



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

August 12, 2026

Village Pet Care, LLC
Owner of Dog Gone Happy
2943 Parkway BLD PMB 114
Salt Lake City, UT 84119
Attn: Legal/Licensing
And via email
cassie.booluck@villagepet.com

NOTICE of WARNING and NOTICE of VIOLATION

**Re: VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE ("NCAC") CHAPTER 52J
SECTIONS .0102(1), .0201(a), (b), (d)(1) and (4), (g); and .0202(b)(2) and (3); .0204 (a) and (c)
and .0209(2).**

AWS-WL-2026-6

**Facility: Dog Gone Happy
License Number #21037**

Dear Legal/Licensing Team:

On July 16, 2026, the Animal Welfare Section ("AWS") of the NC Department of Agriculture & Consumer Services ("NCDA&CS") received a complaint of unsafe conditions at the Dog Gone Happy boarding kennel ("the kennel") due to falling ceiling tiles from excess moisture buildup in the kennel. 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.

On July 20, 2026, AWS Veterinary Program Specialist Garner ("Inspector Garner") conducted an unannounced Facility Compliance Inspection ("FCI") of the kennel. This FCI was marked as "Disapproved" due to the number and severity of the violations of the N.C. Animal Welfare Act ("AWA") and its associated rules. The violations included the following:

1. In violation of 02 NCAC 52J .0102(1), the kennel failed to obtain the signature for the entry and release of boarding animals;
2. In violation of 02 NCAC 52J .0201(a), the kennel failed to maintain the facility in good repair as some of the ceiling tiles are missing due to falling and overhead light fixtures were observed to have water pooling in them;
3. In violation of 02 NCAC 52J.0201(b), the kennel failed to protect the electrical outlets so that the

- dogs did not have access to them;
4. In violation of 02 NCAC 52J .0201(d)(1), the kennel failed to store prepared food bowls in sealed or lidded containers;
 5. In violation of 02 NCAC 52J .0201(d)(4), the kennel failed to store clean laundry and bedding in sealed containers or in cabinets with doors;
 6. In violation of 02 NCAC 52J .0201(g), the kennel failed to have functional room thermometers in all the indoor housing areas including exercise areas, individual suite enclosures, and large kennel enclosure rooms;
 7. In violation of 02 NCAC 52J .0202(b)(2), the kennel failed to clean/change air vents and filters to minimize buildup and the inhibition of air flow;
 8. In violation of 02 NCAC 52J .0202(b)(3), the kennel did not have sufficient air flow to minimize moisture condensation as overhead light fixtures were observed with pooling water in them, overhead air returns were observed to be dripping water into the enclosures and exercise areas beneath them, and the floors, walls, and surfaces were damp or wet;
 9. In violation of 02 NCAC 52J .0204(a), the kennel failed to maintain surfaces impervious to moisture as the walls of several enclosures were damaged exposing sheetrock which was not impervious to moisture;
 10. In violation of 02 NCAC 52J .0204(c), the kennel failed to maintain the primary enclosures and exercise areas in good repair as damaged ceiling tiles had fallen into the exercise areas and water was pooling in the overhead electrical fixtures; and
 11. In violation of 02 NCAC 52J .0209(2), the kennel failed to obtain written permission from the owners of the dogs for their dogs to come in.

On July 27, 2026, Inspector Garner conducted a follow-up FCI at the kennel. At this time, the humidity of the facility was noticeably improved due to ongoing repairs, but water continued to pool in the light fixtures. The facility relayed their commitment to resolving this situation. Inspector Garner will continue to monitor the facility for resolution of this issue.

This Warning Letter serves as written notice indicating in which respects the kennel violated the N.C. Animal Welfare Act ("AWA") and the rules issued pursuant thereto. The kennel is directed to immediately comply with the AWA and its associated rules.

Continued or future violations of these statutes or regulations will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against the boarding kennel license for these facilities 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.

Your immediate compliance with the N.C. Animal Welfare Act is required.

Sincerely,



Patricia Norris, DVM, MS
Director,
Animal Welfare Section

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

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

Appendix

REFERENCED STATUTES AND REGULATIONS

§ 19A-28. License required for public auction or boarding kennel.

No person shall operate a public auction or a boarding kennel unless a license to operate such establishment shall have been granted by the Director. Application for such license shall be made in the manner provided by the Director. The license period shall be the fiscal year and the license fee shall be seventy-five dollars (\$75.00) for each license period or part thereof beginning with the first day of the fiscal year. (1977, 2nd Sess., c. 1217, s. 9; 1987, c. 827, s. 65; 1989, c. 544, s. 18; 2011-145, s. 31.5(b).)

§ 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.

02 NCAC 52J .0102 RECORDS; BOARDING KENNELS

Operators of boarding kennels shall maintain records of all dogs and cats showing the following:

- (1) name and address of owner or person responsible for animal, the date of entry and signature of the person leaving the animal; and the date of release and signature and address of individual to whom animal is released;

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0201 GENERAL

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

(b) All light fixtures and electrical outlets in animal areas shall be in compliance with the State Building Code. Electrical appliances, light fixtures, electrical outlets, and electrical cords shall be located or protected in such a way that animals do not have access to them.

(d) Storage of food and bedding:

- (1) food and bedding shall be stored in cabinets and/or sealed containers which adequately protect such supplies against infestation or contamination by vermin and insects;
- (4) clean bedding and laundry shall be: stored in cabinets and/or sealed containers; stored separately from soiled laundry and materials; and stored separately from general housing areas for animals; and

(g) Each facility shall have the ability to confirm ambient temperature. A functional room thermometer shall be present in each separate area of indoor enclosures, common areas and exercise areas.

History Note: Authority G.S. 19A-24; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. October 1, 2022.

02 NCAC 52J .0202 INDOOR FACILITIES

(b) Ventilation of indoor facilities:

- (2) air vents and/or air filters shall be cleaned and/or changed as often as necessary to minimize buildup of debris, dust and biological material and as often as necessary to prevent inhibition or restriction of air flow; and
- (3) air flow shall be adequate to minimize odors and moisture condensation.

History Note: Authority G.S. 19A-24; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0204 PRIMARY ENCLOSURES

(a) Primary enclosures and exercise areas shall be constructed so as to prevent contamination from waste and wastewater from animals in other enclosures. All surfaces with which an animal comes in contact shall be impervious to moisture excluding the ground cover options of gravel and grass allowed for in Rule .0203 of this Section.

(c) Primary enclosures and exercise areas for dogs and cats shall be structurally sound and maintained in good repair and in a manner to prevent injury to animals and keep other animals out.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. September 1, 2022.

02 NCAC 52J .0209 CLASSIFICATION AND SEPARATION

Animals housed in the same primary enclosure or confined to an exercise area shall be maintained in compatible groups, with the following additional restrictions:

- (2) In boarding kennels, animals of different owners shall not have contact with other animals, unless written permission is obtained from the animal's owner. The documentation of this written permission shall be kept as part of the animal's record for one year and must be renewed yearly thereafter.

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.