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RULES AND REGULATIONS GOVERNING THE OPERATION AND MAINTENANCE OF KENNELS, PET SHOPS, SHELTERS AND POUNDS.

New Jersey (State)
Department of Health -

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Effective September 1, 1968

Pursuant to authority vested in it by Chapter 151, P.L. 1941, the State Department of Health hereby promulgates the attached Regulations Governing the Operation and Maintenance of Kennels, Pet Shops, Shelters and Pounds.

SECTION I

Regulation 1.1 - Compliance.

Kennels, pet shops, shelters and pounds shall comply with the provisions of these regulations in the maintenance and care of all animals subject to rabies and other diseases of dogs as well as rules, regulations, ordinances, enacted by the appropriate agency or governing of the municipality wherein they are located. The term "animal" used in these regulations means any animal subject to rabies and other diseases of dogs.

SECTION II - FACILITIES (General)

Regulation 2.1 - Structural strength.

Animal housing facilities shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, to restrict the entrance of other animals, and location, construction, arrangement and operation shall not constitute a nuisance.

Regulation 2.2 - Water and electric power.

Reliable and adequate electric power, if required to comply with other provisions of these Rules and Regulations, and adequate potable water shall be available.

Regulation 2.3 - Storage.

Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

Regulation 2.4 - Waste disposal.

Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards.

Regulation 2.5 - Washrooms and sinks.

Facilities, such as washrooms, basins, or sinks, shall be provided to maintain cleanliness among animal caretakers.

Regulation 2.6 - Housekeeping.

Premises (buildings and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in these Rules and Regulations. Premises shall remain free of accumulations of trash. Insects, ectoparasites, and avian and mammalian pests shall be controlled effectively.

SECTION III - FACILITIES (Indoor)

Regulation 3.1 - General.

Indoor animal facilities shall be provided for all pet shops, shelters and pounds. Kennels must also have indoor facilities, except for animals which are acclimated.

Regulation 3.2 - Heating.

Indoor animal housing facilities shall be sufficiently heated when necessary to protect the animals from cold, and to provide for their health and comfort. In the case of dogs or cats the ambient temperature shall not be allowed to fall below 50° F. unless acclimated to lower temperatures.

Regulation 3.3 - Ventilation.

Indoor housing facilities for animals shall be adequately ventilated to provide for the health and comfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents, or air conditioning and shall be ventilated so as to minimize drafts, odors, and moisture condensation. Auxiliary ventilation, such as exhaust fans and vents or air conditioning, shall be provided when the ambient temperature is 85° F. or higher.

Regulation 3.4 - Lighting.

Indoor animal housing facilities shall have ample light, by natural or artificial means, or both, of good quality and well distributed. Such lighting shall provide uniformly distributed illumination of sufficient light

intensity to permit routine inspection and cleaning during the entire working period.

Regulation 3.5 - Interior surfaces.

The interior building surfaces of indoor housing facilities shall be constructed and maintained so that they are substantially impervious to moisture and may be readily cleaned.

Regulation 3.6 - Drainage.

A suitable method shall be provided to drain water from indoor housing facilities if need is indicated. Drains when used, shall be properly constructed and kept in good repair to avoid foul odors therefrom. Closed drainage systems when used, shall be equipped with traps and so installed as to prevent any back-up of sewage onto the floor of the room.

SECTION IV - FACILITIES (Outdoor)

Regulation 4.1 - Shelter from sunlight.

When sunlight is likely to cause overheating or discomfort, sufficient shade shall be provided to allow animals kept outdoors to protect themselves from the direct rays of the sun.

Regulation 4.2 - Shelter from rain or snow.

Animals kept outdoors shall be provided with access to shelter to allow them to remain dry during rain or snow.

Regulation 4.3 - Shelter from cold weather.

Shelter shall be provided for animals kept outdoors when the atmospheric temperature falls below 50° F. Sufficient clean bedding material or other means of protection from the weather elements shall be provided when the ambient temperature falls below that temperature to which an animal is acclimated.

Regulation 4.4 - Drainage.

A suitable method shall be provided to drain surface water rapidly.

SECTION V - PRIMARY ENCLOSURES

Regulation 5.1 - Definition.

A primary enclosure is any structure used to restrict an animal or animals to a limited amount of space such as a room, pen, run, cage or compartment.

