

DOG LAW
Act of Dec. 7, 1982, P.L. 784, No. 225
AN ACT

Cl. 03

Relating to dogs, regulating the keeping of dogs; providing for the licensing of dogs and kennels; providing for the protection of dogs and the detention and destruction of dogs in certain cases; regulating the sale and transportation of dogs; declaring dogs to be personal property and the subject of theft; providing for the abandonment of animals; providing for the assessment of damages done to animals; providing for payment of damages by the Commonwealth in certain cases and the liability of the owner or keeper of dogs for such damages; imposing powers and duties on certain State and local officers and employees; providing penalties; and creating a Dog Law Restricted Account. (Title amended Dec. 11, 1996, P.L.943, No.151)

TABLE OF CONTENTS

Article I. Short Title and Definitions

Section 101. Short title.
Section 102. Definitions.

Article II. Licenses, Tags and Kennels

Section 200. Issuance of dog licenses; compensation; proof required; deposit of funds; records; license sales; rules and regulations; failure to comply; unlawful acts; penalty.

Section 201. Applications for dog licenses; fees; penalties.

Section 202. License certificates; tag removal; exclusion for some dogs.

Section 203. Tags furnished to county treasurers and other agents; lost tags.

Section 204. Who shall issue licenses; fees; records (Deleted by amendment).

Section 205. Transfer of licenses or tags; other licensing requirements.

Section 206. Kennels.

Section 207. Requirements for kennels.

Section 208. Kennels in first and second class cities (Deleted by amendment).

Section 209. Dealer license; application; fee; prohibitions.

Section 210. Bills of sale.

Section 211. Revocation or refusal of kennel licenses.

Section 212. Dogs temporarily in the Commonwealth.

Section 213. Transportation of dogs.

Section 214. Health certificates for importation.

Section 215. Selling, bartering or trading dogs (Deleted by amendment).

Section 216. County and city treasurer records, licenses and transfers (Deleted by amendment).

Section 217. Service dogs and dogs used by municipal or State Police departments.

Section 218. Inspections.

Section 219. Additional duties of the department.

Section 220. Refusal of entry.

Section 221. Canine Health Board.

Article III. Quarantines, Dogs at Large, Confinement

- Section 301. Quarantines.
Section 302. Seizure and detention of dogs; costs;
destruction of dogs.
Section 303. Seizure and detention of unlicensed dogs;
costs; destruction of dogs (Deleted by
amendment).
Section 304. Dogs in heat; confinement thereof.
Section 305. Confinement and housing of dogs not part of
a kennel.

Article IV. Duties of Officers

- Section 401. Interference with police officer or State dog
warden; duties of State dog warden; failure to
produce license certificate.
Section 402. Notice requiring examination of dog.

Article V. Offenses of Dogs

- Section 501. Killing dogs; dogs as nuisances.
Section 502. Dog bites; detention and isolation of dogs.

Article V-A. Dangerous Dogs

- Section 501-A. Definitions (Deleted by amendment).
Section 502-A. Court proceedings, certificate of registration
and disposition.
Section 503-A. Requirements.
Section 504-A. Control of dangerous dogs.
Section 505-A. Public safety and penalties.
Section 506-A. State registry.
Section 507-A. Construction of article.

Article VI. Injury to Dogs

- Section 601. Theft; poison; abandonment of animals by
owner.
Section 602. Dogs used for law enforcement.
Section 603. Selling, bartering or trading dogs.

Article VII. Dog Caused Damages

- Section 701. Reimbursement for damages; complaints.
Section 701.1. Reimbursement for rabies.
Section 702. Quarantines due to damages.
Section 703. Payments of claims out of Dog Law Restricted
Account; rights against dog owners inuring to
the Commonwealth (Deleted by amendment).
Section 704. Killing of dogs causing damages.
Section 705. Harboring unlicensed dogs; forfeiture of
rights of reimbursement.
Section 706. Damages caused by coyotes; complaints;
liability.

Article VIII. Statements and Proofs

- Section 801. False statements.

Section 802. Burdens of proof.

Article IX. Enforcement and Penalties

Section 901. Enforcement of this act by the secretary;
provisions for inspections.
Section 902. Rules and regulations.
Section 903. Enforcement and penalties.
Section 904. Permanent identification altered.
Section 905. Disposition of fines and penalties.
Section 906. Reports to General Assembly.
Section 907. State dog wardens; plan for appointment.
Section 908. Exemption.

Article IX-A. Sterilization of Dogs and Cats

Section 901-A. Definitions.
Section 902-A. Spaying or neutering as condition for
release of certain animals.
Section 903-A. Refund of deposit upon proof of
sterilization.
Section 904-A. Rules and sterilization agreement.
Section 905-A. Extension of time to sterilize.
Section 906-A. Exemption from sterilization; refund of
deposited funds.
Section 907-A. Death of adopted animal.
Section 908-A. Forfeiture of deposited funds and
adopted dog or cat.
Section 909-A. Disposition of forfeited funds; record
of accounts.
Section 910-A. Construction of article.
Section 911-A. Penalty.

Article X. Disposition and Appropriation of Funds

Section 1001. Dog Law Restricted Account; disposition and
appropriation of funds accruing under the
provisions of this act.
Section 1002. County dog law programs.

Article XI. Liability of the Commonwealth

Section 1101. Liability of the State.

Article XII. Miscellaneous Provisions

Section 1201. Applicability to cities of the first class,
second class, second class A and third class.
Section 1202. Abandonment of animals by owner (Deleted by
amendment).
Section 1203. Severability.
Section 1204. Acts not affected.
Section 1205. Repealer.
Section 1206. Effective date.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 206. Kennels.

(a) Applications, kennel license classifications and fees.--

(1) Any person who keeps or operates a kennel shall, on or before January 1 of each year, apply to the department for the appropriate type and class of kennel license. Kennels shall be classified by type, and the fee for the license shall be determined by the kennel type, the number of dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by the kennel during the previous year.

