

2559

Gelnett, Wanda B.

From: Jewett, John H.
Sent: Tuesday, March 27, 2007 12:49 PM
To: Gelnett, Wanda B.
Cc: Stephens, Michael J.; Wilmarth, Fiona E.; Wyatte, Mary S.; Leslie A. Lewis Johnson
Subject: FW: Comments on Kennel Regulations

Wanda:

Please add this email and its two attachments to "Proposed Comments" on #2559.

-----Original Message-----

From: Anne Irwin [mailto:airwin@voicenet.com]
Sent: Tuesday, March 27, 2007 12:51 PM
To: Jewett, John H.
Subject: Comments on Kennel Regulations

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 2007 MAR 27 PM 12:52
 INDEPENDENT REGULATORY
 HEARING COMMISSION

Dear John,

Here are my comments on the kennel regulations along with my testimony to the House Ag Committee which I also submitted as comment. I'm glad I'm not the one who gets to read through all those 15,000 comment letters, although it probably has its entertaining moments.

Anne Irwin

Federated Humane Societies of Pennsylvania

2559

Comments on Proposed Kennel Regulations

Submitted by Anne Irwin, Legislative Chairman, Federated Humane Societies of PA
Executive Director, Bucks County SPCA

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2007 MAR 27 11:52

INDEPENDENT REGULATORY
REVIEW COMMISSION

I am commenting on the proposed kennel regulations as Vice President and Legislative Chairman of the Federated Humane Societies of PA. The Federated Humane Societies of PA is a voluntary member organization made up of 60 member societies, most of which operate non-profit kennels. These kennels form the infrastructure that houses stray dogs picked up by Dog Wardens and police departments. My comments take into consideration how the proposed regulations would affect these shelters. They are based on 35 years of experience operating an animal shelter and visiting kennels of all sizes and types around the state. I have served as Legislative Chairman for 18 years and my comments are also based on more than 25 years experience reading and analyzing regulations and legislation. We did not poll the entire membership in preparing these comments, but I and other directors have discussed the issues with representatives of many of our member societies to reflect the broadest possible views. Most of my comments are specific and technical. Where there may be a broad range of opinions I will point it out.

General Comments:

The Federated Humane Societies of PA has always advocated a fair and even handed, common sense approach to kennel regulation that keeps the welfare of dogs in mind at all types of kennels. These regulations are so detailed and specific that they seem to present many opportunities where kennel operators could get caught up with technical violations that did not affect the welfare of dogs. The stated goal of improving the clarity of the existing regulations is a good one. If the regulations are clear and easily understood by the regulated community as well as by law enforcement officials, prosecutors, defense attorneys and judges they will be better adhered to and better enforced. These regulations have not met the goal of improved clarity. I am an experienced reader of regulations and I find these extremely hard to follow and even harder to refer to. I noticed the challenge when discussing various provisions with other people. "What section is that?" I should be able to quickly name the section and subsection, but because these regulations have been subdivided into as many as six layers of subsection it takes some work to find which portion supercedes which and to cite the appropriate subsection. If the tax code is too complex we can take our records to an accountant or an attorney once a year and have him sort them out. These regulations are meant to be a guideline and reference which is used in the daily operation of a kennel, in designing and carrying out procedures and in construction and purchasing of supplies. It has to be user friendly and clearly understandable to anyone who works at a kennel. The wordiness, awkward layout and numbering and lack of clarity are more than a stylistic concern. If an officer cannot easily cite the appropriate subsection and a District Justice has difficulty navigating and understanding the regulations in the courtroom it will have a serious negative effect on cases being prosecuted. At the March 6 public hearing before the House Committee on Agriculture and Rural Affairs Deputy Secretary Jessie Smith outlined the changes and goals of the new regulations in clear and understandable bullet points. The Department needs to strive to bring the working language of these regulations closer to the clarity of that summary.

The costs of the proposed changes have been underestimated. If the proposed regulations were adopted exactly as written I estimate that every non profit kennel in the state would have to

undertake reconstruction of even some kennels that are considered exemplary. That is because the provisions relating to construction, air handling and drainage are far too specific and do not take into account that the goal of keeping dogs clean, dry, healthy and comfortable can be accomplished in a variety of ways. The proposed changes would require more paperwork both for the Department of Agriculture and for kennels. The Department would have to design new forms and specify formats for all of the new types of record keeping that will be required. Non profit kennels (and other types of kennels as well) will have to hire more personnel or pay for more man hours of work to keep up with additional record keeping. Many of these changes will not directly improve the lives of dogs.

The stated goal of making Pennsylvania's regulations more consistent with USDA regulations also seems like a good one. Many kennels are regulated both by the USDA and by PA Department of Agriculture. It would make cooperation between USDA and the PA Department of Agriculture more practical and effective if they were inspecting according to the same standards. Cooperation between USDA and PA Department of Agriculture would surely improve the quality and consistency of inspections. The proposed regulations as written are quite different from USDA regulations in a number of ways.

Specific Comments:

21.1 Definitions

Establishment. We understand and support the need to include a definition of this sort to address the growing number of situations where non profit and for profit operations transfer large numbers of animals, but where the animals are not all kept at one location. These organizations or individuals bypass the record keeping requirements that other kennels may need to keep. There is no paper trail to track these dogs. In addition the keepers of dogs in temporary homes believe that they do not have to license dogs in their care because the dogs do not belong to them. Many dogs remain unlicensed. Many of these operations do not have a premises at all, but operate using a post office box and a website. It is unclear to me whether the definition as written would cover these operations. The definition is also so complex that it is unclear whether it would create unintended consequences. Although we understand the value of the definition we do not know whether its inclusion is justified by one use of the word "establishment" in the act. We do not know whether inclusion of this definition is justified by the act. On this definition and the definition of "temporary home" I refer to marked portions of Jessie Smith's remarks before the House Agriculture and Rural Affairs Committee, which will address some of the unintended consequences.

Sanitize. We understand that the new language raises the standard beyond sanitization to something closer to sterilization. We question whether this is necessary, whether it is measurable for practical purposes and whether it is achievable on other than laboratory settings. We suggest that **disinfect** would be a preferable word wherever the term sanitize is used.

Temporary home. We understand and support the need for this definition as well, relating to the need for a definition of establishment, but it may be too broad and all encompassing. We do not know whether inclusion of this definition is supported by the act, where the term is not used at all.

