making false statements over the telephone as defined by G.S. 14-196;

(C) Cyberstalking as defined by G.S. 14-196.3;

(D) Stalking as defined by G.S. 14-277.3A; and/or

(E) Disorderly conduct as defined by G.S. 14-288.4.

(2) "Harass" means knowingly conduct, including oral, written, or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, page messages or transmissions, answering machine or voice mail messages or transmissions, electronic mail messages, or other computerized or electronic transmissions directed at a specific person that torments, terrorizes or terrifies that person and that serves no legitimate purpose.

(o) No dog or cat shall be in a window display, except during business hours, and then only in compliance with standards set forth in this Section.
(p) Battery operated or electrical behavioral control devices, such as shock collars, shock prods, or electrical fences, as well as pinch-collars and prong-collars, may only be used on an animal in a boarding kennel with the specific written consent of the owner of that animal.
(q) All facilities shall be equipped with an operational smoke alarm and carbon monoxide alarm and shall have a means of fire suppression, such as functional fire extinguishers or a sprinkler system on the premises.
(r) All licensed and registered facilities must develop and maintain a plan of action for the continuity of care and/or evacuation of animals in the event of a natural or manmade disaster.

*History Note:* *Authority G.S. 90-185; 90-186; S.L. 2023-63;*
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