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The Department of Agriculture  
Ms. Mary Bender  
Bureau of Dog Law Enforcement  
2301 North Cameron Street, Room 102  
Harrisburg, PA 17110-9408

INDEPENDENT REGULATORY  
REVIEW COMMISSION

Dear Ms. Bender,

We have reviewed these pages and made comments regarding our kennel facility and management. Some of the ideas are good, but others feel strange and unworkable. Please let your inspectors know that we might require advice about how to do certain things and we might need financing for any changes.

Also, concrete runs might be easier to take care of, but our dogs are bred and raised for racing on soft, natural footing instead of such a hard surface.

Best Regards,



Ron Hevener  
Lochranza Kennels  
1338 Mountain Road  
Manheim, PA 17545

**(b) Prohibitions on dealing with unlicensed kennels. It shall be a violation of the act and this chapter for any kennel to keep, harbor, board, shelter, sell, give away or in any way accept, deal or transfer any dog from a kennel or establishment operating without a license in violation of sections 206, 207 or 209 of the act (3 P. S. §§ 459-206, 459-207 and 459-209), without the express written permission of the Department.**

**COMMENT: THIS WILL NOT WORK FOR OUR KENNEL. WE RECEIVE DOGS COMING HOME FROM THE RACE TRACK, FROM TRAINING OR SHOW DOGS COMING HOME FROM OUT-OF-STATE HANDLERS. NONE OF THOSE PEOPLE OPERATE THEIR KENNELS FROM PENNSYLVANIA AND THEY WOULD NOT BE LICENSED IN PENNSYLVANIA.**

## KENNELS--PRIMARY ENCLOSURES

### § 21.21. Dog quarters.

(a) Indoor and outdoor housing facilities for dogs shall be maintained in a manner to protect the dogs from injury, **insure the sanitary conditions required in this part have been compiled with and shall be maintained in a manner complying with the other conditions required by this chapter** and to contain the dogs.

(b) The interior building surfaces of housing facilities shall be constructed and maintained so that they are water resistant and may be readily sanitized. **Outdoor facilities shall be constructed in a manner to allow them to be readily sanitized, to assure the dogs have a mud free area and to assure there is no standing or pooled water.**

**COMMENT: OUR 10' X 20' KENNEL RUNS ARE OUTDOORS ON GRAVEL FLOORING. WHEN IT RAINS, THERE WILL BE PUDDLES IN VARIOUS PLACES. IF TAKEN LITERALLY, THIS RULE COULD BE INTERPRETED TO MEAN THERE COULD BE NO PUDDLES IN THE RUN AT ALL. OUR DOGS ALSO DIG HOLES TO THEIR HEARTS' CONTENT. SUCH A RULE WOULD REQUIRE US TO GO OUT IN THE RAIN, FILLING IN HOLES AFTER EVERY RAIN, AND CREATING MUD.**

(c) Adequate drains or gutters, or both, shall be provided to rapidly eliminate excess water from **both indoor and outdoor housing facilities and other areas such as outdoor runs and exercise areas.**

**COMMENT: THIS ISN'T CLEAR TO US. OUR OUTDOOR EXERCISE AREAS ARE GRASS LAWNS OF SEVERAL ACRES IN SIZE. THERE ARE GOING TO BE PUDDLES AFTER RAIN IN FIELDS, WHICH DRAIN AWAY ON THEIR OWN.**

(C) The exercise area must be equipped in a manner to allow dogs to be exercised even during inclement weather and to protect the dogs from becoming wet, matted or muddy during the exercise.

**UNREASONABLE: IF IT'S RAINING, DOGS ARE GOING TO GET WET AND ON A NATURAL FOOTING THEIR FEET CAN GET MUDDY. THIS DOESN'T MAKE SENSE. IF YOUR SOLUTION IS CONCRETE RUNS, THIS IS NOT ACCEPTABLE TO RAISE DOGS ON.**

(F) Spayed and neutered dogs may be exercised together. Otherwise males and females shall be separated and may not be exercised at the same time in the same exercise enclosure.

**COMMENT: OUR RACING DOGS ARE RAISED IN LITTER PACKS, IN A NATURAL STATE. MALES AND FEMALES ARE RAISED TOGETHER UNTIL SENT OUT FOR TRAINING. THE REST OF OUR DOGS ARE RAISED WITH ROOMMATES OF THE SAME BREED AND SIZE FOR THEIR LIFETIMES.**

(v) Daily records of exercise shall be kept for each dog in the kennel. The records, at a minimum, must set forth:

(A) The breed, color, markings, sex, approximate weight and age of each dog or when applicable, the microchip number of each dog.

(B) The date and the time period each dog was exercised and whether the exercise was on a leash or in an exercise area.

(C) Any medical exemption written by a veterinarian licensed to practice in this Commonwealth.