21.4 Penalties

(1) (iv) (E) The word *heinous* is vague and subjective. It would be more precise to specify the kinds of offenses that could result in a permanent revocation or a revocation of more than 10 years. For example it could be for any violations of PA Crimes Code 5511 currently graded at misdemeanor or above. That covers all the deliberate acts of cruelty and some extreme acts of neglect.

(1) (v) through (vi) Seizure & forfeiture. These subsections paraphrase the language of Chapter 459-211 (c) and (d) of the act. They do so in a much more confusing and hard to follow manner without adding much detail. Suggest using the language from the statute (c) (d) (e) *Department as guarantor of payment* and (f) *prohibition* instead of new language.

(2) (B)

When abandonment is determined what can be done with the dog and when? Please specify.

21.14 Kennel licensure provisions

(a) (2) The words **and proper** are redundant and superfluous.

(a) (3) Sentence structure is awkward and usage of **upon which** is strange. Suggest change to active voice: "any establishment which is the period of one calendar year keeps, harbors, boards, shelters, sells, gives away or in any manner transfers a cumulative total of 26 or more dogs."

(a) (3) (i) Language is confusing starting with the words "The establishment shall have..." If taken literally it suggests that a kennel would need sufficient kennel space to house all the dogs that pass through it in the course of a year. Bucks County SPCA has space for about 60 dogs at one time, but we handle more than 1500 dogs in a year. Suggest language change to: "The establishment shall have kennel facilities that meet the regulatory requirements for the maximum number of dogs which will be kept on the premises at any one time." That language should suffice for establishments that house all their dogs at one location and ones that use temporary homes as described in the new definition.

(b) (3) (ii) This is a very cumbersome and confusing subsection. Suggest changed language starting in first sentence ", and maintain records in accordance with paragraph (5) (iii) (B) of this subsection" which applies to boarding kennel and non profit kennel classes. In addition records must set forth the location of each temporary home at which..., the cumulative number of dogs housed at each temporary **home** (not temporary **establishment**), a description of each dog and the date which each dog was transferred to the temporary home." The final two sentences are especially unclear in meaning and intent. I believe the intent is to keep a separate count of the dogs which pass through every temporary home to see if the temporary home reaches the threshold to require a kennel license. The final sentence needs to be expanded. Temporary homes that do not meet the 26 dog threshold cannot be held to the standards of a regular kennel inspection, but the intent may be to inspect to see if the dogs are safe and being humanely kept and whether the dogs belonging to the establishment are in fact all accounted for. It makes sense for a kennel to be able to account for the whereabouts of all dogs that are off site at the time of an inspection. Some of those dogs might be at a veterinarian's office or a groomer. Veterinary practices which house dogs overnight in connection with treatments are not considered temporary homes? A

veterinarian might treat and keep 26 or more from one kennel in the course of a year? It must be spelled out in the regulations what "inspection" of temporary homes will entail.

- (a) (3) (iii) Suggest wording change for clarity "a cumulative number of 26 or more dogs of any age in one calendar year must apply for a separate kennel license and shall meet the kennel license..."
- (a) (3) (iv) should be split into two part (iv) for the establishment and (v) for the temporary home, because the kennel tags only apply in the case of the temporary home.
- (a) (4) Prohibition to operate. This entire section is redundant and repeats the exact same wording as what is in the penalty section. It could be left out entirely or shortened substantially to read "Failure to obtain a kennel license ...is a violation subject to penalties as described in Chapter 21.24"
- (a) (5) Kennel records. This subsection is one of the most confusing, based largely on how it is constructed. The subject would be more properly covered and easier to find if the contents were contained in Chapter 21.41 Kennels- Records. This will avoid the need to flip back and forth to check the several places where the subject of records is covered. That change should lead to less confusing numbering with fewer layers of subsection. This subsection could be limited to saying "Kennel records shall be kept in accordance with the provisions of Chapter 21.41."

I will comment here on the particulars covered in this chapter, and then suggest that the amended language be moved and integrated with the other provisions of Chapter 21.41. "**kept** at any time **kept**" is redundant. Suggest language closer to the statute: "Every kennel shall keep, for at least 2 years, a record of each dog at any time kept in the kennel."

- (a) (5) (iii) The level of detail required in this subsection seems excessive and the formatting is very confusing. Some of the subsubsections could be combined and streamlined. (A) (I) & (II) could be combined as the name *and* address of the kennel *or* kennel owner from which the dogs were acquired. (A)(IV) When is the name and address of the breeder considered applicable? (A) (V) This looks redundant with subsection (iv) which could be expanded to require name and address.
 - (B) (II) Humane societies whose doors are open to animals from all sources do not know and cannot know this information. The addition of the words "if known" would be helpful here.
 - (B) (III) The term "rescued dog" is undefined and vague. The issue of dogs other than owner surrendered, turned over for boarding, or found running at large can be better addressed in subsection (v) "for what purpose each dog is kept in the kennel". It is unusual for the name and address of the owner to be known in the case of a stray dog unless the dog is wearing identification or unless some information has been obtained through word of mouth. It would be useful to include a description of any identification tags, tattoo or microchip found on a dog of unknown origin and ownership information "if known". It is essential to include information about the person delivering the dog to the kennel, but in real life situations at animal shelters even this is sometimes unknown. Good samaritans (or not so good samaritans turning in a neighbor's dog) may go so far as to deliver the dog, but may not be willing to provide their own name and address. That should be noted in the record.

- (a) (v) The language of this subsection does not need to be expanded. It is the appropriate place to list all the alternative purposes for dogs being in a kennel including “abandoned in apartment by previous tenant”, “removed with search warrant”, “quarantine for biting”, etc. In some cases owner will be known and in others not.
- (vii) the detailed information required by (A) (I) through (III), (B), (C) and (D) may more appropriately belong in the bill of sale, or in the bill of sale as well as the permanent record. The inclusion of “temporary home” in (B) creates some confusion. A separate standard should be created for tracking movement to and from temporary homes since the dog is still under the control of the licensed kennel when moved to and from a temporary home. (D) Kennels should provide any information about vaccinations and medical history of the dog during the time that it was in their care, but they may not be in a position to attest to the medical history of a dog prior to the time that it was in their care.
- (b) Prohibition on dealing with unlicensed kennels. This subsection appears to go beyond what is supported by the act when it says that “it shall be a violation of the act” to deal with an unlicensed kennel. There is no such violation written into the act although it is a violation to be an unlicensed kennel. In practice it would be difficult, especially for humane societies whose doors are open to animals from all sorts of situations, to know whether they were dealing with an individual, with a licensed kennel, or with a kennel that should be licensed but is not. Humane societies are often the ones who discover unlicensed kennels in the course of investigating allegations of cruelty to animals. Their own non-profit kennels house dogs removed from unlicensed kennels for Dog Law or cruelty violations. If an individual surrenders a dog it is impossible to know whether he comes from a situation that requires a kennel license.
- (c) Health certificate requirement. This subsection would present problems for humane Societies. Pennsylvania has long borders with other states. A humane society in Pennsylvania may be the nearest available shelter for people in a neighboring state. People turning in a stray or unwanted dog will most often arrive without a health certificate. Turning them away puts the dogs at risk. Humane society shelters also frequently receive dogs from people who have recently moved into the state and who have come without health certificates for their dogs. There should be a distinction between these ad hoc situations and situations where humane societies and rescue organizations import dogs from out of state. In those cases the Pennsylvania entity should take responsibility to see that the dogs imported from other states have health certificates. It might be possible to address these situations by providing an examination within a reasonable time after accepting or importing a dog from out of state. As in the case of the of the previous subsection the violation in the act is for failure to have a health certificate, not for accepting a dog that should have a health certificate but does not.
- (5) this language should clearly state that dogs under 3 months of age do not need to be vaccinated against rabies to be in accordance with the Rabies Prevention act.