(2) A person who did not keep or operate a kennel during the previous year shall apply for the type and class of kennel the person expects to operate during the calendar year.

(3) A person operating a kennel who changes the type or classification of kennel due to an increase in the number of dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by the kennel during any calendar year shall, within seven days of the increase, apply to the department for the appropriate type and class of kennel license.

(4) The application forms and kennel licenses shall be as designated by the secretary. A separate license shall be required for each type of kennel and every location at which a kennel is kept or operated. A kennel license is required to keep or operate any kennel. All kennel licenses shall expire on December 31. When two or more licensed kennels are operated by the same person at the same location, each kennel shall be inspected and licensed as required by law. The total number of dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by all of the kennels operated by that person at that location shall be counted to determine whether those kennels meet the definition of "commercial kennel" in section 102, in which case each kennel must apply for, and be inspected and licensed as, the appropriate Kennel Class C type.

(5) The kennel classes and license fees shall be as follows:

(i) Kennel Class I.

To keep or operate a private kennel, pet shop-kennel, research kennel, rescue network kennel, dealer kennel, out-of-state dealer kennel or kennel for a total of 50 dogs or less of any age during a calendar year - \$100 per year.

(ii) Kennel Class II.

To keep or operate a private kennel, pet-shop kennel, research kennel, rescue network kennel, dealer kennel, out-of-state dealer kennel or kennel for a total of 51 to 100 dogs of any age during a calendar year - \$250 per year.

(iii) Kennel Class III.

To keep or operate a private kennel, pet shop-kennel, research kennel, rescue network kennel, dealer kennel, out-of-state dealer kennel or kennel for a total of 101 to 150 dogs of any age during a calendar year - \$375 per year.

(iv) Kennel Class IV.

To keep or operate a private kennel, pet shop-kennel, research kennel, rescue network kennel, dealer kennel, out-of-state dealer kennel or kennel for a total of 151 to 250 dogs of any age during a calendar year - \$500 per year.

(v) Kennel Class V.

To keep or operate a private kennel, pet shop-kennel, research kennel, rescue network kennel, dealer kennel, out-of-state dealer kennel or kennel for a total of 251 to 500 dogs of any age during a calendar year - \$625 per year.

(vi) Kennel Class VI.

To keep or operate a private kennel, pet shop kennel, research kennel, rescue network kennel, dealer kennel, out-of-state dealer kennel or kennel for a total of more than 500 dogs of any age during a calendar year - \$950 per year.

(vii) Boarding Kennel Class I.

To keep or operate a boarding kennel having the capacity to accommodate a total of 1 to 10 dogs at any time during a calendar year - \$125 per year.

(viii) Boarding Kennel Class II.

To keep or operate a boarding kennel having the capacity to accommodate a total of 11 to 25 dogs at any time during a calendar year - \$200 per year.

(ix) Boarding Kennel Class III.

To keep or operate a boarding kennel having the capacity to accommodate 26 or more dogs at any time during a calendar year - \$325 per year.

(x) Kennel Class C-I.

To keep or operate a commercial kennel for a total of 50 dogs or less of any age during a calendar year - \$100 per year.

(xi) Kennel Class C-II.

To keep or operate a commercial kennel for a total of 51 to 100 dogs of any age during a calendar year - \$250 per year.

(xii) Kennel Class C-III.

To keep or operate a commercial kennel for a total of 101 to 150 dogs of any age during a calendar year - \$375 per year.

(xiii) Kennel Class C-IV.

To keep or operate a commercial kennel for a total of 151 to 250 dogs of any age during a calendar year - \$500 per year.

(xiv) Kennel Class C-V.

To keep or operate a commercial kennel for a total of 251 to 500 dogs of any age during a calendar year - \$625 per year.

(xv) Kennel Class C-VI.

To keep or operate a commercial kennel for a total of more than 500 dogs of any age during a calendar year - \$950 per year.

(xvi) Humane society or association for the prevention of cruelty to animals.

To keep or operate a humane society or association for the prevention of cruelty to animals - \$35 per year.

(xvii) Municipal Holding Pens.

To keep or operate a municipal holding pen - \$35 per year.

(xviii) Rescue Network Kennel.

To keep a rescue network kennel during a calendar year, the kennel class license fee is applicable to the number of dogs housed by or transferred through or at the rescue network kennel or rescue network kennel homes registered under the rescue network kennel.

(xix) Service Dog Kennel.

To keep or operate a service dog kennel - \$35 per year.

((xix) added July 8, 2024, P.L.527, No.47)

((a) amended Oct. 23, 2023, P.L.114, No.18)

(b) Nonprofit kennels.--(b) deleted by amendment Oct. 23, 2023, P.L.114, No.18)

(b.1) Rescue network kennels.--

(1) No person shall engage in or carry on the business of a rescue network kennel unless the person is duly licensed by the department.

(2) An application for a rescue network kennel must be made on a form furnished by the department. The form shall contain such information as the department may reasonably require to determine the applicant's identity, competency and eligibility.

(3) A person that applies for or holds a rescue network kennel license shall identify the location of any home where dogs are kept on behalf of the rescue network kennel.

((b.1) added Oct. 23, 2023, P.L.114, No.18)

(c) Prohibition to operate; injunction; fines.--((c) deleted by amendment Dec. 11, 1996, P.L.943, No.151)

(d) Issuance of tags.--The department shall issue the number of tags equal to the number of dogs three months of age or older, or a lesser number as determined by the kennel owner's needs, approved by the secretary to be kept in a kennel described under this section. All tags shall bear the name of the county where they are issued, the kennel license number and any other information required by the secretary through regulations. The tags shall be utilized and displayed as set forth in section 207(d).

(e) Kennel closing, changing name or moving to another location.--If a person that keeps or operates a kennel closes, changes its name or moves to another location, the person shall file an application with the secretary notifying the secretary of the move, closure, transfer or change of name. Upon approval by the secretary, which shall require an inspection and approval of the new facility, the kennel license may be allowed to remain in effect until the end of the calendar year at which time it shall be renewed in accordance with this act. If a kennel is closing, the secretary shall conduct a postclosure inspection.