Regulation 5.2 - Primary enclosure structure.

All primary enclosures shall be constructed and maintained in such form and manner as to:

- a. protect animals from injury,
- b. keep predators out,
- c. enable animals to remain dry and clean,
- d. provide sufficient space for each animal to turn about freely and to stand, sit and lie in a comfortable, normal position with a minimum footage of floor space equal to the mathematical square of the sum of the length of the animal in inches, as measured from the tip

of the nose to the base of the tail plus six inches, expressed in square feet.

Regulation 5.3 - Removal of excreta.

Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the animals contained therein and to reduce disease hazards and odors. When a hosing or flushing method is used for cleaning, any animal contained therein shall be removed from such enclosure during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.

Regulation 5.4 - Cleaning of primary enclosures.

Primary enclosures for animals shall be physically cleaned often enough to prevent an accumulation of debris or excreta, and to reduce to a practical minimum agents injurious to the health of animals or humans.

Regulation 5.5 - Classification and separation by species.

Animals housed in the same primary enclosure shall be maintained in compatible groups, with the following additional restrictions:

- a. Females in season (estrus) shall not be housed in the same primary enclosure with males, except for breeding purposes, unless otherwise requested by the owner.
- b. Any animal exhibiting a vicious disposition shall be housed individually in a primary enclosure.
- c. Immature animals shall not be housed in the same primary enclosure with adults other than their mothers, except when permanently maintained in breeding colonies.
- d. Each animal under quarantine or treatment for a communicable disease shall be separated from other animals in order to minimize dissemination of such disease.

SECTION VI - FEEDING AND WATERING

Regulation 6.1 - Frequency of feeding.

Animals shall be fed at least once each day except as otherwise might be required to provide adequate care. The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal. Immature animals shall be fed in accordance with generally accepted procedures.

Regulation 6.2 - Food receptacles.

Containers of food shall be accessible to animals and shall be located so as to minimize contamination by excreta. Feeding pans shall be durable and kept clean. Disposable food receptacles may be used but must be discarded after each feeding. Self feeders may be used for the feeding of dry food and they shall be cleaned regularly to prevent molding, deterioration or caking of feed.

Regulation 6.3 - Watering.

If potable water is not accessible to the animals at all times, potable liquids or potable water shall be offered to animals at least twice daily, except as might otherwise be required to provide adequate care. Receptacles for such purposes shall be kept clean at all times.

SECTION VII - DISEASE CONTROL

Regulation 7.1 - Veterinary care.

Programs of disease control and adequate health care shall be established and maintained under the supervision and assistance of a doctor of veterinary medicine.

Regulation 7.2 - Observation.

Each animal shall be observed daily by the animal caretaker in charge, or by someone under his direct supervision. Sick, diseased, injured, lame, or blind animals shall be provided with veterinary care or humanely disposed of unless such action is inconsistent with the purposes for which such animal was obtained and is being held: Provided, however, that the provision shall not affect compliance with N.J.S.A. 4:19-15.16 which requires the holding for seven days of all stray dogs.

Regulation 7.3 - Rabies suspects.

Any person operating or employed at a kennel, pet shop, shelter or pound who observes an animal which he suspects of being rabid shall at once notify by telephone or telegraph the executive officer of the local board of health or the State Department of Health and segregate such animal for a period of ten days unless examined and released by written statement of a veterinarian.

SECTION VIII - HOLDING AND RECLAIMING OF ANIMALS

Regulation 8.1 - Protection of the public from rabies infection.

a. Impounded animals must be kept alive for seven days to give opportunity for rabies disease surveillance and opportunity for owner to reclaim. (See Reg. 8.2) (N.J.S.A. 4:19-15.16).

b. Animals having bitten humans must be kept alive and observed for ten days. (R.S. 26:8-42). The bat is the exception to the rule regarding ten-day confinement of biting animals. Bats may live more than ten days after the virus is present in saliva. A ten-day confinement period may give a false impression that the bat could not have transmitted rabies at the time of the bite. The biting bat should be delivered to the State Department of Health laboratory in a jar, or similar container.

c. Animals brought in for elective destruction may not be killed until the person in charge of the facility has determined the animal is not a stray, and that the

person requesting the animal's destruction is its owner or a representative of the owner, and the animal has not bitten a human being within ten days or evidenced other aggressive tendencies compatible with symptoms suspicious of rabies.

d. The person in charge of the facility shall keep a record of evidence submitted in support of paragraph "c", for a period of one year.