21.15 Exemptions

Humane societies and other non profit kennels provide the infrastructure to Dog Law for housing stray dogs and dogs from enforcement actions. Nearly all of the dogs they take in are from largely unknown backgrounds. It would be impossible for them to comply with quarantine requirements as written. In most cases they keep dogs for a relatively short period of time compared to kennels

where dogs spend their entire lives. For that reason the Federated Humane Societies supports an exemption to Chapter 21.22 (d) and (e) and Chapter 21.23 (b) as they are currently written. However the exemption as written applies only to the half dozen or so kennels that hold Dog Control contracts under section 1002 (a) of the act. It should be broadened to apply to all non-profit kennels, since police holding facilities for dogs are licensed and non-profits, but are not eligible to receive grants. Has consideration been given to the effects of the exempted subsections on the animal control kennels, not licensed as non profits, that house most of the stray dogs in some parts of the state especially in Allegheny and Westmoreland Counties? An exemption for non-profit kennels will not cover them.

21.21 Dog Quarters

(a) "complied" not "compiled"

(d) The intent and meaning of this subsection are unclear. Is it meant to assure that kennel doors open fully? Dog doors between communicating kennels are often constructed so that dogs must bend down to go through them. Is this prohibited? Dogs in stacked or elevated cages cannot walk freely out of the kennel door. This subsection needs to be rethought.

(e) We support placing some restrictions on stacking cages, and recognize the need to assure that dogs in adjacent cages or cages below are protected from run off from other cages. We could support a limit on height of stacks or on number of cages in a stack with some limitations. There are excellent commercially available units of cages constructed of fiberglass, plastic or stainless steel which are commonly used by veterinarians and in many other applications and which should be allowable. It is necessary for the barriers between cages above and below and side by side be cleanable and impermeable to water, but **not** necessary that they be removeable. Cage units commonly used by veterinarians would be out of compliance with these requirements. Primary enclosures in kennels of block and masonry construction are commonly side by side, but partitions between them are not removeable. It is a common practice in kennels for exercise areas such as outside runs to be constructed of chain link all the way to ground level with no solid barrier. Are these attached runs considered to be part of the primary enclosure and subject to the same restrictions concerning solid barriers between them?

21.22 Housing

It seems as if there could be a more logical distribution of provisions between this chapter and Chapter 21.24 Shelter, housing facilities and primary enclosures. This chapter could contain all the provisions for indoor housing facilities, and Chapter 21.24 could pertain only to outdoor housing facilities and exercise areas. That would follow the chapter structure of the current regulations more closely and make more sense.

(c) Much of the language of this subsection is vague and the discretionary authority of an attending veterinarian should be retained. A veterinarian can determine whether a dog is sick or infirm or too old or young to be kept outdoors safely and humanely. The terms "old" and "young" in particular are too vague and broad. "Young" is often used to describe any dog in its prime.

(d) In this subsection the age of puppies must be specified. We will defer to comments from veterinarians for the necessary length of quarantine and age of puppies to be quarantined.

21.23 Space

(a) The term "lateral recumbence" is not commonly used by owners and keepers of dogs. Dogs

can assume such a variety of positions that it is sometimes hard to tell whether any part of them *could* touch the sides of the primary enclosure. Suggest deleting the last sentence and changing the previous phrase to say, "lie down outstretched without physical restriction".

(b) Note: Doubling of cage size is one of the most significant and most hotly contested provisions of these regulations. Here I must make it clear that members were not polled on the issue and I will take pains to accurately reflect the range of opinion. Some of our member societies have expressed themselves in their own comments on this point. We are in general agreement that current minimum space requirements are inadequate for dogs, which spend months or years confined entirely or mostly to their primary enclosures. We support doubling of cage size for those dogs. Some support doubling of cage size only for dogs in commercial kennels. Some support the provisions for all except non-profit kennels. Others support it for dogs housed long term (months or years) in kennels of ANY class. Many express the view that it would benefit dogs housed long term to have the companionship of another compatible dog in the primary enclosure and that regulations should be designed to encourage that. We support elimination of the broad exemption from current minimum cage size requirements for dogs in pet shop kennels, but point out that doubling of current minimum cage size for cages used for short term display purposes only may create a problem. This could affect dogs from non profit kennels which display dogs for adoption in pet shop kennels licensed by stores like PetSmart. This provision may need further study. Expanded space requirements must also give veterinarians the option to specify restricted space for dogs recovering from surgery, or from injuries or for similar reasons when they deem it to be advisable for the health and safety of a dog.

