

## 5-1-5: KENNELS AND SIMILAR ESTABLISHMENTS:

- A. Permit Required: Any person wishing to operate or maintain a kennel, cattery, pet shop or groomery must first obtain a kennel permit from the department of animal control. Said kennel permit shall be issued upon payment of the fee as established by the board of county commissioners and a statement from the county planning department or appropriate city official that a kennel is a permitted use under the zoning regulations in effect for the area of the proposed kennel.
- B. Permit Posted; Nontransferable; Notification Of Changes: A valid kennel permit shall be posted in a conspicuous place in each establishment and said permit shall be considered as appurtenant to the premises and not transferable to another location. The permittee shall notify the department of animal control within thirty (30) days of any change in his establishment or operation which may effect the status of his permit. In the event of a change in ownership of the establishment, the permittee shall notify the department of animal control immediately. Permits shall not be transferable from one owner to another.
- C. Expiration; Renewal; Late Fee: Any permit issued pursuant to this section shall automatically expire on December 31, immediately following the date of issue. During the first three (3) months of each year, the permittee shall apply for a renewal of the permit and pay the required fee. Any application made after March 31, except an application for a new establishment opening subsequent to that date, shall be accompanied by a late application fee in addition to the regular permit fee.
- D. Fees: Permit fees and late fees for kennels, catteries, groomeries, pet shops, veterinary clinics or boarding establishments, and a class A kennel permit, four (4) to thirty (30) animals, are as established by the board of county commissioners. (Ord. 113-F, 7-10-1995; amd. 2004 Code)
- E. Standards For Permitted Establishment: The department of animal control shall promulgate rules and regulations governing the operation of kennels, catteries, groomeries and pet shops. Such rules and regulations shall provide for the type of structures, building, pens, cages, runways or yards required for the animal sought to be kept, harbored or confined on such premises; the manner in which food, water and sanitation facilities will be provided to such animals; measures relating to the health of said animals; the control of noise and odors; and the protection of persons or properties adjacent to the premises; and other such matters as the director shall deem necessary. Such rules and regulations shall have the effect of law, and violation of such rules and regulations shall be deemed a violation of this chapter and grounds for revocation of a permit issued by the department of animal control.
- F. Suspension Or Revocation Of Permit:
1. Grounds: A permit may be suspended or revoked or a permit application rejected on any one or more of the following grounds:
    - a. Falsification of facts in a permit application;
    - b. Violation of any of the provisions of this chapter or any other law or regulation governing the establishment, including noise;

c. Conviction on a charge of cruelty to animals.

2. Procedure: If any inspection of kennels, catteries, groomeries or pet shops reveal a violation of this chapter, the inspector shall notify the permit holder or operator of such violation by means of an inspection report form or other written notice. The notification shall:

a. Set forth the specific violations found;

b. Establish a specific and reasonable period of time for the correction of the violations found;

c. State that failure to comply with any notice issued in accordance with the provisions of this chapter may result in immediate suspension of the permit.

3. Revocation Or Suspension: Any permit granted under this chapter may be suspended or revoked by the county commission for violation listed in subsection F1 of this section.

4. Emergency Suspension: Notwithstanding the other provisions of this chapter, when the inspecting officer finds unsanitary or other conditions in the operation of kennels, catteries, groomeries, pet shops or similar establishments, which in his judgment constitute a substantial hazard to public health, he may, without warning or hearing, issue a written notice to the permit holder or operator citing such condition and specifying the corrective action to be taken. Such order may state that the permit is immediately suspended and all operations are to be discontinued. Any person to whom such an order is issued shall comply immediately therewith. Any animals at such a facility may be confiscated by the department of animal control and impounded or otherwise provided for according to the provisions of this chapter.

5. Notice: Notice provided for under this section shall be deemed to have been properly served when the original of the law inspection report form or other notice has been delivered personally to the permit holder or person in charge, or such notice has been sent by certified mail to the last known address of the permit holder. A copy of such notice shall be filed with the records of the department of animal control. (Ord. 113-F, 7-10-1995)