Regulation 8.2 - Opportunity to reclaim animals.

Each shelter or pound shall post a sign establishing specific hours during which persons will be permitted to enter the facility to look at animals and records for the purpose of seeking animals that are missing.

a. The sign must be clearly visible from the outside.

b. The hours must be at least one hour each business day.

c. The person who is searching for a missing animal, shall identify himself by presenting a driver's license or other acceptable identification document.

d. The person who is searching for a missing animal, shall furnish to the shelter or pound a written description of the missing animal and a license for any dog which has attained the age of seven months or which possesses a set of permanent teeth, or a bill of sale or other proof of ownership of a younger dog or other animal.

e. The person who is searching for a missing animal, shall abide by all reasonable security measures required by the shelter or pound to prevent the spread of disease.

SECTION IX - TRANSPORTATION

Regulation 9.1 - General.

Vehicles used in transporting animals shall be mechanically sound and equipped to prevent hazard to the health of all animals being transported.

Regulation 9.2 - Cargo space.

The animal cargo space of all vehicles shall be so constructed and maintained as to prevent the ingress of exhaust from the vehicle's engine.

Regulation 9.3 - Vehicle - primary enclosure.

a. Each animal in the vehicle has access to sufficient fresh air for normal breathing.

b. The openings of such enclosures are easily accessible at all times for emergency removal of the animals.

c. The animals are afforded adequate protection from the elements. The temperature within such enclosures shall not be allowed to exceed 85° F. or fall below 45° F. for a period of more than four hours provided, however, at no time may an animal be transported longer than one hour at a temperature of more than 95° F. or less than 35° F.

Regulation 9.4 - Species and sex separation.

Animals transported in the same primary enclosure shall be maintained in compatible groups, and any animal exhibiting a vicious disposition shall be transported individually in a primary enclosure. Further, any female animal shall not be transported in the same primary enclosure with any male animal unless otherwise requested by the owner.

Regulation 9.5 - Primary enclosure size.

Primary enclosures used to transport animals shall be large enough to insure that each animal contained therein has sufficient space to turn about freely, to stand erect, and to lie in a natural position.

Regulation 9.6 - Double decking.

Animals shall not be placed in primary enclosures over other animals in transit unless each enclosure is fitted with a floor of a material which prevents animal excreta from entering lower enclosures.

Regulation 9.7 - Sanitation.

Primary enclosures used to transport animals shall be maintained in a clean and sanitary condition.

Regulation 9.8 - Veterinary care.

It shall be the responsibility of the attendant or driver to inspect the animals to determine whether they need emergency veterinary care, and if so, to obtain such care from a Doctor of Veterinary Medicine at the earliest opportunity.

SECTION X - RECORDS AND ADMINISTRATION

Regulation 10.1 - General.

Each person in charge of a kennel, pet shop, shelter or pound shall be responsible for compliance with these rules and regulations by those facilities.

Regulation 10.2 - Records.

a. There shall be kept at each kennel, pet shop, shelter and pound a record of all animals received and/or disposed of. Such record shall state the date each animal was received, description of animal, license number, breed, age and sex; name and address of person from whom acquired; date killed and method, or name and address of person to whom sold or otherwise transferred. These records shall be kept at the premises for twelve months after the date the animal is killed or removed from the establishment and shall be available to any agent of the municipal government, the local Board of Health or the State Department of Health.

b. Except as otherwise provided in paragraph (c) of this section, no kennel, pet shop, shelter or pound shall, within one year from the making thereof, destroy or dispose of any books, records, documents or other papers required to be maintained under these Rules and Regulations.

c. The records required to be maintained under these Rules and Regulations shall be held for such period in excess of the one year period specified in paragraph (b) of this section as may be required to comply with any Federal, State or Local Law. When the local Board of Health, or Local Regional Health Department, or the State Department of Health notifies a kennel, pet shop, shelter or pound in writing that specified records shall be retained pending completion of an investigation or proceeding, such facility shall hold such records until their disposition is authorized by the local or Regional Agency or the State Department of Health.

d. A licensee shall promptly notify the licensing agency of any change in his name and address or any change in his operations which may affect his status.

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