(e) We agree that exercise for dogs, especially those housed long term in the minimum space required by current or proposed regulations, is an important goal. However, the exercise requirement as written is among the most frequently cited by humane society directors as a provision which we cannot comply with. I am speaking here for non profit kennels of many descriptions. Some shelters house dogs entirely indoors because of zoning restrictions and do not have a place to leash walk them or to add an exercise area. Philadelphia Animal Care and Control Association, located within the city and handling all of the animal control for the city, is in this position. It houses about 125 dogs at any given time. Some of the smallest and most financially challenged shelters are also in the position of having no place to fulfil the requirements of this subsection. Dogs spend a relatively short time at a shelter. It is not possible or even advisable for humane societies to exercise EVERY dog outside of the primary enclosure for 20 minutes every day, 365 days a year. Shelters accept dogs from all sources and situations. They hold dogs in connection with pending court cases (which dogs are not the property of the shelter), quarantine dogs in bite cases, and stray dogs of all breeds and temperaments. Some dogs arrive at the shelter in cage traps or at the end of a capture pole. They need time to calm down and settle into new surroundings before it is safe to handle them unnecessarily. Requiring daily exercise outside the primary enclosure in these circumstances will result in bites, fights and dogs escaping. Many shelters have indoor primary enclosures attached by a communicating door to outside runs, which serve as exercise areas or to another indoor enclosure which could serve the same function, but not all shelters have this feature and those that do may not have it for every dog. Shelters that use volunteers and staff to walk dogs do so only after dogs have been assessed for temperament and safety. Volunteers and extra staffing are not always available on days that the shelter is closed to the public. Shelters that do have dog walking programs may walk dogs on grass or on trails with surfaces like wood chips that do not meet the specifications of current regulations. They may also exercise in grass enclosures. Volunteers are willing to walk dogs in light rain or snow. Dogs and people seem to enjoy it, but it would not be allowable according to the current language. This requirement

must be modified or eliminated for humane societies. Segregation of dogs by size is arbitrary. Dogs close to each other in weight could not exercise together if they fell into different categories. We suggest eliminating the language of (A) (B) (C) and (D) and replacing it with the sentence "Dogs shall be exercised together in compatible groups."(iv) kennel operators at any kind of kennel including humane societies may from time to time make decisions in their best judgement about whether a dog should be exercised on any given day. A veterinarian may not always be available to provide the written exemption prior to the decision being made. Some latitude should be allowed for this. (v) record keeping requirements of all kinds should be covered in chapter 21.41 Kennel Records. Here it is sufficient to say that "a record of exercise shall be kept in accordance with the provisions of Chapter 21.41 Kennel Records." Because of the wide differences between different types of kennels and between different breeds and types of dogs it may be a reasonable compromise to adopt the language of the Animal Welfare Act concerning exercise.

21.24 Shelter, housing facilities and primary enclosures

The language in this chapter is inconsistent and confusing. Shelters in outside enclosures are sometimes referred to as *shelters*, sometimes as *dog boxes* and sometimes as *primary enclosures* themselves. The enclosure is sometimes referred to as *outdoor primary enclosure*, sometimes as *outdoor facility*, sometimes as *exercise area*. The entire kennel is referred to as *outdoor housing facility* and in other parts of the regulations as *sheltered housing facility*. Consistent terminology must be adopted throughout. The word *dog* should be used instead of *animal* throughout.

(a) the additions to this subsection are good, but we suggest a slight change to smooth out the language since "constructed as structurally sound" seems redundant. Suggest "shall be structurally sound and maintained in good repair at all times to provide for the health, safety, welfare and comfort of the dogs."

(b) Same comments about acclimation status as in previous comment on 21.22 Housing. The word is "infirm" not "infirmated".

(1) Here is where substantive problems with terminology begin. A primary enclosure as defined is the run or pen that restricts the space of a dog, the total space to which the dog has access. If the shelter structure is inside the wire enclosure it is not the primary enclosure. For dogs kept outside a shelter structure designed to meet the current or proposed minimum space requirements might be too big to preserve the dog's body heat. Whatever term adopted for the shelter structure can then be used. "In addition to the shelter structure (or other term) another source of shade and protection from the elements must be provided and must meet the following criteria:"

(i)(ii)(iii)(iv) There should be a simpler and more direct way to say all this. The regulations are looking for a covering that will allow air circulation and give all dogs access at all times to shade and protection from rain and snow inside their primary enclosure and outside their shelter structure. A tarp draped over the fencing or the shelter structure does not allow air circulation. A shed roof over a row of enclosures would meet the criteria, as would a semi-permanent tent like structure, like those used for all manner of outdoor events, if it was elevated high enough to allow for air circulation. Dogs should have full use of the entire floor space of their primary enclosure at all times regardless of weather. We urge concise and clear language in place of these subsections.

(3) Big problem with consistent language here. Is the dog box the primary enclosure? Is the run the primary enclosure? As stated before the dog box is the shelter inside the primary enclosure, according to the definition of primary enclosures. Dogs housed outside may need more room than the space allowed for dogs inside because shelter structure takes up some of

usable space in the primary enclosure. Is the run then the exercise area? This subsection is inconsistent with other parts of the regulations.

(4) Dog box and primary enclosure cannot be used as alternate terms for the same thing.

(5) Problem again with "primary enclosure or dog box". Is it the intent of the subsection to require that the shelter structure be up off the ground or that the entire enclosure be elevated so that dogs outside could not be on the ground? Probably the former, which we support. To prevent redundancy and confusing language subsections (4), (5), (6) and parts of (7) can be combined to create the specifications for shelter when dogs are housed outside. With respect to the shelter it can be specified that "all building surfaces which come in contact with the dog shall be impervious to water and able to be readily cleaned and sanitized. Wood structures shall be painted with non toxic paint, etc." Language about the specifications for the construction of the primary enclosure outside of the shelter structure can have their own subsection. Subsection (6) (iv) is redundant with the language of subsection (4). What constitutes "more bedding" in cold weather if the dog is supposed to have enough bedding at all times to assure that it can maintain it's body heat? The words "clean bedding sufficient to maintain body heat at any temperature" should suffice.

(9) Does this require a perimeter fence around groups of primary enclosures? A fence will not keep out all vermin or pests.

(10) The requirements for sanitization including kill ALL disease causing elements seem to go beyond what can be practically achieved in a real world setting. In addition if the same dog or closed group of dogs is using the same outdoor facility day after day it may not be necessary to sanitize daily. Attempting to sanitize in sub freezing weather can lead to dangerous icy conditions.

(c) Tethers. *Note: Members were not all polled on this issue, but I base my comments on discussions of tethering at general meetings of Federated Humane Societies membership and humane society police officers.* We support eliminating the use of tethers in licensed kennels. Otherwise language should be clarified. In this case the dog house may indeed be the primary enclosure, but it would be preferable to use the term used to describe shelter structures in other subsections of this chapter. If the dog house is referred to as a primary enclosure the new space requirements for primary enclosures will make it too large to preserve a dog's body heat. Otherwise we support the additions to this subsection.

(f) (2) change "interior surfaces" to "all surfaces which may come in contact with the dog"

(3) use the word *dogs* instead of *animals*.

(4) What exactly is meant by animal areas in this subsection? Does this preclude having a desk and chair in the same room with dog enclosures? How does this apply to licensed kennels inside a residence?

