

DOG CONTROL OFFICER & MUNICIPAL SHELTER GUIDE

New York State Department of Agriculture and Markets
Division of Animal Industry,
Albany, New York 12235
(518) 457-3502
<http://www.agriculture.ny.gov/>

NOTE: This guide includes summaries of laws and regulations relative to municipal dog control and shelter services. It is not meant to replace written laws and regulations but as an aid to their enforcement. Consult with the municipal attorney for further assistance.

NYS Laws may be viewed at: <http://public.leginfo.state.ny.us/frmload.cgi?MENU-37477359>
NYS Regulations may be viewed at: <http://www.dos.state.ny.us/info/nycrr.html>

THE DOG CONTROL OFFICER (DCO)

Article 7, §113 of the Agriculture and Markets Law (AML) states that each municipality and city, and each village in which dog licenses are issued, shall appoint, and any other village and any county may appoint, one or more dog control officers (DCO's) for the purpose of assisting, within the appointing municipality, with the control of dogs and the enforcement of Article 7. Municipalities may also appoint one or more dog control officers mutually with one or more other municipalities. Or, they may appoint local police for dog control. The appointment of a police officer as DCO must be listed in the job title.

It is important for the DCO to know the extent of their jurisdiction. A list of required job duties should accompany the appointment. This would include the option of shelter services being provided by the DCO.

In lieu of or in addition to appointment of a DCO the same municipalities may contract with any duly incorporated SPCA, humane society or similar animal protective association.

All appointments and/or contracts must be in writing and be available to duly authorized agents of the Department of Agriculture & Markets (DOAM).

Dog control services cannot be provided by a dog dealer. A dog dealer is defined as any person that buys, sells, leases or otherwise deals in dogs. This does not include an individual who is selling the offspring of personally owned dogs and does not sell or offer to sell more than 24 puppies in a year.

NOTE: When there is any change in DCO or municipal dog shelter services, DOAM requires the licensing municipality to notify the Division of Animal Industry within thirty (30) days.

-Residents should also be kept informed of these services in order to locate a lost dog or to report any dog related violations in the municipality.

Every DCO has the power to issue an appearance ticket pursuant to the Criminal Procedure Law, to serve a summons and to serve and execute any other order or process in the execution of the provisions of Article 7.

DCO RECORDS REQUIREMENT

Every DCO, peace officer, when acting pursuant to his special duties or police officer shall promptly make and maintain a complete record of any seizure and subsequent disposition* of any dog. Such record shall include but is not limited to: description of the dog (breed, color, sex), date and hour of seizure, official identification number of such dog, if any, the location where seized, reason for seizure, and owner's name and address, if known. (*Redeemed, adopted, euthanized or transferred).

It is recommended that a unique Dog Control Record# be used for each dog entered on a report. This number can be assigned by the municipality, the DCO or the shelter.

If the DCO is delivering to a contract shelter, date of delivery and the name of the shelter must be recorded. For shelters established by and under the control of the municipality the DCO must maintain complete disposition records. This would include municipality operated shelters and leased facilities such as veterinary clinics and boarding facilities.

Every DCO must keep these records for three (3) years. The DCO records shall be open to inspection by duly authorized agents of DOAM. Equipment, transport vehicle, dog holding facility and any municipal shelter are also subject to inspection.

SEIZURE OF DOGS

Below is a list of reasons to seize a dog per Article 7, §117. Any DCO, peace officer, acting pursuant to special duties, or police officer in the employ of or under contract to a municipality shall seize:

- Any dog which is not identified and which is not on the owner's premises, 117.1a,
- Any dog which is not licensed whether on or off the owner's premises, 117.1b,
- Any licensed dog not in control of or not on the premises of the dog's owner or custodian if there is probable cause to believe the dog is a dangerous dog, 117.1c,
- Any dog which poses an immediate threat to public safety, 117.1d,

-Promptly upon seizure the DCO shall immediately commence a dangerous dog proceeding;

- Any dog in violation of any local law or ordinance relating to the control of dogs.

Note: The reason for seizure must be listed on the seizure record. Dogs seized for reasons other than Section 117, such as dangerous dog, car accident, cruelty, owner arrest, etc., may have different holding and release requirements.