**COMMENT: WE SEE NO NEED TO KEEP SUCH RECORDS, SINCE OUR DOGS LIVE IN EXERCISE RUNS ANYWAY. THIS IS AN UNNECESSARY BURDEN FOR OUR KENNEL.**

(1) Dogs housed in outdoor facilities or outdoor primary enclosures shall be provided with one or more shelter structures that are accessible to each animal in each outdoor facility, and that are large enough to meet the space requirements of this chapter. In addition to the shelter structures, at least one area of shade other than the dog box or primary enclosure itself shall be provided. The area of shade must meet the following criteria:

(i) Be constructed as a permanent fixture. A tarp may not be considered a permanent fixture.

(ii) Be immediately outside the dog box or primary enclosure to assure the dog has a mud and water free area in which to stay dry before entering the dog box or primary enclosure.

(iii) Be constructed to allow for sufficient air movement to keep the dog comfortable in event of excessive heat and to provide all the dogs housed in that area protection from the direct rays of the sun.

(iv) Be as wide as the kennel run area and at least 4 feet in length or large enough to contain all the dogs in that kennel run area at the same time and provide them with a permanent area of shade and protection from inclement weather throughout the day, whichever is larger. It must be large enough to allow each dog in the kennel run area to sit, stand and lie in a normal manner and to turn about freely. In addition, it must be large enough to allow all dogs in the kennel run area to avoid the elements--including direct sunshine and inclement weather.

**COMMENT: WE LIKE THE SOUND OF THIS, BUT WE WOULD NEED ADVICE ON HOW TO BUILD IT ECONOMICALLY AND SAFELY. DO YOU PROVIDE FINANCING?**

(2) Dogs housed in outdoor facilities shall be provided with a flat and level surface for housing and for exercise. Outdoor facilities and exercise areas must have a slope of at least 1/8 inch per foot to provide drainage, but may not be placed on a slope of more than 6 inches per 10 feet. The slope must be situated to assure drainage away from the primary enclosure and away from any adjacent primary enclosure and run associated with that primary enclosure.

**COMMENT: WE DO NOT PERMIT CONCRETE RUNS FOR OUR DOGS. WE BELIEVE IT IS INJURIOUS TO THEIR FEET AND LEGS. THESE ARE VALUABLE COMPETITION DOGS – ATHLETES – IN THE 5,000-\$15,000 RANGE EACH, SO THIS IS SOMETHING WE CAN NOT ALLOW. PLEASE ADVISE ON THIS.**

(11) Outdoor facilities, including runs and exercise areas shall be kept free of grass and weeds.

**COMMENT: OUR EXERCISE AREAS ARE GRASS LAWNS KEPT MOWED ON A REGULAR BASIS. THIS RULE CAN NOT APPLY.**

for the rapid elimination of animal waste and water and that insures the animals stay dry. The drainage system must be properly constructed, installed and maintained.

(i) Where the kennel is an indoor kennel with no outside runs, a gutter and drain shall be provided for sluicing waste waters during kennel cleaning. The kennels must have adequate holding facilities to allow a dog to be outside its primary enclosure during the washing of that primary enclosure and until there has been adequate drying of the primary enclosure.

(ii) Floor or surface drains and gutters must be at least 6 inches in diameter.

(iii) Where an indoor kennel has outside runs attached, drains or gutters shall be installed between the indoor and outdoor section of the kennel for sanitation and drainage purposes. Half round pipe shall be installed in these areas to permit the dog to walk through. The indoor kennel and the outdoor run must be separated by a guillotine, swinging or sliding door or some other device or means approved by the Department, to allow isolation of the dogs during cleaning operations.

(iv) Outdoor kennel runs must be sloped to a gutter located immediately outside of the end fence of each run and shall meet the criteria established in subsection (b)(1)–(3) and (6)–(9). Indoor kennels with outdoor runs must also have indoor drains or gutters.

(v) Drains and gutters shall be sanitized at least once daily and flushed immediately after cleaning with potable water to prevent sanitation problems.

(vi) Where a closed drainage system is used, it must be equipped with traps to prevent the backflow of gases and the backup of sewage into the housing facility. Drain traps must be deep enough to prevent freezing of water in cold weather.

(vii) The floor or surface of the indoor or outdoor kennel must be sloped, situated and constructed in a manner which assures the urine and feces are eliminated from the areas occupied by the dog or dogs housed in that enclosure and in a manner to assure the urine and feces do not wash into the area occupied by another dog. The kennel floor or surface must be sloped (at least 1/8-inch per foot) to the gutter or drain to allow for quick water drainage and drying.

**COMMENT: WE DO NOT PERMIT CONCRETE RUNS FOR OUR DOGS. WE BELIEVE IT WOULD BE INJURIOUS TO THEIR FEET AND LEGS. THESE ARE VALUABLE COMPETITION DOGS – ATHLETES – IN THE 5,000-\$15,000 RANGE EACH.**

The water in dog bowls may not be frozen.

**COMMENT: FRESH WATER IS GIVEN DAILY IN OUR KENNEL, BUT DEPENDING ON THE WEATHER, THIS CAN'T ALWAYS BE CONTROLLED IN OUTSIDE RUNS.**