(f) Adequacy of fees.--On or before July 1 of each year, the department shall submit a report to the chairperson and minority chairperson of the Agriculture and Rural Affairs Committee of the Senate and the chairperson and minority chairperson of the Agriculture and Rural Affairs Committee of the House of Representatives comparing the expenses incurred by the department for enforcing this act with regard to kennels and the revenues received by the department in accordance with this section.

(206 amended Oct. 9, 2008, P.L.1450, No.119)

Section 207. Requirements for kennels.

(a) Kennel removed to another county.--((a) deleted by amendment Dec. 11, 1996, P.L.943, No.151)

(a.1) Prohibition to operate; injunction; fines.--

(1) It shall be unlawful for kennels described under section 206 to operate without first obtaining a kennel license from the department.

(2) The secretary shall not approve any kennel license application unless such kennel has been inspected and approved by a State dog warden or employee of the department.

(3) The secretary may file a suit in equity in the Commonwealth Court to enjoin the operation of any kennel that violates any of the provisions of this act.

(4) It shall be no defense to any civil penalty or criminal prosecution under this act that a person operating a kennel failed to properly obtain the appropriate type and class of license.

(5) A kennel operator that is applying for a different type or class of license because of an increase in the total number of dogs or due to birth of additional dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by the kennel during a calendar year shall not be in violation, provided the application is filed within seven days of the increase.

(6) A person who is required to file for a Kennel Class C license pursuant to this subsection and has complied with paragraph (5) shall have an additional 365 days from the date of filing of the Kennel Class C license application to come into compliance with the additional requirements for Kennel Class C license holders. The secretary may grant an extension of time for a person to come into compliance with the Kennel Class C requirements if the secretary determines the person is making a good-faith effort to comply with the requirements and makes a showing of reasonable expectation that compliance can be achieved through the granting of an extension. A person who has not complied with paragraph (5) may be assessed a civil penalty under subsection (a.2), in addition to any penalty under section 903, of not less than \$1,000 nor more than \$5,000 each day a kennel operates in violation of paragraph (5). The penalty shall be premised on the gravity and willfulness of the violation, the potential harm to the health and safety of the animals and the public, previous violations and the economic benefit to the violator for failing to comply with this act.

(7) A person who operates a kennel without first obtaining the appropriate type and class of kennel license from the department commits a misdemeanor of the third degree.

((a.1) amended Oct. 23, 2023, P.L.114, No.18)

(a.2) Civil penalties and remedies.--The following shall apply to civil penalties and remedies for unlicensed kennels:

(1) In addition to proceeding under any other remedy available at law or in equity for a violation of a provision of this act or a rule or regulation adopted or order issued under this act, the secretary may assess a civil penalty, in addition to any penalty under section 903(c), against an unlicensed kennel of not less than \$1,000 nor more than \$5,000 for each day it operates in violation of this act. The penalty shall be premised on the gravity and willfulness of the violation, the potential harm to the health and safety of the animals and the public, previous violations and the economic benefit to the violator for failing to comply with this act. ((1) amended Oct. 23, 2023, P.L.114, No.18)

(2) In cases of inability to collect the civil penalty or failure of a person to pay all or a portion of the penalty, the secretary may refer the matter to the Office of Attorney General, which shall institute an action in the appropriate court to recover the penalty.

((a.2) added Oct. 9, 2008, P.L.1450, No.119)

(a.3) Cease and desist order.--

(1) The secretary may provide a written order to cease and desist operating to an owner who is operating a kennel without a license. The order shall set forth the general factual and legal basis for the action and shall advise the affected person that within ten days of receipt of the order, he may file with the secretary a written request for an administrative hearing.

(2) The written order to cease and desist operating shall be served by personal service or by registered or certified mail, return receipt requested, to the person operating the unlicensed kennel or a responsible employee of such a person. The order to cease and desist shall become a final order of the department upon expiration of the ten-day period for requesting an administrative hearing unless a timely request has been filed with the department.

(3) A person receiving a written cease and desist order shall, upon the order becoming final, comply with all of the following:

(i) Immediately cease and desist from operating a kennel, including boarding, buying, exchanging, selling, offering for sale, giving away or in any way transferring dogs.

(ii) Acquire no additional dogs nor increase the number of dogs in the kennel by any means, including breeding. This subparagraph does not apply to an acquisition or increase by birth of puppies from a mother which, at the time of the order, was:

(A) on the property;

- (B) pregnant; and
- (C) owned by the kennel or the kennel owner.

(iii) Notify the department prior to the euthanization of any dog. No dog may be euthanized unless it is determined by a veterinarian that the euthanasia will prevent the dog from suffering caused by a medical condition. If a veterinarian determines a dog should be euthanized, a copy of the veterinarian's findings, signed by the veterinarian, must be provided to the department. The provisions of this subparagraph do not apply to an emergency situation if it is deemed by the veterinarian that immediate euthanasia is necessary to relieve the suffering of the dog. Following euthanasia in an emergency situation, a copy of the veterinarian's findings must be signed by the veterinarian and provided to the department.

(iv) Permit State dog wardens to inspect the kennel without a warrant in order to determine compliance with the department's order, any relevant court order and any provision of this act.

(v) Divest of all dogs numbering over 25, unless directed otherwise by the department order, within a reasonable time period as determined by the department, but not to exceed ten days. The department's order shall set forth the manner by which the kennel owner may divest of the dogs. If there are more dogs on the premises than permitted in the department order after the expiration of the time period set forth in the order, the kennel may select the dogs to be kept, up to the number allowed under this subparagraph. The dogs not selected shall be forfeited to the entity set forth in the department order or to an entity approved by the department without compensation to the owner.