When faced with a dog owner who denies permission to enter the property and seize their dog, the DCO must retreat. They should then confer with the municipal attorney about making an application to the court for an administrative warrant. This would include situations in which no one is present to grant or deny permission to seize the dog.

Notification of Owner of Record

Promptly upon seizure of an identified dog, the seizing officer (not the shelter) must notify the owner of record that their dog has been seized, where it is impounded and how many days they have to redeem it (7 for personal notification, 9 if by certified mail). An identified dog is defined as one that is wearing its municipal ID tag.

REDEMPTION/HOLDING PERIOD

Each unidentified dog licensed or not, must be held for a period of five (5) days from the date of seizure. A day is defined as a 24 hour period from midnight to midnight. Redemption period starts after midnight following the day of seizure. If the shelter is closed on the last day of the redemption period, the redemption period is extended one more day to give the owner the opportunity to redeem their dog.

The redemption period may be reduced by local law or ordinance provided that it is not less than three (3) days for an unidentified dog or an identified dog where notification to the owner has been given personally. The redemption period for identified dogs where notification is given by mail can be reduced to not less than 7 days.

REDEMPTION BY OWNER

The dog must be currently licensed and the impoundment fee paid before it can be released to the owner.

Residents of New York City or another state must also provide proof of license and if not available, must license the dog before it can be released. An impoundment fee must also be paid.

IMPOUNDMENT FEES - Statutory fees:

First impoundment = not less than \$10

Second within 1 yr. of the first = not less than \$20 first 24 hr. + \$3/day

Third and subsequent within 1 yr. = not less than \$30 first 24 hr. + \$3/day

If the municipality chooses to set the fees below the statutory fee, it must be set by local law or ordinance. Impoundments are counted against the owner not the dog. The DCO and/or shelter personnel involved in releasing dogs to owners must be made aware of the fee amount if they are collecting the money. The fees may be retained to cover boarding fees at the shelter but this must be stated in the contract.

All impoundment fees are the property of the seizing municipality and must be used only for controlling dogs, enforcing Article 7 and local dog laws; spaying and neutering of dogs, and public education on responsible dog ownership.

At the end of the redemption period, the owner forfeits title to the dog and it may be adopted, euthanized or transferred.

DOG NOT REDEEMED BY OWNER:

ADOPTION

After the dog has been held for the appropriate holding period it may be offered for adoption. Adoption must be for the limited purpose of harboring a pet and only by a person eighteen (18) years of age or older. Adoption must follow the requirements set forth in AML, Article 26, §377-a. Any municipality may establish additional conditions by local law including the requirement that adopted dogs shall be spayed or neutered before or after release from custody upon such terms and conditions as the municipality may establish. This would also include any adoption fees.

EUTHANASIA

If the dog is not redeemed by the owner within the required impoundment period it may be humanely euthanized. Euthanasia must be carried out in accordance with AML, Article 7, §117.7 & 117.7-a, Article 26, §374 (Cruelty to Animals); New York Codes, Rules and Regulations (NYCRR) Part 77.3 and by methods currently approved by the American Veterinary Medical Association Guidelines on Euthanasia. The procedure must be performed by a veterinarian, a licensed veterinary technician (LVT) under the supervision of a veterinarian, or designated shelter personnel with NYS Department of Health certification and current registration.

TRANSFER

After the time for redemption has expired a seized dog may be transferred. This dog can only be released to a municipal pound, duly incorporated society for the prevention of cruelty to animals, duly incorporated humane society or duly incorporated animal protective association, for the sole purpose of placing such animal in an adoptive home, when such action is reasonably believed to improve the opportunity for adoption. Once transferred, the seizing municipality forfeits responsibility for that dog. The transfer must be documented.

HANDLING AND TRANSPORT

Dogs must be handled in a humane manner. Correct handling reduces the chance of injury to both the DCO and the dog. Keep in mind that a dog is considered personal property in the eyes of the law. Because capturing an animal is at most times a visible activity, a DCO should be identifiable. Since illegal trade in stolen pets occurs in some areas, the DCO could be mistaken for a “dog-thief”. Ideally, the DCO should be in uniform, carrying an ID badge, and using a clearly marked vehicle.