(8) Record keeping concerning cleaning should be referred to in Chapter 21.29 Sanitation, and record keeping concerning food water and bedding should be referred to in Chapter 21.28 Food, Water and Bedding. In each chapter the reference should be made "Records shall be kept in accordance with chapter 21.41 Kennel Records. That chapter can then be divided into subsections related the various types of record requirements. (i) through (v) are entirely out of place here where cleaning, food and water are not discussed.

(11) The general language of this subsection is acceptable, because it describes the goal of rapid draining of waste and water.

(i) This could be simplified to avoid overly prescriptive language. The goal is to prevent

primary enclosures from being washed down and sanitized while the dogs are in them. Say that. It is said clearly and simply in Chapter 21.29 Sanitation (3). That is where it belongs. Here the subject is drainage. It is not a drainage issue. Omit this subsection.

(ii) Suggest simplified language such as “ Floor or surface drains and/ or gutters shall be of sufficient size, number and capacity to ensure rapid drainage of waste water. Floors shall be sloped toward drains or gutters to ensure rapid drainage.”

4” drains should be sufficient if there are enough of them. There may be no need to use communal gutters at all. The over specific language of this subsection would require the expensive replacement of effective drainage systems. The subject of drain covers and covers for gutters should be addressed. Drains should be equipped with covers that can be removed for cleaning but which would prevent injury to dogs. (No 6” drains without covers). If communal gutters are positioned so that dogs have access to them they should have covers to prevent dogs from walking in them or licking from them.

(iii) Overly prescriptive again. Some kennels with indoor outdoor runs use individual drains both inside and out and no gutters. If gutters are installed where dogs have access to them they should have covers to allow dogs to walk over them and to prevent (as much as possible) them from licking from them. These covers could be grates or other styles and not necessarily half round pipe. The portion of this subsection referring to doors is good.

(iv) Overly prescriptive again. Some kennels do not use communal gutters. Some two part kennels have a communal gutter between them to serve inside and outside. Some have drains inside and outside. Some are configured as described. All of these systems accomplish the goal of good drainage.

(v) Suggest new language that addresses the real world problems of drains and gutters. “Hair, leaves, debris and other solid matter shall be removed from gutters and drain covers daily. Drains shall be cleaned and sanitized and flushed with clean water.” Daily sanitizing of individual drains may not be necessary where the same dog is in the same cage day after day. Clean water rather than potable water should be sufficient to rinse drains.

(vii) Floors should be sloped towards drains and gutters to ensure rapid drainage. However if drain is located inside the primary enclosure it is impossible to say for sure that it will drain “away from the area occupied by the dog”. Feces and other solid matter will not drain away on its own regardless of slope or location of drains. Slope could be specified for new construction, but instead of tearing up reasonably effective existing floors the effect of slope can be assisted by squeegees and other means for drying.

(12) Suggest modifying to say “or *easily* destructible by a dog”. Anything is destructible by the right dog.

(18) This subsection belongs in Chapter 21.29 Sanitation. Daily sanitizing may not be necessary if the same dog occupies the same cage or in a closed population of dogs. There are dangers from over use of sanitation products if sanitization is not needed.

21.25 Temperature control

We note that although there are strict temperature requirements for dogs kept indoors, there are no limitations on maximum or minimum temperatures at which dogs can be housed outdoors.

(b) is there a reason to include this here when it is already in 21.24 (b)?

(c) slab temperatures seem too low, both for the minimum and the maximum. 35 degrees is very cold. 55 degrees is chilly as a maximum slab temperature and would be a problem for kennels that heat with radiant heat and keep floor temperatures warmer. We think that measuring ambient temperature at the average height where dogs are kept is a more useful measure. We defer to comments from veterinarians for the most appropriate temperatures.

(e) (1) Same comment as before about vagueness of acclimation standards. "infirm" not "infirm".

(2) This will require the installation of airconditioning, which may be cost prohibitive for some non profit animal shelters. Ventilation and air movement seem more essential than air conditioning and more attainable.

21.26 Ventilation

(a) Inclusion of "the sheltered part of sheltered housing facilities" is confusing and creates potential problems. This is what is also called "outdoor housing facilities". Choose one term. The shelter in an outdoor housing facility is the dog box or shelter structure, which must be snug enough to preserve body heat and keep out rain and snow. Ventilation in addition to the doorway would be counterproductive to that goal. The language "sufficiently ventilated to minimize drafts" is confusing. Ventilation does not minimize drafts. Faulty ventilation might create drafts. Try to clarify. It seems to mean that the ventilation should be constructed in such a way that it will not create excessive drafts and that its purpose is to minimize odors and ammonia levels. We prefer *minimize* moisture condensation. It is nearly impossible to prevent moisture condensation all the time in areas where so much water is used.

(1) This provision is so technical that I do not know how to tell whether any kennel is so equipped, what would be necessary to achieve this standard or how it can be measured in the day to day operation of a kennel.

(3) What constitutes ground level ventilation? There are other means of keeping floors dry besides ground level ventilation. Masonry construction kennels do not have ducts and vents in primary enclosures at ground level occupied by dogs which is regularly cleaned with water. This requirement is confusing.

(5) How many doors and windows are necessary to meet this requirement? Windows that open would not be needed if the kennel is equipped with a generator to power ventilation systems in the event of a power outage.

(b) How is it possible to control the relative humidity in outdoor housing facilities?

21.27 Lighting and electrical systems.

Dogs in kennels should have natural light on a normal diurnal schedule, or a light source that closely simulates natural light. It is necessary to be able to clearly see the condition of the dogs and their surroundings, day or night, for health and safety reasons. We fully support this goal, however the language of this subsection is confusing and overly technical.

(1) The use of "sheltered facilities" here is confusing. In other portions of the regulations it has been used to mean outdoor facilities which employ shelter structures, but which are not inside a building. Dogs housed in outdoor facilities are on a natural diurnal schedule and there is no reasonable way to provide lighting inside their dog houses. What is the intent of this subsection with respect to outdoor facilities? How broad is the term "animal facility" meant to be? Does it describe hallways? What is considered excessive light? The foot candle measure is not something that is in common use or easy to understand.

(2) How much lighting is required for outside kennels and what is the purpose? Is it to ensure the ability to observe dogs in case of an emergency? Dogs on a diurnal schedule of light should not be subjected to light all night long.

(c) This is a good provision.

