



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

David T. Marshall, DVM
State Veterinarian

November 22, 2010

Wendi's Happy Tails
Ms. Wendy Gunter
1086 Turnersburg Highway
Statesville, NC 28625

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED -

7006 2760 0003 0472 2211

Re: CEASE AND DESIST ORDER
Wendi's Happy Tails
1086 Turnersburg Highway
Statesville, NC 28625

Dear Ms. Gunter:

This letter is an order concerning your operation of an animal shelter without a certificate of registration from the Animal Welfare Section, Veterinary Division, North Carolina Department of Agriculture and Consumer Services. Your animal shelter, operated within the unlicensed boarding kennel, Wendi's Happy Tails, has been found operating without having applied for that certificate of registration and without having been inspected and determined to be compliant with applicable facility standards enforced by this Department. Animal shelter registration and facility standards are set forth under the NC Animal Welfare Act. You had been provided with the NC Animal Welfare Act and the rules establishing facility standards with your license application.

A certificate of registration is required for the operation of an animal shelter. You have never applied for a registration. **Therefore, 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 \$5000.

§ 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. 115-457.2.

Enclosed are a copy of the NC Animal Welfare Act in its entirety and a copy of the Animal Welfare Section's investigation report concerning your animal shelter. Upon receipt of this letter please reply by letter to the Animal Welfare Section at the address below to confirm that you have complied by closing. In the alternative you may state in your letter what date within the time allowed you will have closed the animal shelter

Animal Welfare Section
North Carolina Department of Agriculture and Consumer Services
Attn: Dr. Lee Hunter
1030 Mail Service Center
Raleigh, NC 27699-1030

If you have any questions, feel free to contact our office at (919) 715-7111. Your attention to this matter is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Hunter', with a long horizontal flourish extending to the right.

Dr. Lee Hunter, Director, AWS

bhb
Enclosures

cc: Dr. David T. Marshall, State Veterinarian
Ms. Shelly Swaim, AHT
Mr. Barry Bloch, Assistant Attorney General, NCDOJ