The municipality should provide the DCO with adequate equipment to safely capture dogs. All equipment must be kept in a sanitary condition in order to prevent the spread of infectious disease.

A vehicle must be available for safe transport to the shelter or veterinary hospital. Dogs must be contained in a sturdy enclosure while in transit and must not be injured or allowed to escape en route. The enclosure must be securely anchored if necessary to keep it stationary during transport.

If seized dogs are not immediately transported to the shelter, the DCO must use a suitable facility for holding dogs. Standards for a “holding facility” are the same as for a municipal shelter and are subject to inspection. If dogs are routinely held for more than 24 hours, the facility is designated as a municipal shelter by DOAM.

Care in transit – Proper ventilation and temperature must be provided to allow adequate intake of oxygen and to prevent heat stress or chilling. Engine exhaust fumes must not enter the vehicle. Check animals during transport for signs of distress and make necessary adjustments.

VETERINARY CARE

NYCRR, Part 77.2 requires that all dogs seized under AML, Article 7 “...shall be properly cared for, sheltered, fed and watered for the redemption period...” “Properly cared for” includes veterinary care when necessary. Any seized dog suffering from illness or serious injury must receive prompt treatment by a licensed veterinarian. A common sense evaluation of the seized dog by the DCO is necessary to determine when that care is necessary. For example if a dog appears to have been hit by a car, has lacerations and possible fractures and is in pain, that animal needs to be seen by a veterinarian. The municipality is responsible for stabilizing care for that animal, but not for orthopedic surgery or other major surgery or diagnostics. Stabilization may include intravenous fluids, cleaning of wounds, supportive wraps for fractures; pain control, etc. Other examples would be a dog that is weak, unable to walk, is vomiting, etc., or a dog with porcupine quills. That dog also needs to be seen by a veterinarian.

It is not acceptable to deliver a dog in need of veterinary care to a shelter and leave it in a cage when no arrangements have been made for treatment. This is of particular importance

if a dog is delivered to the shelter after hours and left unattended in a cage when in need of veterinary care. The municipality could be subject to the Agriculture and Markets cruelty law since needed care was not supplied. The municipality may have a formal arrangement with the shelter to assist in getting veterinary care, with the understanding that all cost will be borne by the municipality.

In some circumstances the veterinarian may determine there is no hope for recovery and euthanasia is appropriate. If recommended by a veterinarian, in writing, an unidentified seized dog may be humanely euthanized without delay to eliminate any untreatable suffering. For an injured or sick 'identified' dog an attempt must be made to notify the owner of record before the animal is put down.

Article 7 does not require a written agreement or contract with a veterinarian. The municipality is free to use any available veterinarian when necessary. During an inspection, the DCO is asked for the name of the veterinary practice(s) that is available to them. The DCO will likely not handle payment of service when rendered, therefore, the veterinary practice may require the municipality to set up an account for billing. The municipality can pursue reimbursement if the dog owner is identified.

RABIES

Rabies is a potentially fatal zoonotic disease that affects all mammals. Essentially, there is no cure once an unvaccinated human or mammal becomes symptomatic. The main route of infection is through a bite wound. The virus is passed in the saliva of an infected animal. A definitive diagnosis can only be made by sampling the brain of that animal.

Symptoms vary, but may include drooling, varying degrees of paralysis, uncharacteristic vocalization, and aversion to water. The animal may act unusually furious or friendly.

For DCO's and shelter personnel, a series of inoculations given before an exposure occurs is more economical and less time consuming since fewer post exposure treatments are required. And, instead of receiving booster vaccinations on a regular basis it may be possible to have the blood serum titrated (measured) for antibody level.

All bite cases must be reported to the county public health officer. The DCO should have the phone number on hand, if necessary.

The county health department is responsible for handling rabies cases. The DCO has no authority to handle such events, but may be called by the county for assistance. If the health department wishes to use DCO services, an agreement should be in place with the appointing municipality. It should specify the duties expected of the DCO.

THE MUNICIPAL DOG SHELTER

Agriculture and Markets Law (AML) Article 7, §114 states that each town and city, and each village in which licenses are issued shall, and any other village and any county may, establish and maintain a pound or shelter for dogs. The following literature is a guide to obtaining these goals and is not meant to replace written law.