21.28 Food, water, bedding.

The preamble in this chapter belongs more appropriately in Chapter 21.29 Sanitation. Why is this chapter numbered starting with (1) (2) (3), etc. while other chapters start with (a) (b) (c)? (2) The standard here is absolute and hard to achieve in real world settings unless automatic waterers where dogs lick from a tube or nipple are employed throughout. Many kennels do not use these systems for reasons of cost or because they think that it is more natural for a dog to be able to lick out of a bowl. If bowls or buckets are used, regardless of the care taken to locate them and secure them to minimize problems there will be occasions when they are tipped over or when they contain vomit, feces, urine or discarded food bits. Bowls should be situated and secured to minimize this. Language to that effect could be included. Subsection (1) acknowledges the real world conditions when it calls for cleaning the bowl when something is in it. In the real world fouled water bowls will not be cleaned around the clock. Must water be available at all times when dogs are in their exercise areas or being leash walked? The standard seems to be excessive.

(3) Many humane societies, boarding kennels and veterinary establishments use disposable paper trays for feeding. These are absolutely sanitary single use receptacles which preclude the need for daily washing and sanitation of feeding bowls. They are removed from the enclosure soon after the food is eaten. They may be left in place longer for a slow eater than for a fast one. They are placed on the floor of the primary enclosure at feeding time. They cannot be located entirely to avoid contamination by excreta. That standard should apply to fixed bowls which stay in place for longer periods. The paper food bowls can be ripped up and parts ingested by a playful and exuberant dog. This tends to cause more problems for the handlers who clean up than it does for the dogs. Use of paper disposable food receptacles should be allowed.

(4) Again an absolute standard is applied. In the real world bedding will from time to time contain stools, urine, vomit or discarded food bits. When that happens bedding should be replaced, as food and water bowls are required to be cleaned in subsection (1). In the real world this will not be done around the clock.

This chapter is where a subsection should be put saying "records to be kept in accordance with chapter 21.41 Kennels- Records.

21.29 Sanitation. Why is the numbering system here inconsistent with that used in other chapters?

As stated in the comment on definitions the standard for what constitutes sanitizing seems impossible to achieve in other than a laboratory setting. The definition itself should be addressed. In addition the frequency of sanitation and disinfection required is much more than what is required by the Animal Welfare Act or what is outlined in protocols on kennel cleaning provided for animal shelters by respected national organizations like the Humane Society of the United States. There are dangers from over sanitizing. Animal care personnel at humane societies are not laboratory technicians and there is a tendency of zealous cleaners to over use products such as chlorine bleach and other disinfectants. Fumes from overuse can cause respiratory problems, and residues that are inadequately rinsed can cause skin irritations or digestive upset when dogs get it on their fur and lick themselves. This is not to say that sanitation is not needed, but to caution that real world behavior needs to be considered when setting these standards. There has also been no distinction made between washing and sanitizing. Washing with detergent and water is necessary to remove dirt and body oils and is not the same thing as sanitizing or disinfecting.

- (1) Daily sanitizing may be too often when the same dogs are housed in the same cage. Daily cleaning with detergent and water is always necessary. Suggest deferring to Animal Welfare Act, HSUS protocols or other generally accepted protocols for kennel operation for frequency of cleaning and sanitation requirement.
- (2) Add the words "by another dog" after the word "occupied". Delete the words "whenever an animal is removed from that primary enclosure". The intent is to sanitize each cage when one dog leaves and another takes its place and not to require sanitizing each time a dog is removed from the cage for any reason. Dogs are removed and put back into the same cage frequently in humane society settings, when they are exercised, shown to prospective adopters or taken for medical treatments.
- (3) This subsection is good and well written.
- (4) Suggest language "stools and other solid matter" and deletion of the words "with a shovel" because other tools could be used. Some types of kennels are equipped with systems that allow for flushing of solid matter. Many kennels use plastic bags as can liners. In that case the bags should be disposed of at least daily, but the cans would not need to be cleaned and disinfected daily.
- (5) The second sentence can be deleted because it is covered in subsection (3) The third sentence is awkward and repetitive. Suggest "floor areas of primary enclosures shall be dried by squeegee or other means before the dog is returned to the primary enclosure." Fans, wet vacs or evaporation (if time permits) can all accomplish the same goal.
- (6) The word "maintained" is redundant in this sentence since "kept clean and in good repair" mean the same thing.
- (7) Evidence of some ectoparasites is not necessarily evidence of an ineffective program or unsanitary conditions in the kennel, especially in an animal shelter where dogs are received daily from random sources. Ticks may be undetected at first in long fur. "Unsanitary sanitation" is a contradiction in terms. "Unsanitary conditions" or "inadequate sanitation" are alternate suggestions if the phrase is to be included.

Include a subsection "records to be kept in accordance with Chapter 21.41 Kennel Records

21.30 Condition of Dog

The kennel regulations pertain to dogs in kennels as defined by the act. The act does not give Dog Wardens the authority to monitor the condition of individually licensed dogs or to order a veterinary check for them. This chapter should be changed so that it refers only to dogs in licensed kennels. It would be wise to include that the order be made in writing with a specific description of the dog or dogs to be examined, and the reason for the examination (ie: looks abnormally thin, hair missing, large lump on head, etc.). The 72 hour time limit should be included on the order. A specific form for this could be made up so that the warden would keep a copy and the owner would receive a copy. The veterinarian may find things other than what the warden is looking for but it is helpful for him to know why the exam was ordered so that he doesn't miss something. A copy of the order and the result should become part of the permanent record of the dog.

21.41 Kennel Records

This is the appropriate chapter for all of the record keeping requirements throughout the regulations including those found in the proposal in 21.14 Kennel licensure provisions, 21.23 Space, 21.24 Shelter, housing facilities. This way all of the requirements can be found in one place and integrated to avoid redundancy and inconsistency and forms or formats can be developed to keep them. The record keeping requirements listed in 21.14 are different from the

requirements in 21.41 although they cover the same basic subject areas. They must be integrated and made consistent.

(e) The new record keeping requirements of this subsection are burdensome and will be difficult to accomplish. With so much detailed record keeping required there are many more opportunities for errors and omissions. A kennel worker caring for dogs needs both hands to accomplish the tasks of feeding, cleaning, moving dogs, etc. In order to get the work done they develop a rhythm of moving from one cage to the next in an efficient manner. The only way to accomplish this level of detailed record keeping would be to have the worker followed around by a note taker. More staff will be required for this task which will provide no benefit for the dogs themselves. Non profit animal shelters always have to choose between one expense or another. Paying for more record keeping will mean less of something else. The best way to judge whether kennels are being cleaned and dogs are being fed and watered is to look at the kennel and at the dogs. Suggest eliminating (1), streamlining (2) and streamlining the requirements of (3), (4), (5) (6) and (7) with similar requirements from Chapter 21.14. Is it really necessary to include the time of every medication? Probably not. Subsection (7) seems to suggest that recommendations for medical treatments must be noted even if the recommendation did not come from a veterinarian. The subsection is too broad and vague.

