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□ 125th General Assembly

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### CHAPTER 335

AN ACT TO AMEND CHAPTER 17, TITLE 7, DELAWARE CODE, RELATING TO THE CARE AND TREATMENT OF DOGS IN KENNELS.

Be it enacted by the General Assembly of the State of Delaware:

Section 1. Section 1701, Title 7, Delaware Code, is amended by adding thereto subsection (h) to read as follows:

(h) The following are the requirements for the humane handling, care and treatment of dogs in kennels:

#### 1. FACILITIES, GENERAL

(a) Structural strength. Housing facilities for dogs shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, and to restrict the entrance of other animals.

(b) Storage. Supplies of food and bedding shall be stored in facilities which adequately protect such supplies against infestation or contamination by vermin. Refrigeration shall be provided for supplies of perishable food.

(c) Waste Disposal. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals, and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards.

#### 2. FACILITIES, INDOOR

(For Breeds of Dogs adapted to Indoor Housing)

(a) Heating. Indoor housing facilities for dogs shall be sufficiently heated when necessary to protect the dogs from cold, and to provide for their health and comfort. The ambient temperature shall not be allowed to fall below 50<sup>0</sup> F. for dogs not acclimated to lower temperatures.

(b) Ventilation. Indoor housing facilities for dogs shall be adequately ventilated to provide for the health and comfort of the animals at all times. Such facilities shall be provided with fresh air either by means of windows, doors, vents, or air conditioning and shall be ventilated so as to minimize drafts, odors and moisture condensation.

(c) Lighting. Indoor housing facilities for dogs shall have ample light, by natural or artificial means, or both, of good quality and well distributed. Such lighting shall provide uniformly distributed illumination of sufficient light intensity to permit routine inspection and cleaning during the entire working period. Primary enclosures shall be so placed as to protect the dogs from excessive illumination.

(d) Interior surfaces. The interior building surfaces of indoor housing facilities shall be constructed and maintained so that they are substantially impervious to moisture and may be readily sanitized.

(e) Drainage. A suitable method shall be provided to rapidly eliminate excess water from indoor housing facilities. If drains are used, they shall be properly constructed and kept in good repair to avoid foul odors therefrom. If closed drainage systems are used, they shall be equipped with traps and so installed as to prevent any backup of sewage onto the floor of the room.

### 3. FACILITIES, OUTDOOR

(For Breeds of Dogs Adapted to Outdoor Housing)

(a) Shelter from sunlight. When sunlight is likely to cause overheating or discomfort, sufficient shade shall be provided to allow all dogs kept outdoors to protect themselves from the direct rays of the sun.

(b) Shelter from rain or snow. Dogs kept outdoors shall be provided with access to shelter to allow them to remain dry during rain or snow.

(c) Shelter from cold weather. Shelter shall be provided for all dogs kept outdoors when the atmospheric temperature falls below 50°F. Sufficient clean bedding material or other means of protection from the weather elements shall be provided when the ambient temperature falls below that temperature to which a dog is acclimated.

(d) Drainage. A suitable method shall be provided to rapidly eliminate excess water.

### 4. PRIMARY ENCLOSURES

(a) Space requirements. Primary enclosures shall be constructed and maintained so as to provide sufficient space to allow each dog to turn about freely and to easily stand, sit and lie in a comfortable normal position.

(b) Dog houses with chains. If dog houses with chains are used as primary enclosures for dogs kept outdoors, the chains used shall be so placed or attached that they cannot become entangled with the chains of other dogs or any other objects. Such chains shall be of a type commonly used for the size dog involved and shall be attached to the dog by means of a well fitted collar. Such chains shall be 6 feet or at least three times the length of the dog as measured from the tip of its nose to the base of its tail and shall allow the dog convenient access to the dog house.

### 5. ANIMAL HEALTH AND HUSBANDRY STANDARDS

(a) Feeding. Dogs shall be fed at least once each day except as otherwise might be required to provide adequate veterinary care. The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the dog.

(b) Food receptacles shall be accessible to all dogs and shall be located so as to minimize contamination by excreta. Feeding pans shall be durable and kept clean. The food receptacles shall be sanitized at least once every 2 weeks. Disposable food receptacles may be used but must be discarded after each feeding. Self-feeders may be used for the feeding of dry food, and they shall be sanitized regularly to prevent molding, deterioration or caking of feed.

(c) Watering. If potable water is not accessible to the dogs at all times, potable liquids shall be offered to such animals at least twice daily for periods of not less than 1 hour, except as might otherwise be required to provide adequate veterinary care. Watering receptacles shall be kept clean and shall be sanitized at least once every 2 weeks.

(d) Sanitation. Cleaning of primary enclosures. Excreta shall be removed from primary enclosures as often as necessary to prevent contamination of the dogs contained therein and to reduce disease hazards and odors. When a hosing or flushing method is used for cleaning a primary enclosure commonly known as a cage, any dog contained therein shall be removed from such enclosure during the cleaning process, and adequate measures shall be taken to protect the animals in other such enclosures from being contaminated with water and other wastes.

(e) Housekeeping. Premises (building and grounds) shall be kept clean and in good repair in order to protect the animals from injury and to facilitate the prescribed husbandry practices set forth in this subpart. Premises shall remain free of accumulations of trash.

(f) Pest Control. An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained.

## 6. EMPLOYEES

(a) A sufficient number of employees shall be utilized to maintain the prescribed level of husbandry practices set forth in this subpart. Such practices shall be under the supervision of an animal caretaker who has a background in animal husbandry or care.

## 7. CLASSIFICATION AND SEPARATION

(a) Animals housed in the same primary enclosure shall be maintained in compatible groups, with the following additional restrictions:

(1) Puppies shall not be housed in the same primary enclosure with adult dogs other than their dams, except when permanently maintained in breeding colonies.

(2) Dogs under quarantine or treatment for a communicable disease shall be separated from other dogs and other susceptible species of animals in such a manner as to minimize dissemination of such disease.

Approved February 13, 1970.



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