The shelter requirement must be met in one of the following 4 ways:

1. Municipality can establish and maintain a dog shelter
2. Municipality can establish and maintain a shelter jointly with another municipality
3. Municipality can contract with another municipality for shelter services
4. Municipality can contract with any incorporated humane society (incl. SPCA's) or similar incorporated dog protective association for shelter services.

Municipalities may choose to lease kennel space at a veterinary clinic, a boarding facility or the residence of another municipality's dog control officer (DCO).

All shelter contracts and leases must be in writing and be available for viewing by duly authorized agents of the Department of Agriculture & Markets (DOAM).

Municipal responsibility for dogs seized on Article 7, §117 violations:

The municipality is responsible for the dog from the time it is seized by the DCO or other authorized agent until disposition. Dogs must have proper care, shelter, feed and water. All dogs must be held for the appropriate redemption period and released according to law. The shelter cannot release an "Article 7" dog unless the owner shows proof of current license and identification for the dog and proof that the impoundment fee was paid.

If the municipality contracts for shelter services, it should state in the contract the length of the redemption period, the impoundment fee amount and where the owner pays it. It should also describe disposition instructions for dogs not redeemed by owner.

At the end of the redemption period the dog can be adopted, euthanized or transferred in accordance with Article 7, §117.7 & §117.7-a. (See "DOG NOT REDEEMED BY OWNER").

All municipal shelters are subject to inspection by duly authorized agents of DOAM. The municipality must notify the Division of Animal Industry within thirty (30) days of any changes in DCO or shelter services.

SHELTER RECORDS

A seizure and disposition record must be initiated by the DCO for all seized dogs. All "DCO" dogs taken in must be listed in the shelter recordkeeping system. The DCO should have

access to the details of adoption or euthanasia. For transfers, the complete name and address of destination and the date of disposition must be recorded. Records must be kept for three (3) years and will be reviewed by DOAM inspectors.

A system must be established that permits rapid location of individual dogs housed in the shelter. Identification systems include the use of numbered runs/cages, cage cards, or ID collars. The seizure and disposition report may also be attached to the cage as long as it cannot be destroyed. Complete information on each dog must be readily available and should include a description of breed, sex, color/markings, date of seizure, and any special conditions (dangerous, sick, injured, rabies hold, court case, etc.). This information must correlate with the DCO's seizure and disposition record to allow for tracing the dogs movement. It is recommended that a unique Dog Control Record# be used for each dog entered on a report. This number is assigned by the DCO or municipality. The shelter may choose to add its own record number.

CARE OF SEIZED DOGS

According to New York Codes, Rules and Regulations (NYCRR), Title 1, Part 77.2 "Standards for the Care of Seized Dogs" every dog seized pursuant to AML, Article 7 or any local law, ordinance, or order adopted or issued pursuant thereto, shall be properly cared for, sheltered, fed and watered.

Properly sheltered means the provision of shelter suitable to the breed and age of the dog. Said shelter shall be structurally sound, clean, and sufficient to protect the dog from detriment to its well-being, and shall provide adequate space to allow the dog to move about in a natural manner, light, air and temperature sufficient to protect the animal.

Properly fed means the provision, at suitable intervals, of wholesome food appropriate for the breed and age of the dog and sufficient to maintain a reasonable level of nutrition in each dog. Such food shall be served in a receptacle, dish or container that has been physically cleaned so that agents injurious to the health of the dog have been removed and destroyed to a practical minimum.

Properly watered means the provision of constant access to a supply of clean, fresh, potable water in a sanitary manner, or the provision of such access at intervals suitable for the breed and age of the dog.

All enclosures housing seized dogs must be **structurally sound** and kept in good repair to keep the dog contained and to protect it from injury. There must be no rust, jagged edges or sharp points.

There must be no openings where an animal can become entrapped. Housing must be constructed and arranged to allow easy removal of the dog without injury. Electrical sources must be placed to prevent animals from chewing on electrical cords or wires, and from appliances coming in contact with water.

Since the size and strength of the next dog seized is unknown, it is more economical to use high quality enclosures rather than to constantly replace cheaper products. Sturdy enclosures reduce the chance for escape or injury by an aggressive dog.