(b) It is a violation of the act to operate an unlicensed kennel, but doing business with an unlicensed is not a violation of the act. This section is not supported by the act. In addition it is often impossible for one party to know whether the other is required to be licensed but is not.

23.6 Stray Dogs

The Department will need to provide non profit or grant recipient shelters with the names and addresses of County Treasurers throughout the state in order for them to comply with the provisions of this chapter and Chapter 25.1.

This is the only use of the term "releasing agency" in these regulations. The term is only used in the spy neuter section of the act. The more correct term is "non profit kennel".

25.1 General

The requirement to sell a license to the adopter of a stray dog should only apply if the new owner is a resident of Pennsylvania in any county except the County of Philadelphia (which has its own licensing system). All agencies covered by this chapter will need to be provided with a complete list of names and addresses of County Treasurer's throughout the state. It should also be stated that for those licenses where the application and fee is to be mailed to the treasurer and the license tag is to be mailed to the dog owner, the agency can collect appropriate postage to mail the application to the treasurer and for the stamped self addressed envelope required for treasurers to mail out licenses. This is a worthwhile provision to promote licensing, but it should be noted that it will create an extra clerical burden for out of county license sales without the small agent's fee that humane societies can collect when they act as agents to sell licenses in their own county. Putting the sentence about license sales into the middle of the provisions about fees paid by the Department creates some confusion over the word "fee". Suggest breaking this into 2 parts. The first would deal only with fees paid by the Department. The second part would deal with the requirement to sell licenses and collect license fees.

25.2 Dog Disposition Record

If the Dog Disposition Record for stray dogs is to be redesigned it should include a place to describe any collar and identification tags worn by the dog, and a place to note when, whether, and by whom (initials) the dog was scanned for a microchip. (See attached example)

(5) This proposal requires sale of a license to owners reclaiming and to new owners adopting so this subsection should cover both. However, only those shelters which act as agents for the County Treasurer will have the tags and be able to show the license number on the form, and then only for licenses sold in their county. This requirement needs to be rethought.

25.4 License of dogs before release

Question use of the term "releasing agency". Suggest that requirements for selling the license, collecting fee and relevant postage and sending it to the appropriate County Treasurer be spelled out here as it is in prior references. The Department will need to provide non profit kennels with a list of all County Treasurer's and their addresses.

This concludes the general comments. We will also point out that amending the regulations must be accompanied by a program of consistent inspection at all types of kennels, and of timely follow up at kennels where problems are found to assure that they are brought into compliance, or to take necessary enforcement action if compliance is not achieved. Without this the regulations are just more words on paper and will not improve the lives of dogs. Maintaining a full complement of Dog Wardens, the new Kennel Compliance Specialists and the prosecutor as part of the team will help achieve this goal as will additional training for the entire team. A veterinarian would be a valuable addition to the team. We support the ongoing efforts of the Department of Agriculture to improve its inspection and enforcement program.

Submitted by Anne Irwin Bucks County SPCA P.O. Box 277 Lahaska, PA 18931 215 794-7425

Testimony before House Agriculture and Rural Affairs Committee
Hearing on Proposed Kennel Regulations
March 6, 2007

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Anne Irwin, Legislative Chairman for Federated Humane Societies of PA

INDEPENDENT REGULATORY
REVIEW COMMISSION

Representative Hanna and members of the Agriculture Committee, I am Anne Irwin, Executive Director of the Bucks County SPCA and Vice President and Legislative Chairman of the Federated Humane Societies of PA. I have worked at the Bucks County SPCA for 35 years and served as Legislative Chairman of the Federated Humane Societies for 18 years. The Federated Humane Societies of PA is made up of 60 member organizations. Most of them operate animal shelters, licensed as non profit kennels, which are an important community resource for animal welfare and provide the infrastructure for Dog Law by maintaining kennels to house stray dogs and dogs removed by Dog Wardens in enforcement actions. We also employ humane society police officers who enforce the laws against cruelty to animals. Thank you for giving me the opportunity to speak about changes to the regulations which will significantly affect our work..

The Federated Humane Societies of PA has always advocated fair and even handed kennel regulation and enforcement, which keeps the welfare of dogs at all types of kennels in mind. We are committed to working in cooperation with the Department of Agriculture to improve the lives of dogs in Pennsylvania, through public education, providing shelter and enforcement efforts. We support the stated goals of these regulations to improve clarity and to improve the welfare of dogs. As lawmakers you know that it will not be the stated goals that we will have to live with when the regulations take effect, but the actual words. Each word has consequences, both intended and unintended. The problem with these proposed regulations is with the actual words. If regulations are clear and easily understood by the regulated community as well as by law enforcement officials, prosecutors, defense attorneys and judges they will be better adhered to and better enforced. These regulations are confusing, hard to follow and hard to refer to. I noticed the problem while trying to discuss some of the provisions with other people. "What section is that?" I should be able to quickly name the section and subsection, but with as many as 6 layers of subsection it takes some work to decipher and make the citation. They are not like the tax code. If the tax code is too complex we can take our records to an accountant and a tax attorney once a year and have them sort it out. These regulations are meant to be a guideline and a reference, which is used in the daily operation of a kennel, in designing and carrying out procedures and in construction and purchasing supplies. Anyone working at a kennel should be able to read and understand them. It is easy to laugh at some of the concerns that arise from a literal reading of the proposals, but reading the proposals literally is a way of troubleshooting them for unintended consequences and it is an important part of the process.

The costs of the proposed changes have been underestimated. If the regulations were adopted exactly as written it is likely that EVERY humane society in the state would have to undertake reconstruction, even of some kennels that are considered exemplary. Many could not afford to do so and would be out of compliance or out of business. That is because the provisions relating to construction, air handling and drainage are too specific and do not take into account that the goal of keeping dogs clean, dry, healthy and comfortable can be accomplished in a variety of ways. Here is an example of the kind of problem created by overly specific language. This is from comments submitted by the Director of the Lycoming County SPCA:

“Floor or surface drains and gutters must be at least 6 inches in diameter.