(4) The following applies to appeals:

(i) This paragraph applies to a person who has received a written cease and desist order and who:

(A) has timely filed a request for an administrative appeal; and

(B) require a kennel license under this act, pending the exhaustion of all administrative appeals.

(ii) A person subject to subparagraph (i) shall, during the duration of all administrative appeals and thereafter if the department's action is upheld, be subject to the requirements set forth in paragraph (3)(i), (ii), (iii) and (iv).

(iii) Within ten days after the exhaustion of an administrative appeal under subparagraph (i)(A) in which the department's action is upheld, the kennel shall reduce the number of dogs under paragraph (3)(v).

(iv) Removal of dogs may occur under section 211(d), (e) and (f).

(5) Failure to take action or to meet the conditions imposed under this subsection, in addition to any other penalties allowed under this act, may result in imposition by the department of an administrative penalty of not less than \$100 nor more than \$500 per day for each violation. Each dog in excess of the number of dogs permitted under paragraph (3)(v) or (4)(iii) shall count as one violation.

(6) Any violation of this subsection shall constitute a misdemeanor of the third degree.

((a.3) added Oct. 9, 2008, P.L.1450, No.119)

(b) Maintenance of kennels.--All kennels shall be maintained in a sanitary and humane condition in accordance with standards and sanitary codes promulgated by the secretary through regulations.

(c) Records to be maintained.--Every keeper of a kennel shall keep, for two years, a record of each dog at any time kept in the kennel. Such record shall show:

(1) The breed, color, markings, sex and age of each dog.

(2) The date on which each dog entered the kennel.

(3) The full name and physical address at the time the dogs were received of the previous owner or kennel from whom the dog was received. This paragraph shall not apply to a boarding kennel.

(4) The full name and physical address of the person or kennel to whom the dog belongs.

(5) For what purpose each dog is kept in the kennel.

(6) The date on which each dog leaves the kennel.

(7) How the dog is dispensed. If the dog was transferred to another person or kennel, the record must state the full name and physical address of the person or kennel to whom the dog was dispensed.

(8) The name, address and telephone number of the licensed doctor of veterinary medicine used by the kennel.

Such record shall be legible and shall be open to inspection and may be copied by any employee of the department, State dog warden or police officer as defined by this act.

((c) amended Oct. 9, 2008, P.L.1450, No.119)

(c.1) Humane societies or associations for the prevention of cruelty to animals.--A humane society or association for the prevention of cruelty to animals shall be required to keep all records required to be kept under this section, except that, in the case of a dog running at large, it shall not be a violation of subsection (c)(3) or (4) for

the humane society or association for the prevention of cruelty to animals to list only the location from which a dog was retrieved if the information required to be maintained under subsection (c)(3) and (4) is unknown and not available to the humane society or association for the prevention of cruelty to animals. ((c.1) amended Oct. 23, 2023, P.L.114, No.18)

(c.2) Display of information by pet shop kennels and kennels offering dogs directly to the public.-- Notwithstanding the provisions of subsection (c), a dog offered for sale or adoption directly to the public shall have the following information posted conspicuously on its primary enclosure, to the extent the information is known:

- (1) The breed, age and date of birth of the dog.
- (2) The state in which the breeder of the dog is located.
- (3) The United States Department of Agriculture license number of the breeder, if applicable.
- (4) The Department of Agriculture license number of the breeder, if applicable.
- (5) Documentation of all inoculations, vaccinations, worming treatments and other medical treatments, if any, including the date of the treatment, the diagnosis and the name and title of the treatment provider.
- (6) Bite attacks on a human being or domestic animal, dog or cat.

((c.2) added Oct. 23, 2023, P.L.114, No.18)

(d) Tags.--Every holder of a kennel license shall attach one tag to a collar or harness of each dog three months old or older kept by that person, whenever the dog is not within the kennel except as provided for in sections 202 and 213. Dogs housed in rescue kennel network homes shall have and display the dealer's tag or rescue kennel network home's tag or individual dog license as provided in this section. ((d) amended Oct. 9, 2008, P.L.1450, No.119)

(e) Display of kennel license.--The following shall apply:

(1) A person operating a kennel required to be licensed under this act shall display, in a place conspicuous to persons authorized to enter, a current and valid kennel license certificate issued by the department. The kennel license certificate shall show all of the following:

- (i) The year for which it was issued.
- (ii) The kennel class and type.
- (iii) The number of dogs allowed to be housed in that class of kennel per calendar year.

(1.1) An individual required to possess a Federal, State or local license to sell or offer for sale a dog shall prominently include the individual's name and address as registered with the licensing agency and each applicable Federal, State or local license number in the text of an advertisement offer for the sale of a dog by the individual through a newspaper, posting, the mail, an Internet website or another form of media placed by the individual or anyone acting on the individual's behalf. For puppies under four months of age, the kennel license certificate must include the license number of the dam from which the puppy was born, excluding situations involving humane society or association for the prevention of cruelty to animals where the dam information is unknown.

(1.2) An individual who violates paragraph (1.1) shall be subject to a civil penalty of \$100 for each advertisement offer.

(2) Rescue network kennel homes associated with a dealer or rescue kennel network shall display a copy of the dealer's or the rescue kennel network's kennel license.

(3) If the secretary revokes or denies a kennel license, the department shall issue a notice of revocation or denial. The notice shall be posted in a place conspicuous to persons authorized to enter and approved by the department for a period of time as provided in this subsection. In the case of a revocation or denial of a kennel license, the kennel shall display the notice of revocation or denial until such time as the kennel has ceased to operate or as the department determines and sets forth in the order. In the case of an appeal of revocation or denial, the notice of revocation or denial shall remain posted until the final disposition of appeal or the department has reissued a valid kennel license.

(4) If the secretary finds a kennel operating without a license, the kennel, upon notice of violation or order, shall display a notice of violation issued by the department. The notice shall be posted in a place conspicuous to persons authorized to enter and approved by the department until the time as the kennel has ceased to operate or as the department determines and sets forth in the order or until such time as the kennel has come into compliance and the secretary has issued a valid kennel license.

