



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

Christina Waggett
Assistant Commissioner
for Consumer Protection

Michael Martin, DVM
State Veterinarian

April 10, 2023

Janelle Chapman
Furry Fundamentals
11711 Brockley Ct
Charlotte, NC 28215

Re: Compliance with NC General Statute § 19A-28

Dear Ms. Chapman:

The Animal Welfare Section ("AWS") of the North Carolina Department of Agriculture and Consumer Services ("NCDA&CS") received information concerning a potential unlicensed boarding operation located at 11711 Brockley Court, Charlotte, NC. Therefore, AWS opened an investigation into this complaint.

On April 3, 2023, AWS Animal Health Technician Chris Bradley ("Inspector Bradley") attempted to conduct a site visit. As no one was home, Inspector Bradley later spoke with you by telephone concerning the offering of boarding services to the public. At that time, Inspector Bradley explained the licensing requirements and informed you that in order to offer boarding services, including dog day care, you must first obtain a valid AWS boarding kennel license. He provided you with information for submitting a boarding kennel application. He also explained to you that you must also be in compliance with local ordinances such as zoning restrictions in order to receive a boarding kennel license.

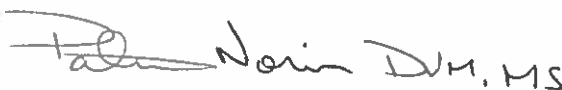
You informed him that you were not currently boarding any animals. He informed you that you may not provide boarding including dog day care services until properly licensed. He also informed you that you are to cease offering these services through advertising and social media.

To reiterate this information, should you decide to resume the provision of boarding and/or dog day care services, you must first obtain a boarding kennel license from AWS. To initiate this licensing process, you must complete the boarding kennel application and submit it along with the \$75.00 licensing fee to AWS. The boarding kennel license application can also be found on the AWS website at the following link: <https://www.ncagr.gov/vet/aws/documents/NewBoardingApp.pdf>.

Pursuant to NC General Statute § 19A-33, operation of a boarding kennel without a currently valid license shall constitute a Class 3 misdemeanor with each day of operation constituting a separate offense. In addition, operation of a boarding kennel without a valid license is a violation of the NC Animal Welfare Act and may result in the assessment of a civil penalty of up to \$5,000.00 per violation pursuant to NC General Statute § 19A-40.

Your immediate attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink that reads "Patricia Norris DVM, MS". The signature is written in a cursive style.

Patricia Norris, DVM, MS
Director, Animal Welfare Section
Veterinary Division, NCDA&CS

cc:

Dr. Michael Martin, DVM, State Veterinarian, NCDA&CS
Christina Waggett, Assistant Commissioner, NCDA&CS
Jonathan Lanier, General Counsel, NCDA&CS
Christopher McLennan, Assistant Attorney General

Appendix

RELEVANT LAWS AND REGULATIONS

§ 19A-28. License required for public auction or boarding kennel.

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year.

§ 19A-33. Penalty for operation of pet shop, kennel or auction without license.

Operation of a pet shop, kennel, or public auction without a currently valid license shall constitute a Class 3 misdemeanor subject only to a penalty of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00), and each day of operation shall constitute a separate offense.

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.