The following animals must be housed separately:

- Incompatible dogs
- Intact/ not spayed female and intact/not neutered male dogs
- Vicious dog and any other dog
- Adult dogs and puppies (other than dam with nursing pups)
- Dogs with contagious disease or injuries and healthy dogs

A whelping box must be provided for pregnant and/or nursing dogs with puppies. It should encourage the bitch to remain in the box to care for her puppies, yet allow her to exit at will. The box should keep the pups contained. It must be constructed in such a way to prevent injuries and to allow for adequate cleaning. If made of wood, it must be sealed or lined with an impervious material that can be readily sanitized. "Pig rails" must be installed, if needed, to protect the puppies from being crushed and to prevent them from climbing out of the box. PVC pipe works well for this purpose.

Interior surfaces must withstand scrubbing with detergents and repeated application of disinfectants without retaining odors. They should resist the impact of water under pressure, if necessary. Junctions with the floor, ceiling and doors must be aligned and properly sealed. All surfaces within the primary enclosure must be replaced or repaired when worn or damaged. Dirty, rough and absorbent materials protect microorganisms and are difficult to clean, disinfect and deodorize.

Prefabricated enclosures are available in a variety of materials, such as stainless steel, fiberglass, galvanized steel, and aluminum plus various types of plastic. They may be purchased individually or as wall units.

Primary enclosures may be constructed of chain-link fencing. The walls must be high enough to allow for animal comfort yet prevent animal escape or entry. Securely enclosing the tops with panels of chain-link or sturdy wire mesh will hinder escapes and reduces the height of the walls needed. This also restricts entry of wild animals into outdoor enclosures. Solid partitions of adequate height should be installed, if needed, to reduce fighting and disease transmission among adjacent animals. Partitions can be made of waterproofed masonry walls, or aluminum, galvanized steel or fiberglass panels. Gates should be present in each enclosure to permit access for cleaning and routine maintenance.

Concrete brick, treated with epoxy paint or a liquid sealer, provides a durable, waterproof wall surface. Tile, if properly sealed, also creates a durable surface. Bare wood and sheet rock are not recommended since these materials are porous. They tend to hold in dampness and odors and are impossible to thoroughly disinfect. Wood must be sealed if it is used for walls. Ceilings should be constructed of smooth and waterproof materials that can be cleaned and sanitized.

For constructed primary enclosures, poured concrete is one of the best materials to use for flooring because of its ease of maintenance, durability, and seamless nature. Due to its porosity, concrete must be treated with a liquid sealer or hardener to make it waterproof. Waterproofing prevents water damage to concrete, and allows thorough sanitation.

Ceramic tiles can provide a durable floor covering but require more maintenance than concrete. Tiles may loosen over time, allowing water to seep beneath them. In addition, the surface texture may be too smooth to provide adequate footing. Vinyl tile and linoleum can also be difficult to maintain. As with concrete, these surfaces must be made waterproof with the application of a sealant. Wood is not durable enough for flooring and should not be used as such.

Dirt flooring is not acceptable for the primary enclosure. It is too difficult to sanitize, keep dogs clean and prevent them from digging out of the enclosure.

For outdoor runs, poured concrete is recommended for flooring. Gravel is more difficult to maintain and keep clean. Fecal matter is difficult to remove completely and there is potential for harboring infectious microorganisms and parasitic eggs. Asphalt is not recommended because it absorbs heat. It has a tendency to soften and bubble, and can cause burning of the animal's feet.

Roofing over outside runs helps to maintain dry flooring and prevents ice and snow build up in the winter. The roof structure should be sloped, leak proof and must direct water away from the entire run.

Sanitation - The housing facility and the area immediately surrounding it shall be kept in a clean condition in order to maintain a healthy environment. This is accomplished by removing and destroying agents that are hazardous to animal health and by performing regular sanitation.

Cleaning must be done frequently to remove disease hazards, pest infestation, and odors. Manure, urine, uneaten food, shed hair, soiled bedding, and any other organic matter must not accumulate inside animal enclosures and around the housing area. These wastes may need to be removed with scrub brushes, detergents and degreasers. Live steam may be used to clear a large surface area. A power washer is also useful, but care must be taken not to disseminate any infectious disease.

