



Steven W. Troxler
Commissioner

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

Christina L. Waggett
Assistant Commissioner
for Consumer Protection

Michael Martin, DVM
State Veterinarian

September 17, 2026

Sarah Carroll
President
Independent Animal Rescue, Inc.
3321 Guess Road
Durham, NC 27311
And via IAR Mailing address
2905 Gretmar Dr.
Durham, NC 27705
And via email:
sarahc@animalrescue.net

NOTICE of CIVIL PENALTY

Re: CIVIL PENALTY ASSESSMENT for VIOLATION of NC GENERAL STATUTE § 19A-26

AWS-CP-2026-16

Facility: Independent Animal Rescue
Registration Number: Unregistered

Dear Ms. Carroll:

Pursuant to NCGS § 19A-40, I am issuing this notice that Independent Animal Rescue, Inc. as owner and operator of the animal shelter located at 3321 Guess Road, Durham, NC (“the shelter”) operating as an unregistered animal shelter is hereby assessed a civil penalty of \$1,000.00 as provided in the enclosed Notice of Violation.

With regard to the civil penalty, within 60 days from the date of this Notice, you must do one of the following:

1. Pay the civil penalty assessment;
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment; or
3. Pursuant to NCGS § 150B-22, initiate informal settlement negotiations. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-3280 or email Patricia.Norris@ncagr.gov. Settlement offers do not extend the 60-day deadline for payment or

filing of a contested case petition.

Additional information about your options is provided below:

PAYMENT

To pay the penalty, please send your payment by check or money order made payable to the North Carolina Department of Agriculture and Consumer Services to:

North Carolina Department of Agriculture and Consumer Services
Dr. Patricia Norris
Director, Animal Welfare Section
1030 Mail Service Center
Raleigh, NC 27699-1030

APPEAL

If you file a contested case petition, it must be in writing and in the form prescribed by NCGS § 150B-23. The petition must be filed with the N.C. Office of Administrative Hearings ("OAH") within 60 days of the date of this document. Additionally, the petition must be accompanied by a filing fee of twenty dollars (\$20.00). Payment can be made by cash, money order, certified check or check drawn on an attorney's trust account. Make checks payable to: Office of Administrative Hearings. File the petition and one copy with:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714

Any questions about filing a petition may be directed to the Clerk of OAH by telephone at 919-431-3000.

You must serve NCDA&CS by mailing a copy of the petition to:

Mr. Jonathan Lanier
North Carolina Department of Agriculture and Consumer Services
Registered Agent and General Counsel
1001 Mail Service Center
Raleigh, NC 27699-1001

Payment of the penalty will not foreclose further enforcement action against you for any new violation. If the violations which resulted in the assessment are of a continuing nature, NCDA&CS reserves the right to assess additional civil penalties in the future or take other enforcement action against you.

Your attention to this matter is appreciated.

Sincerely,



Patricia Norris, DVM, MS
Director, Animal Welfare Section

Attachment: Notice of Violations, Assessment of Civil Penalty

cc: Michael Martin, DVM, State Veterinarian
Jonathan Lanier, General Counsel, NCDA&CS
Christina L. Waggett, Assistant Commissioner, NCDA&CS
Allyson Barkley, Assistant Attorney General

And Registered Agent Leslie Grenick
P. O. Box 14232
Durham, NC 27709-4232

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

NORTH CAROLINA DEPARTMENT
OF AGRICULTURE AND CONSUMER
SERVICES, VETERINARY DIVISION
ANIMAL WELFARE SECTION

IN THE MATTER OF	)	NOTICE of VIOLATION and
	)	ASSESSMENT of CIVIL PENALTY
INDEPENDENT ANIMAL	)	for VIOLATION of N.C. GENERAL
	)	STATUTE ("NCGS") § 19A-26.
RESCUE, INC.	)	

Acting pursuant to NCGS § 19A-40, Dr. Patricia Norris, Director, Animal Welfare Section ("AWS"), North Carolina Department of Agriculture and Consumer Services ("NCDA&CS") makes the following:

FINDINGS OF FACT

1. At all times pertinent to this matter, Independent Animal Rescue animal shelter ("the shelter"), owned and operated by Independent Animal Rescue, Inc. was an animal shelter that was not registered with AWS as an animal shelter pursuant to NCGS § 19A-26.
2. On July 27, 2026, AWS received a complaint alleging poor conditions and care of the animals at the facility, as well as concerns about the spay/neuter clinic operating at the same location. Based on this information, AWS opened an investigation. The investigation centered on possible violation(s) of the N.C. Animal Welfare Act ("AWA") as these statutes and associated regulations are the extent of the jurisdiction of AWS.
3. The investigation found the following:
 - a. Eighteen cats in the care and custody of the shelter were present at the shelter at the time of the site visit on August 12, 2026 by AWS Program Coordinator Shore and AWS Veterinary Program Specialist Bowes ("Inspectors Shore and Bowes");
 - b. During the site visit, shelter staff and a rescue administrator relayed that a spay/neuter clinic was operating on site, staffed primarily by 4 veterinarians. The clinic performed surgeries on the rescue's cats and cats brought in through a trap/neuter/release program. When AWS Inspectors asked to see the NC Veterinary Medical Board ("NCVMB") Facility Permit, the rescue administrator was adamant that the facility did not need one;
 - c. During the site visit, shelter staff and a rescue administrator relayed that euthanasia solution was stored at the site in a drug safe. There was no DEA certificate on site that showed that the site was permitted to allow the storage of controlled substances;
 - d. At the conclusion of the August 12, 2026 site visit, the rescue administrator stated she wanted information on registering as an animal shelter as the site typically housed more than 9 animals so that the shelter could be registered. The AWS Inspectors provided this information;
 - e. A review of AWS documents showed that in March 2025, there were multiple emails between AWS and the rescue administrator confirming that the shelter's Board of Directors were aware of the regulations requiring registration as an animal shelter;
 - f. A review of AWS documents from March 2025 through to the date of this Notice show the shelter has failed to apply for registration as an animal shelter; and

- g. Information concerning the unpermitted veterinary clinic and the storage of controlled substances was forwarded to the appropriate agencies.

CONCLUSIONS

To the extent that the Findings of Fact contain Conclusions of Law, or that the Conclusions of Law are Findings of Fact, they should be so considered without regard to the given labels. Based on the findings of this investigation, AWS concludes that Independent Animal Rescue, Inc. as owner and operator of the Independent Animal Rescue animal shelter willfully violation the following statute:

NCGS §19A-26 for operating an animal shelter without obtaining a registration granted by the AWS Director to operate such an establishment.

CIVIL PENALTY

As required by NCGS § 19A-40, in determining the amount of the civil penalty, I have considered the degree and extent of harm caused by the violation listed above.

Accordingly, Independent Animal Rescue, Inc. as owner and operator of the Independent Animal Rescue animal shelter, is hereby assessed a civil penalty for the following willful violation:

\$1,000.00 for the violation of NCGS § 19A-26 for operating an animal shelter without obtaining a license granted by the AWS Director to operate such an establishment.

\$1,000.00 TOTAL AMOUNT ASSESSED

Continued or future violations of these statutes or regulations will be considered a SECOND willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such a willful disregard or violation may result in action against your facility's registration application pursuant to N.C. General Statute § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. General Statute § 19A-40.

(See Appendix for text of referenced General Statutes and Administrative Code)

September, 2026
Date



Patricia Norris, DVM, MS
Director, Animal Welfare Section
North Carolina Department of
Agriculture & Consumer Services

Appendix

REFERENCED LAWS AND REGULATIONS

§ 19A-26. Certificate of registration required for animal shelter.

No person shall operate an animal shelter unless a certificate of registration for such animal shelter shall have been granted by the Director. Application for such certificate shall be made in the manner provided by the Director. No fee shall be required for such application or certificate. Certificates of registration shall be valid for a period of one year or until suspended or revoked and may be renewed for like periods upon application in the manner provided.

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final

judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

§ 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.