(5) Failure to display a current and valid kennel license certificate or a notice of revocation, suspension or denial as provided in this subsection constitutes a violation of this act.

((e) amended Oct. 23, 2023, P.L.114, No.18)

(f) (Reserved). ((f) added Oct. 9, 2008, P.L.1450, No.119)

(f.1) Imported dogs.--The following shall apply to a kennel that imports dogs from another state or country:

(1) The kennel shall have a plan of veterinary care and implement the plan for a dog imported from another state or country to minimize the possibility of transmission of disease. The plan shall be approved and

signed by a licensed doctor of veterinary medicine and must include protocols for diagnosis, testing, treatment, quarantine, prevention and disinfection for contagious, infectious, communicable and zoonotic diseases. The plan shall be maintained as a record under subsection (c) and made available for review by dog wardens and employees of the department.

(2) Except as provided in paragraph (3), a dog imported from another state or country shall be quarantined for 14 days, and the dog may not be dispensed, moved, sold, given away or transferred to a new owner during the 14-day quarantine period.

(3) A dog imported from another state or country shall not be required to be quarantined under paragraph (2) if all of the following apply:

(i) The requirements specified under section 214 have been met.

(ii) The dog is accompanied by a certification from an accredited veterinarian or a veterinarian licensed by the state of origin that the dog has met the requirements specified under subparagraphs (iii) and (iv). The certification shall be maintained as a record under subsection (c).

(iii) No earlier than 14 days before the transport of the dog from another state or country, the dog meets all of the following criteria:

(A) If the dog is older than six months of age, the dog is serology tested and obtains a negative result for heartworm.

(B) The dog is tested and obtains a negative fecal result for intestinal parasites.

(C) The dog is dewormed with a medication approved by the United States Food and Drug Administration to be effective against roundworms, hookworms, whipworms and tapeworms.

(D) The dog is examined and certified to be free of ectoparasites.

(iv) No more than 12 months nor less than 14 days prior to transport of the dog from another state or country, the dog is administered with all of the following vaccinations:

(A) The Bordetella vaccination, either intranasal or subcutaneous.

(B) The Distemper, Adeno, Parainfluenza and Parvovirus (DAPP) vaccination.

((f.1) amended July 8, 2024, P.L.527, No.47)

(g) Additional requirements for boarding kennels, humane societies or associations for the prevention of cruelty to animals and Kennel Class I through VI license holders.--The following shall apply to boarding kennels, humane societies or associations for the prevention of cruelty to animals and Kennel Class I through VI license holders:

(1) Kennels under this subsection must develop and follow an appropriate plan to provide dogs with the opportunity for exercise. The plan shall be approved by a veterinarian.

(2) All kennels for dogs shall be equipped with smoke alarms or fire extinguishers. Housing facilities shall be equipped with fire extinguishers on the premises. An indoor housing facility may have a sprinkler system.

(3) Primary enclosures must be designed and constructed so that they are structurally sound and must be kept in good repair.

(4) Primary enclosures may not have gaps or openings on the sides of the enclosure that would allow for a dog's limbs to extend into another primary enclosure.

((g) amended Oct. 23, 2023, P.L.114, No.18)

(h) Additional requirements for Kennel Class C license holders only.--The following shall apply only to primary enclosures for all dogs in Kennel Class C kennels:

(1) Primary enclosures must be designed and constructed so that they are structurally sound and must be kept in good repair.

(2) Primary enclosures must meet the following requirements:

(i) Have no sharp points or edges that could injure the dogs.

(ii) Be maintained in a manner to protect the dogs from injury.

(iii) The height of a primary enclosure that is not fully enclosed on the top shall be sufficient to prevent the dog from climbing over the walls.

(iv) Keep animals other than dogs from entering the enclosure.

(v) Enable the dogs to remain dry and clean.

(vi) Provide shelter and protection from temperatures and weather conditions that may be uncomfortable or hazardous to any dog.

(vii) Provide sufficient space to shelter all the dogs housed in the primary enclosure at one time.

(viii) Provide potable water at all times, unless otherwise directed by a veterinarian in a writing that shall be kept in the kennel records.

(ix) Enable all surfaces in contact with the dogs to be readily cleaned and sanitized in accordance with paragraph (14) or be replaceable when worn or soiled.

(x) Have floors that are constructed in a manner that protects the dogs' feet and legs from injury. The floor shall not permit the feet of a dog housed in the primary enclosure to pass through any opening.

(xi) Provide space to allow each dog to turn about freely and to stand, sit and lie in a normal position. The dog must be able to lie down while fully extended without the dog's head, tail, legs, face or feet touching any side of the enclosure.

(xii) The interior height of a primary enclosure shall be at least six inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

(3) Each bitch with nursing puppies shall be provided with an additional amount of floor space based on her breed and behavioral characteristics and in accordance with generally accepted husbandry practices as determined by the attending veterinarian. If the additional amount of floor space for each nursing puppy is less than 5% of the minimum requirement for the bitch, the amount of floor space must be approved in writing by the attending veterinarian and shall be kept in the kennel records.

(4) All dogs housed in the same primary enclosure must be compatible, as determined by observation. Not more than six adult dogs may be housed in the same primary enclosure. Bitches in heat may not be housed in the same primary enclosure with sexually mature males, except for breeding. Bitches with litters may not be housed in the same primary enclosure with other adult dogs, and puppies under 12 weeks of age may not be housed in the same primary enclosure with adult dogs, other than the dam or foster dam. Dogs displaying vicious or aggressive behavior toward other dogs must be housed separately.

(4.1) The kennel in which the primary enclosure is located shall establish a veterinarian-client-patient relationship.

(5) The kennel in which the primary enclosure is located shall establish a written program of veterinary care, which shall include a physical examination and vaccination schedule, a protocol for disease control and prevention, pest and parasite control, nutrition and euthanasia. A copy of the program shall be kept in the kennel records.