After all organic matter has been removed and surfaces have been rinsed and allowed to dry, the area can be disinfected. The disinfectant must remain on the surface for a minimum period of time to be effective. Using a concentration greater than that indicated by the manufacturer does not necessarily increase effectiveness. This practice is a waste of money and may be hazardous to people, animals and the environment. Follow the instructions on the label to safely achieve optimal results. Do not mix chemicals.

Products that kill parvovirus must be on hand. Household bleach is effective if diluted with

clean water and mixed fresh daily. Bleach containing 5.25% sodium hypochlorite mixed at ¾ cup/gallon of water (3 tbs./quart) with 10 min. contact time on hard, non-porous surface can be used to kill canine parvovirus. Consult the manufacturer (or label) for the proper dilution of any disinfectant.

Food and bedding supplies must be stored off the floor and away from walls to allow cleaning around and beneath them.

Exercise areas that have compact earth, sand, gravel or grass must be spot cleaned and replenished as needed and located to allow for exposure to sunlight.

The **safety** and health of the animal must be considered when cleaning. Move the animal to another area, if necessary, to prevent injury or exposure to toxins. Passage from indoor to outdoor enclosures should be restricted by the use of guillotine or other locking type doors. Toxic substances must not be stored in housing, food storage or food preparation areas.

Trash and waste products on the premises must be stored properly in leak proof, covered containers away from housing and food storage areas. This is necessary to minimize the risks of disease transmission, food contamination and vermin. At regular intervals, all stored trash and wastes must be removed from the premises. Deceased animals must immediately be removed from areas housing live animals.

Disposal must be done in a sanitary manner and must comply with local, state and federal regulations. Good housekeeping and sanitary practices are essential for rodent and pest control. Vermin must not have access to food. Feed that is spilled must be removed daily. Open feed bags must be in covered containers. Empty feed bags, cans and any other garbage must not accumulate on the premises. Additionally, areas that permit vermin to reside should be eliminated. All cracks, crevices and openings should be sealed. Doors, windows and vents must have screens to block the entry of vermin.

Repair or replace damaged sections to prevent dogs from ingesting any materials that may come loose from chewing and clawing the enclosure. Any openings where dogs can escape must be closed. Rust needs to be removed and surfaces repaired to allow proper sanitation.

Any action which causes unnecessary physical injury or harm to the dog must be avoided. Dogs must be handled **safely** at all times.

Dogs must be kept comfortable. Collars must be the correct size for the animal and should be checked and adjusted regularly in growing animals. Safe and appropriate restraint equipment should be available for use.

Daily interactions with handlers and sufficient exercise for the particular breed, age and health status of the dog are advised to promote animal health and well-being.

Sufficient **space** must be provided in all enclosures to allow each dog adequate freedom of movement to make normal postural adjustments, including the ability to stand up, sit and

lie with its legs outstretched. There should be enough room to allow for growth until the animal is moved to a larger enclosure. A minimum square footage of space, exclusive of food and water receptacles, should be provided for each animal as follows:

$(\text{Length of dog* in inches} + 6)^2$ divided by 144 = required floor space in square feet.

*Length of the dog is measured from the tip of the nose to the tail base.

The interior height of the primary enclosure should be at least 6 inches higher than the head of the tallest dog in the enclosure when in a normal standing position. Generally, enclosures that measure four feet wide by six feet long can accommodate one adult dog of any breed.

Dogs confined in cages should receive daily exercise. The length of the exercise area will depend upon the size, age and number of animals. There should be room to allow adequate freedom of movement. Wider, longer runs are easier to keep clean because they allow dogs to avoid their wastes.

If wire flooring is used, it must be impossible for an animal's feet to pass through any opening in the floor of the enclosure. The flooring must not sag between the supports.

Light must be available at all times. It must supply adequate illumination for proper cleaning and routine inspection. A regular diurnal lighting cycle of either natural or artificial light should be provided. Animals should not be exposed to excessive light.

Windows and/or skylights provide natural illumination as well as a source of ventilation. The use of glass bricks is another option. Of the various types of electrical lighting available, fluorescent lighting gives the softest and most diffused illumination.