Our shelter has 50 dog kennels. **Each** kennel, both inside and outside, has a 4 inch drain. Any plumber will tell you that this is more than adequate for drainage. Instead of a blanket “6 inch diameter” drain, the parameters should take into consideration how many drains there are per kennel or square foot. If these regulations were passed, we would have to tear up perfectly good plumbing in order to comply. I agree that adequate drainage is vital, but there is a difference of one 6 inch drain for an entire kennel, and one 4 inch drain for EACH dog kennel.” In new kennel construction individual drains are considered preferable to common gutters and single drains. This is the kind of unintended consequence created by the language of many sections.

The proposed changes would require much more paperwork for the Department of Agriculture and for kennels. The Department would have to design new forms and specify formats for all of the new types of record keeping that will be required. Non profit kennels (and other types of kennels as well) will have to hire more personnel and pay for more man hours of work to keep up with additional record keeping. All of the new types of record keeping required including a written record of every time a cage or water bowl is cleaned, may well result in more technical violations, because there are so many new opportunities for errors and omissions, but they will not necessarily result in better care of dogs. The best way to judge whether dogs are being properly kept and cared for is to look at the dogs and look at their surroundings. If the dogs are clean and in good weight and if their surroundings are clean and in good repair it speaks for itself. If things look bad, records of cleaning, feeding or exercise do not mean much. Here’s an example of a confusing and complicated requirement: Chapter 21.14 (a) (5) (iii) (B) (III) states that a non profit or boarding kennel record for an incoming dog must include “If a stray dog found running at large or a rescued dog, the name and principle address of the organization, agency or person that last owned the dog and that of the organization, agency or person delivering the dog to the kennel.” Most often we do not know who last owned a stray dog.

This brings me to the consideration of how effective these regulations will be when bringing charges to court in front of a District Justice. One of the goals of improved regulations was to bring about more successful prosecutions in court. District Justices take a common sense approach to the cases that come before them. They usually do not like dozens or hundreds of citations in connection with one case. If a District Justice were to hear a case involving dozens of records violations, or problems with the location and size of drains and gutters it is very likely that he would take the practical approach and ask “How did the dogs look? Was there standing water on the floor?” Without compelling evidence that animals were suffering it would be difficult to win a case. Current regulations need improvement, but violations can be successfully prosecuted. The only way to win a case in court is through careful preparation and presentation. The Bureau of Dog Law has taken an important step toward improving their effectiveness in enforcement by hiring a prosecutor who can train, prepare and assist Dog Wardens in prosecuting cases. It is a proposal that I suggested. Humane societies want Dog Law prosecutions to be successful. If dogs are in custody they are being held at our shelters. There is nothing more heartbreaking than to work with neglected dogs, provide daily care for them and have to return them when a case is dismissed. New regulations will not create a shortcut to success in court.

Humane societies are very concerned about the new exercise requirements and how they can be implemented at animal shelters. Dogs spend a relatively short portion of their lives at a shelter. It is not possible or even advisable for humane societies to exercise every dog in their kennels outside of the cage for 20 minutes every day, 365 days a year. Shelters accept dogs from all sources and situations. We hold dogs in connection with pending court cases, quarantine dogs in bite cases and accept and hold stray dogs of all breeds and temperaments. Some dogs arrive at the shelter in cage traps or on the end of a capture pole. They need time to calm down and settle into new surroundings before it is safe to handle them unnecessarily. Requiring daily exercise outside the cage for all these dogs will result in bites, fights and dogs escaping. Many shelters have indoor outdoor runs where dogs get exercise all day long as people and new animals pass their cages. Others have dog walking programs, where dogs that have been determined to be safe are walked by staff or volunteers. At the Bucks County SPCA volunteers walk dogs which have been deemed to be safe, on the grass and on special walking trails, neither of which would meet the specifications of the current regulations. They walk them in light rain and snow. Dogs are not walked in truly inclement weather. Compatible dogs are sometimes exercised together in outdoor enclosures. Volunteers and extra staffing are not available on days that shelters are closed to the public. Unsafe or unhealthy dogs are not exercised outside the cage at all. This requirement must be modified or eliminated for humane societies.

The regulations contain an exemption from doubling space requirements and from quarantine requirements for shelters. The exemption has been written in such a way that it applies to only about half a dozen shelters which have Dog Control contracts with the state. It needs to be extended to cover all non profit kennels so that it will apply to other shelters that accept stray dogs and also to police kennels for stray dogs, which are licensed as non profits.

The new definitions of "Establishment" and "Temporary home" receive a mixed response from humane societies. We recognize the need to license the forms of kennels, either profit making or non profit, which move large numbers of dogs every year, but which keep them at many different locations. However the definitions are so broad that they may create new kinds of confusion and concern. The provisions about temporary homes need to be expanded so that people providing foster care for dogs will know to what extent they may be subject to inspection or required to meet the specifications of the regulations. My understanding is that the goal is to keep track of dogs and to assure that they are being treated humanely. Every kennel should be able to account for the whereabouts of any dog belonging to them at any given time, whether the dog is at the vet, out on a visit or staying in a foster home. Someone should be able to assure that dogs in foster homes are safe and humanely cared for. How this will work is unclear. Without clarity, programs to help dogs, which depend on foster homes, may suffer. Humane societies work with rescue organizations to help place dogs from our shelters. We want those rescue organizations to be able to continue to do their valuable work.

One of my personal suggestions is that licensed kennels should periodically have a fire inspection by the local fire marshall or representative of the volunteer fire company. A fire is the most devastating thing that can happen in a kennel. Many problems can be prevented. It is good for the fire company to know the layout of a kennel in case an emergency occurs. Fire inspectors look for things that we might not otherwise think of. In our township fire inspections are required for all businesses. The inspector recommends the number and placement of fire extinguishers,

looks to see that our wiring is in good shape, that exits are well marked and that things are not stored in front of breaker boxes or next to the furnace. This would be a potentially life saving provision, which is directly related to the health and safety of dogs.

Thank you for providing the forum for us to bring up some of our concerns. There are still other voices that may need to be heard including the boarding kennels, the rescue organizations, the research kennels and animal control officers. It is unfortunate and unhelpful that the discussion of these issues has become so polarized. These regulations are complex and far reaching. What we need now is a calm, deliberate and civil discussion which will carefully craft the language so that the effects of the regulations will live up to the stated goals and improve the welfare of dogs by being workable, understandable and enforceable. That process will require input from many perspectives. This hearing has brought people of many perspectives into the same room. We hope that the next step will be for them to be willing to talk to each other and listen.

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