(6) Housing facilities for dogs must be sufficiently heated and cooled to protect the dogs from temperature or humidity extremes and to provide for their health and well-being. If dogs are present, the ambient temperature in the facility must not fall below 50 degrees F. The ambient temperature must not rise above 85 degrees F when dogs are present, unless the requirements of paragraph (7) are met.

(7) Housing facilities for dogs must be sufficiently ventilated at all times when dogs are present to provide for their health and well-being and to minimize odors, drafts, ammonia levels and to prevent moisture condensation. The Canine Health Board shall determine auxiliary ventilation to be provided if the ambient air temperature is 85 degrees F or higher. The relative humidity must be maintained at a level that ensures the health and well-being of the dogs housed therein. The appropriate ventilation, humidity and ammonia ranges shall be determined by the Canine Health Board.

(8) Housing facilities for dogs must be lighted well enough to permit routine inspection and cleaning of the facility and observation of the dogs. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout housing facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning and observation of animals at any time and for the well-being of the animals. Primary enclosures must be placed so as to protect the dogs from excessive light. The appropriate lighting ranges shall be determined by the Canine Health Board.

(9) The floors and walls of primary enclosures must be impervious to moisture. The ceilings of indoor housing facilities must be impervious to moisture or be replaceable.

(10) All dogs must be provided with adequate food that is clean and free from contaminants.

(11) All dogs must be removed from the primary enclosure when the primary enclosure is cleaned in accordance with paragraph (14)(iv).

(12) Primary enclosures may not be stacked more than two rows high, and the bottom of the uppermost primary enclosure may not be more than four and one-half feet off the housing facility floor. Where the primary enclosures are stacked, a tray or other department-approved device which will prevent urine, feces and other debris from passing into or being discharged into the underlying primary enclosure shall be placed under the upper primary enclosures. The tray or approved device must be impermeable to water and capable of being easily sanitized.

(13) All kennels shall be equipped with a smoke alarm and shall have a means of fire suppression, such as fire extinguishers or a sprinkler system on the premises.

(14) The following shall apply:

(i) Excreta, feces, hair, dirt, debris and food waste must be removed from primary enclosures at least daily or more often if necessary to prevent an accumulation of excreta, feces, hair, dirt, debris and food waste to prevent soiling of dogs contained in the primary enclosures and to reduce disease hazards, insects, pests and odors.

(ii) Used primary enclosures and food and water receptacles must be cleaned and sanitized in accordance with this section before they can be used to house, feed or water another dog or grouping of dogs.

(iii) Used primary enclosures and food and water receptacles for dogs must be sanitized at least once every two weeks using one of the methods under subparagraph (iv) and more often if necessary to prevent an accumulation of excreta, feces, hair, dirt, debris, food waste and other disease hazards.

(iv) Hard surfaces of primary enclosures and food and water receptacles must be sanitized using one of the following methods:

(A) Live steam under pressure.

(B) Washing with water with a temperature of at least 180 degrees F and soap or detergent, as with a mechanical cage washer.

(C) Washing all soiled surfaces with appropriate detergent solutions and disinfectant or by using a combination detergent or disinfection product that accomplishes the same purpose with a thorough cleaning of the surfaces to remove excreta, feces, hair, dirt, debris and food waste so as to remove all organic material and mineral buildup and to provide sanitization followed by a clean water rinse.

(v) Primary enclosures, exercise areas and housing facilities using material that cannot be sanitized using the methods under subparagraph (iv) must be made sanitary by removing the contaminated material as necessary to prevent odors, diseases, pests, insects and vermin infestation.

(vi) Premises where primary enclosures are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this act and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept free of accumulations of trash, junk, waste products and discarded matter. Weeds, grasses and bushes must be controlled so as to facilitate cleaning of the premises and pest control and to protect the health and well-being of the animals.

(vii) An effective program for the control of insects, external parasites affecting dogs or pests must be established and maintained so as to promote the health and well-being of the dogs and reduce contamination by pests in housing facilities.

(15) For each dog in a kennel, a permanent record shall be kept and made readily available for inspection. The record shall contain all of the following information:

(i) The date of birth of the dog.

(ii) The date of the last rabies vaccination.

(iii) The date of the dog's last veterinarian check.

(16) All veterinarian records shall be kept for two years after the dog has left the care of the facility.

(17) Notwithstanding any law, a dog may not be euthanized except by a veterinarian.

(18) All laws and regulations pertaining to kennel conditions enforced prior to the effective date of this paragraph shall remain in force until the effective date of the remainder of this subsection or of the period of time established by a waiver under subsection (j), whichever is longer. This paragraph shall not apply to paragraph (17).

((h) added Oct. 9, 2008, P.L.1450, No.119)

(i) Additional requirements for Kennel Class C license holders only.--The following shall apply only to dogs over 12 weeks of age in Kennel Class C kennels:

(1) A dog housed in a primary enclosure must be provided a minimum amount of floor space in the primary enclosure, calculated as provided under this subparagraph: Find the mathematical square of the sum of the length of the dog in inches, measured in a straight line from the tip of its nose to the base of its tail, plus six inches, then divide the product by 144, then multiply by 2. The calculation is: $(\text{length of dog in inches} + 6)(\text{length of dog in inches} + 6) = \text{required floor space in square inches}$. Required floor space in inches/144 x 2 = required floor space in square feet. For the second dog placed in the primary enclosure the minimum floor space shall be doubled. The floor space shall be calculated using the longest dog. For each dog above two, the minimum floor space shall be multiplied by 1.5 per additional dog.

(2) Primary enclosures must be placed no higher than 30 inches above the floor of the housing facility and may not be placed over or stacked on top of another cage or primary enclosure.