Adequate **ventilation** is necessary to provide a healthy environment and comfortable temperatures to prevent an accumulation of moisture and noxious gases. The ability to control odors in a housing area depends not only on sanitary practices and the number of animals housed, but also on an effective ventilation system. There are many different types of systems available. In all types of ventilation systems, the proper ambient temperature and humidity level in the housing area must be maintained without causing a draft.

Natural ventilation, through the use of windows, is the least expensive method to ventilate an enclosure. If the housing area is small enough in size and a sufficient number of windows are available, this system alone could provide adequate ventilation.

For natural ventilation to be effective, it must function well in all types of weather. Since favorable external winds and weather conditions cannot always be relied upon, vents should be installed to increase air circulation. Roof or gable vents and/or chimney-type flues allow fresh air to enter and stale air to exit the room. Window, ceiling or wall fans may be needed to supplement air circulation.

Ventilation systems, such as an exhausting air system or central duct ventilation system, are

recommended for larger facilities. In these systems, baffles or louvered air ducts situated in the eaves or walls allow fresh air to enter a series of ducts. The air is then circulated by fans and exhausted through roof or gable vents. Ventilation ducts should always be large enough to accommodate the volume of air that the fans are able to move. Ten to fifteen air changes per hour should provide adequate ventilation.

Air conditioning is one of the most effective means of providing ventilation and thermoregulation in warm weather. AC provides comfort by cooling, dehumidifying, filtering and circulating the air.

If floors and walls remain damp after cleaning procedures are completed, it is a good indication that the ventilation system needs improvement.

Drainage - All housing facilities must be designed to allow for the efficient removal of wastes and water in order to prevent the animal from contacting these substances. Wastewater as well as rain and melting snow must be drained away from the housing area.

Dogs must be kept dry. It is not acceptable to allow an animal's fur to become matted or coated with waste material.

Solid floor surfaces should be sloped 1/2" per foot toward drains to allow adequate runoff of water and wastes. All drains must be properly constructed and maintained to prevent any back up of sewage and to minimize foul odors. Drainage can be accomplished by using a gutter-type system or individual drains in each section.

In a gutter-type drainage system, a gutter is positioned between the walkway and the animal pens or against the back wall of the enclosures, with the floor sloped toward the gutter. Drains at both ends allow wastewater to flow to the sewage system. Like the floors, gutters must be sloped toward the drains. This type of system allows for maximum drainage.

Individual drains are used mainly in the nursery and isolation areas where the volume of surface drainage is usually much less than that of the main housing area.

Methods of solid waste and wastewater disposal vary, depending upon local health codes and zoning laws.

The **temperature** surrounding the animal must be conducive to its health and well-being. Dogs must be protected from temperature extremes. The ambient temperature should not fall below 45-50F for an animal not acclimated to lower temperatures, a breed that cannot tolerate lower temperatures without stress and discomfort (such as a short-haired breed), or a sick, aged, young, or infirm animal, except as approved by a licensed veterinarian.

Auxiliary ventilation, such as fans, blowers, or air conditioning must be added to keep the animal cool in temperatures 85F and up.

A room thermometer should be installed in the housing area to monitor air temperature.

Interior temperatures are maintained by using a combination of adequate insulation and an effective heating system. Installation of any system must follow local building and fire codes.

Heat can be furnished by utilizing gas, oil or electric sources. Radiant systems transmit heat through a series of parallel pipes or cables, embedded in walls, floors and/or ceilings, to the material surrounding them. Heat is then radiated into the room. Floor heating, utilizing this method, provides a warm surface for the animal to sleep on as well as quick drying floors. When installed in outdoor enclosures, it provides an effective means of snow removal and eliminates icing of floors in cold weather. Another option, warm air heating, supplies warm air conducted through a series of ducts and blowers.

Baseboard heating is not recommended, particularly in housing areas, since the heating units interfere with effective sanitary maintenance practices. Installation of wall-hung radiators and floor heating ducts should also be avoided. Ceiling-based heating ducts and/or sub floor heating systems are acceptable.

