



Steven W. Troxler  
Commissioner

North Carolina Department of Agriculture  
and Consumer Services  
*Veterinary Division*

R. Douglas Meckes, DVM  
State Veterinarian

June 25, 2015

Heavensown Rescue, Inc.  
Attn: Ms. Donna Fowler  
6415 Marvin Fowler Road  
Waxhaw, NC 28173

UPS Tracking Number

1Z 210 617 42 5723 2217

Re: CEASE AND DESIST ORDER  
Heavensown Rescue, Inc.  
6415 Marvin Fowler Road  
Waxhaw, NC 28173

Dear Ms. Fowler:

This letter is an order concerning your operation of an animal shelter without registration. To date you have not applied for registration of the animal shelter now operating at the address stated in the reference line above.

Under North Carolina's Animal Welfare Act G.S. § 19A-23(5), an animal shelter is defined as:

... a facility which is used to house or contain seized, stray, homeless, quarantined, abandoned or unwanted animals and which is under contract with, owned, operated, or maintained by a county, city, town, or other municipality, or by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, rehabilitation, or humane treatment of animals.

The Department's Animal Welfare Section has received credible information indicating that you have established a non-profit corporation located at the address listed above. The Section found records tending to show that you are offering animals for adoption through [www.petfinder.com](http://www.petfinder.com) in Waxhaw, N.C. Further, you are housing and providing care for more than ten animals at the location referenced above. These facts establish that the facility and activities occurring at this location constitute an animal shelter as defined by the Animal Welfare Act. The Department can deem a facility as an animal shelter if it finds that the facility houses ten or more cats or dogs or the organization operating the facility holds itself out as an organization "devoted to the welfare, protection, rehabilitation, or humane treatment of animals."

Registration is required for the operation of an animal shelter in North Carolina. Because you have not applied for a certificate of registration you are notified to **CEASE AND DESIST** operation of an animal shelter within 30 days of receipt of this letter. If you are found operating an animal shelter, this Department has the authority to impose a civil penalty of up to \$5,000.00. If you are found to be in violation of any other provisions of the applicable law or rules, you may be assessed additional civil penalties for each violation found.

**§ 19A-40. Civil Penalties.**

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

If you have any questions, feel free to contact our office at (919) 733-7601.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia Norris", written over a horizontal line.

Dr. Patricia Norris  
Director, Animal Welfare Section

cc: Dr. R. Douglas Meckes, State Veterinarian  
Ms. Tina Hlabse, NCDA&CS General Counsel  
Mr. Barry Bloch, Assistant Attorney General, NCDOJ