(3) (i) The floor of the primary enclosure shall be strong enough so that the floor does not sag or bend between the structural supports, shall not be able to be destroyed through digging or chewing by the dogs housed in the primary enclosure, shall not permit the feet of any dog housed in the primary enclosure to pass through any opening, shall not be metal strand whether or not it is coated, shall allow for moderate drainage of fluids and shall not be sloped more than 0.25 inches per foot.

(ii) Except as set forth in subparagraph (iii), flooring constructed with slats meeting all of the following conditions shall be acceptable:

- (A) Be flat.
- (B) Have spaces between them that are no more than 0.5 inch in width.
- (C) Have spaces between them that run the length or the width of the floor, but not both.
- (D) Be no less than 3.5 inches in width.
- (E) Be level with the slat next to it within a single primary enclosure.

(iii) Additional flooring options that meet the provisions of subparagraph (i) may be approved by the Canine Health Board.

(4) Except as provided in paragraph (5), each primary enclosure shall have an entryway that will allow the dog unfettered clearance out of the enclosure to an exercise area under paragraph (6) unless the enclosure is closed for active cleaning under subsection (h)(11) or by order of a veterinarian under paragraph (6)(xi).

(5) The Canine Health Board established in section 221 may, upon a request from a kennel owner, provide on a case-by-case basis for an alternative means of allowing clearance from a primary enclosure to the exercise area or exercise that is required 1391 in paragraphs (4) and (6)(i) if the kennel owner presents the board with a plan that the board determines is verifiable, enforceable and provides for exercise equal to or greater than that which the dogs would receive under paragraphs (4) and (6)(i). The board shall meet within 60 days of a request submitted or sooner if necessary.

(6) Exercise requirements shall be as follows:

(i) Except as provided in paragraph (5), the exercise area must allow for unfettered clearance for dogs from their primary enclosure.

(ii) The exercise area must be at least twice the size of the primary enclosure under paragraph (1).

(iii) The exercise area must have adequate means to prevent dogs from escaping.

(iv) The exercise area fencing must be kept in good repair and be free of rust, jagged edges or other defects that could cause injury to the dogs.

(v) The exercise area shall be cleaned in accordance with the requirements under subsection (h)(14).

(vi) Dogs must not be placed in the area in a manner that would cause injury to the dogs.

(vii) Compatible dogs, as determined under subsection (h)(4), may be exercised together.

(viii) Nursing bitches and their puppies shall be exercised separately from other dogs.

(ix) The exercise area must be on ground level and the ground of the exercise area must be solid and maintainable. Surfaces such as gravel, packed earth and grass which are solid and maintainable may be utilized.

(x) (A) Except as provided under clause (B), the exercise area must be outdoors.

(B) Any licensed kennel operating as of the effective date of this clause, where local zoning or other ordinance requirements or a decision of the applicable zoning hearing board or other municipal body with jurisdiction prohibits further expansion of the kennel use to include the required outdoor exercise area, may apply to the department within 180 days after the effective date of this clause for approval to construct the required exercise area indoors. The department shall notify the applicant by certified mail of approval or disapproval within 30 days of receipt of the application. The department shall not require that the licensed kennel appeal the decision of a zoning hearing board or other municipal body with jurisdiction to interpret a local ordinance as a condition of application or approval. Denial by the department of an application for an indoor exercise area shall be appealable in the same manner and according to the same procedures set forth under section 211(c). While an appeal is pending and until final conclusion of the appeal, the kennel shall not be considered in violation of this act for failure to have the required exercise area. The required exercise area shall be constructed within 90 days of the final conclusion of an appeal under this clause or within one year of the effective date of this clause, whichever is later.

(xi) If, in the opinion of the veterinarian, it is inappropriate for a dog to exercise because of its health, condition or well-being, this paragraph shall not apply with respect to that dog. Such a determination must be documented by the veterinarian and, unless the basis for determination is a permanent condition, shall be reviewed at least every 30 days by the veterinarian and updated as necessary. Records of determinations shall be maintained by the kennel.

(xii) Forced exercise methods or devices such as swimming, treadmills or carousel-type devices shall not meet the exercise requirements of this paragraph.

(7) Rabies vaccinations may only be administered by or under the supervision of a veterinarian.

(8) A dog shall be examined by a veterinarian at least once every six months. During the examination, the veterinarian shall use appropriate methods to prevent, control, diagnose and treat diseases and injuries.

Section 209. Dealer license; application; fee; prohibitions.

(a) Out-of-state dealers.--All out-of-state dealers shall on or before January 1 of each year, apply to the secretary for an out-of-state dealer license. The fee for such license shall be \$300, plus appropriate kennel license fees required under section 206. All fees collected under this section shall be remitted to the State Treasury for credit to the Dog Law Restricted Account. All licenses under this section shall expire upon December 31 of the year for which the license was issued. The forms for the application and license shall be approved by the secretary.

(a.1) In-state dealers.--

(1) Except as set forth in paragraph (2), a dealer residing in this Commonwealth must, by January 1 of each year, obtain a license from the department. A dealer license shall expire on December 31 of the year for which it was issued. The license fee for a dealer license shall be the same as the license fee established for Kennel Classes C-I through C-VI as calculated based on the number of dogs sold, offered for sale or maintained by the applicant. It shall be unlawful for a person to sell or offer for sale a dog belonging to another for a fee or commission or maintain a dog at retail or wholesale for resale to another without obtaining a dealer license or a dealer kennel license from the department.

(2) This subsection shall not apply to a person that secures a dealer kennel license from the department under section 206.

(b) Unlawful acts.--It shall be unlawful for out-of-state dealers to sell, exchange, negotiate, barter, give away or solicit the sale, resale, exchange or transfer of a dog or transport a dog into or within the Commonwealth or to operate or maintain a dealer kennel or to deal in any manner with dogs without first obtaining an out-of-state dealer license from the department. It shall be unlawful for a kennel licensed under this act to knowingly accept, receive, buy, barter or exchange a dog with an unlicensed out-of-state dealer for resale. A conviction for a violation of this section shall result in a penalty as determined under section 903(c). Each transaction for each dog shall constitute a separate violation.