Outdoor housing must include a shelter which is structurally sound, will protect the dog from the elements and is appropriate to the breed, its physical condition and climate. It must have insulation appropriate to local climatic conditions and sufficient to protect the animal from inclement weather. An outdoor shelter must have four sides, a raised floor, and a waterproof roof. The door should be offset and baffled, if necessary, to limit the entry of drafts and precipitation and to allow accumulation of body heat. Door flaps should be replaced when damaged.

Shade by natural or artificial means must be provided to protect the dog from direct sunlight at all times when sunlight may threaten the health of the animal. A doghouse may not provide adequate protection from sunlight.

Outdoor enclosures should be set on solid foundations such as concrete or stone, or on ground that is well drained. In both indoor and outdoor enclosures, animals must not be forced to lie on damp floors or on unheated concrete or stone. Dry bedding and/or solid resting boards must be provided if needed to conserve body heat.

Because the next dog seized may not be acclimated to lower temperatures, the municipal shelter must have a heated area available for such dogs.

NOTE: Outdoor enclosures must be locked to prevent theft or unauthorized release of the dog. Entry by other persons and animals must also be restricted to prevent injuries and disease exposures to them or the impounded dog.

Food & Water - Food must be palatable, wholesome, nutritious and of sufficient quantity to meet daily requirements. The diet should be appropriate for age, health status, and activity level. Food must be stored and supplied in a manner that protects it from spoilage, contamination and vermin infestation.

Feedbags must be stored off the floor to prevent condensation. All feed should be stored in air tight containers in order to retain nutrients and prevent contamination. Perishable food stock must be refrigerated. Uneaten food must be removed before it rots or becomes stale. Food storage and preparation areas should be separate from trash and animal waste storage.

Food and water receptacles must be kept clean and if located outdoors, be protected from rain and snow. All receptacles must be made of a material that can be sanitized. They should be cleaned whenever they are soiled, before use by a different animal, or at least once every two weeks.

Receptacles must be the correct size and location to allow easy access to food and water.

If clean, fresh, potable water is not continuously available it must be offered as often as necessary to ensure health and well-being, but not less than twice daily for at least an hour each time unless restricted by a licensed veterinarian. Spilled food and bedding must not be allowed to accumulate in water receptacles.

Veterinary care - Sick or injured dogs must be provided with prompt and appropriate care as directed by a licensed veterinarian. The shelter must have an arrangement with a licensed veterinarian to provide treatment to impounded dogs, including euthanasia services, whenever it is necessary. The veterinarian should be consulted for best management practices that will reduce disease transmission among the animals housed in the facility. This may include a vaccination program, a disease eradication protocol and a plan for animal passage through the facility from initial intake to final release.

Dog Control officers are advised not to transport a dog in need of veterinary care to the shelter. However, if the shelter provides such services, this arrangement must be detailed in the contract w/ the municipality.

There should be an area in the facility designated for isolation of animals with contagious disease. It must be separated from all other housing areas by a solid partition, with no possibility of animals having nose to nose contact. Outgoing air and wastes from the isolation area must not pass through the main housing area. The isolation area must not be used to house an injured animal unless it also suffers from a contagious disease.

To further prevent the spread of infection in the facility, healthy animals must be cared for before animals in isolation or by a different caretaker. Separate equipment must be used if not disinfected between areas. Ideally, the isolation area should not be used to quarantine healthy incoming animals.

Isolation of contagious animals protects the public from zoonotic disease and provides an overall healthier environment for all animals in the facility.

Humane euthanasia – At the end of the holding period, a dog not redeemed by the owner may be euthanized. The decision to and arrangements for this procedure are the responsibility of the seizing municipality unless otherwise noted in the shelter contract. If

recommended by the veterinarian, a dog must be humanely euthanized without delay to eliminate any suffering.

Euthanasia must be carried out per AML, Article 26, §374 of the Cruelty to Animals Law, NYCRR Part 77.3 and by methods currently approved by the American Veterinary Medical Association Guidelines on Euthanasia. The procedure must be performed by a veterinarian, a licensed veterinary technician (LVT) under the supervision of a veterinarian, or designated shelter personnel with NYS Department of Health certification and current registration.

There must be a written record verifying that the euthanasia was carried out by an authorized person and method and that the proper holding period was observed, unless advised otherwise by a licensed veterinarian.