(c) List of out-of-state dealers.--The department shall annually provide to licensed kennels a list of licensed out-of-state dealers. If a kennel wants to conduct business with an out-of-state dealer not listed on the list, the kennel must first obtain written approval from the department.

(209 amended Oct. 9, 2008, P.L.1450, No.119)

Section 210. Bills of sale.

All owners or operators of kennels described in section 206, and all out-of-state dealers shall be required to have in their possession a bill of sale for each dog purchased, except for dogs delivered to the kennel licensee for purposes of boarding or for dogs whelped at the kennel. Any bill of sale or record which is fraudulent or indicates the theft of any dog, shall be prima facie evidence for the immediate revocation of license and imposition of fines and penalties by the secretary. The bill of sale shall contain information required by the secretary through regulations. For each dog transferred by a manner other than sale by a kennel described in section 206 or an out-of-state dealer, a record of the transaction shall be kept. The bill of sale or record shall include the current and valid kennel license number of the kennel or out-of-state dealer that sold, exchanged, bartered, gave away or transferred the dog and any other information required by the secretary. The bill of sale or record shall be kept for two years.

(210 amended Oct. 9, 2008, P.L.1450, No.119)

Section 214. Health certificates for importation.

(a) Requirements.--It shall be a violation of this act to transport any dog into this Commonwealth except under the provisions in subsection (c)(2) and section 212 without an interstate certificate of veterinary inspection, which certificate, or copy of such, shall accompany the dog while in this Commonwealth. The certificate shall state that the dog is at least eight weeks of age and shows no signs or clinical evidence suggestive of infectious or communicable disease; did not originate within an area under quarantine for rabies; and, as ascertained by reasonable investigation, has not been exposed to rabies within 100 days of importation.

(b) Vaccinations.--

(1) All dogs transported into this Commonwealth must have been vaccinated for rabies in accordance with the act of December 15, 1986 (P.L.1610, No.181), known as the "Rabies Prevention and Control in Domestic Animals and Wildlife Act." The name of the vaccine manufacturer, the date of administration, and the rabies tag number must appear on a certificate of vaccination and an interstate certificate of veterinary inspection.

(2) All dogs transported into this Commonwealth and placed in a kennel, except for a boarding kennel, shall have had an initial dose of Distemper, Adeno, Parainfluenza, Parvovirus (DAPP) vaccine as certified by a licensed doctor of veterinary medicine. A dog subject to this paragraph shall meet the requirements under section 207(f.1).

(c) Boarding kennels.--

(1) Except as provided under paragraph (2), the owner or operator of a boarding kennel shall require the owner of each out-of-state dog for which the boarding kennel is taking control to provide a certificate of

vaccination and an interstate certificate of veterinary inspection at the time the dog enters the boarding kennel. The certificate of vaccination and the interstate certificate of veterinary inspection shall be kept on file at the boarding kennel for seven days following the dog's departure from the boarding kennel.

(2) An interstate certificate of veterinary inspection shall not be required under paragraph (1) if all of the following conditions are met:

- (i) The dog will remain in the boarding kennel for 30 days or less.
- (ii) The dog is privately owned.
- (iii) Ownership of the dog does not transfer to another person after the dog enters the boarding kennel.

(214 amended July 8, 2024, P.L.527, No.47)

Section 220. Refusal of entry.

(a) Violation.--It shall be a violation of this act if a kennel refuses entry to an agent of the Commonwealth acting to enforce this act. The term "refusal of entry" shall include any of the following:

- (1) Preventing an agent from entering the establishment.
- (2) Preventing an agent from inspecting a dog.
- (3) Hiding a dog from an agent.
- (4) An act or omission that prevents an agent from gaining entry to the establishment.

(b) Order of inspection.--When a State dog warden or employee of the department attempts a kennel inspection in a building and no person is present to grant him access, a State dog warden or employee of the department may post an order on an entrance to the building demanding access to the building within 36 hours. Failure to permit an inspection within the 36-hour time period indicated in the order that was posted shall be a violation of this act and shall constitute a refusal of entry for purposes of subsection (a), unless there are no dogs at the kennel or the kennel owner and the dog warden or employee of the department who posted the order agrees within the 36-hour time period indicated in the order that was posted to permit an inspection at a time agreed to by both parties.

(c) Affirmative defense.--It shall be an affirmative defense to subsection (b) that there were no dogs in the kennel at the time the order was posted.

(220 added Oct. 9, 2008, P.L.1450, No.119)

Section 603. Selling, bartering or trading dogs.

(a) Illegal transfers.--It shall be unlawful to offer a dog as an inducement to purchase a product, commodity or service. The sale of a dog by a licensed kennel shall not be considered to be an inducement.

(b) Illegal to transfer ownership of certain puppies.--It shall be unlawful to barter, trade, raffle, sell, auction or in any way transfer ownership of a dog under eight weeks of age, unless the dog has been orphaned and it becomes necessary to transfer ownership of the orphaned dog to a humane society or association for the prevention of cruelty to animals, or from a humane society or association for the prevention of cruelty to animals with approval by a licensed doctor of veterinary medicine. ((b) amended Oct. 23, 2023, P.L.114, No.18)

(c) Illegal for certain persons to transfer dogs.--It shall be unlawful for any person to buy, sell, offer to sell, transfer, barter, trade, raffle, auction or rent a dog at any public place in this Commonwealth other than a kennel licensed pursuant to this act, or a dog show, performance event or field trial sponsored by a recognized breed or kennel association or transfer by a rescue network kennel within its own network or to another rescue network kennel. If a purchase, sale, transfer, barter, trade, raffle, auction or rental of a dog occurs at or on the premises of a kennel, the transaction shall be unlawful unless one of the parties to the transaction is an employee, volunteer or other person acting as an authorized representative of the kennel.

(603 amended Oct. 9, 2008, P.L.1450, No.119)