



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

December 8, 2025

Lisa Hughes
Duplin Interim County Manager
224 Seminary Street,
Kenansville, NC 28349
Via Hand Delivery

NOTICE of CIVIL PENALTY and NOTICE of WARNING

Re: CIVIL PENALTY ASSESSMENT for VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE (“NCAC”) CHAPTER 52J SECTIONS .0101(4) and (6); .0201(h); .0206(a), and .0207(a) and NOTICE of WARNING for VIOLATIONS of .0201(b), (d)(5), and (g); .0203(d)(2); .0207(d)(5), and .0209(7)(a).

AWS-CP-2025-23

**Facility: Duplin County Animal Services Animal Shelter
Registration Number: 450**

Dear Interim County Manager Hughes:

Pursuant to NCGS § 19A-40, I am issuing this notice that Duplin County, as the operator of the Duplin County Animal Services Animal Shelter (“the shelter”), is hereby assessed a civil penalty of \$1,700.00 as provided in the enclosed Notice of Violation.

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

1. Pay the civil penalty assessment; or
2. File a written petition for a contested case hearing with the N.C. Office of Administrative Hearings to appeal the penalty assessment.

Pursuant to NCGS § 150B-22, either party to a dispute may initiate informal settlement negotiations at any time. To negotiate a settlement of this assessment, you may contact me by telephone at (919) 707-3280. 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 from 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
Lindsey Spain, Special Deputy Attorney General

STATE OF NORTH CAROLINA
COUNTY OF DUPLIN

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
DUPLIN COUNTY)	for VIOLATIONS of TITLE 02 NC
)	ADMINISTRATIVE CODE (“NCAC”) CHAPTER
OPERATOR OF DUPLIN COUNTY)	52J SECTIONS .0101(4) and (6); .0201(h); .0206(a),
)	and .0207(a) and NOTICE of WARNING for
ANIMAL SERVICES)	VIOLATIONS of 02 NCAC 52J .0201(b), (d)(5)
)	and (g); .0203(d)(2); .0207(d)(5), and .0209(7)(a).
ANIMAL SHELTER)	
)	

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, the Duplin County Animal Services Animal Shelter (“the shelter”), owned and operated by Duplin County, was an animal shelter registered pursuant to NCGS §19A-26.
2. On November 10, 2025, AWS received a complaint containing multiple allegations of violations against the shelter. 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. On November 17, 2025, AWS Veterinary Program Coordinator Shore and AWS Veterinary Program Specialist Tolley (“Inspectors Shore and Tolley”) conducted a site visit at the shelter as part of the investigation. The following information was obtained from the site visit:
 - a. In violation of 02 NCAC 52J .0101(4), a review of the shelter records for the previous 30 days found that the shelter records of 7 euthanized animals did not document the route of administration of the euthanasia solution;
 - b. In violation of 02 NCAC 52J .0101(6), a review of the shelter records for the previous 30 days found that the computer shelter records for 6 animals did not contain the correct information concerning the method of euthanasia;
 - c. In violation of 02 NCAC 52J .0201(b), the shelter failed to replace or repair the broken electrical outlet in the dog holding kennel room;
 - d. In violation of 02 NCAC 52J .0201(d)(5), the shelter failed to store the bedding for the cat isolation area in a sealed cabinet;
 - e. In violation of 02 NCAC 52J .0201(g), the shelter failed to provide functional room thermometers in the cat meet and greet room, the cat observation room, and the intake area;

- f. In violation of 02 NCAC 52J .0201(h), the shelter failed to supervise 2 dogs confined in an exercise area that did not have a separate 5-foot tall perimeter fence;
- g. In violation of 02 NCAC 52J .0203(d)(2), the shelter failed to provide a doghouse for each dog previously housed outside overnight as relayed to the Inspectors by the shelter staff during the site visit;
- h. In violation of 02 NCAC 52J .0206(a), the shelter failed to provide water to an enclosure containing 2 kittens as observed by the Inspectors at 10:13 a.m. The water bowl was completely dry, and the bedding did not show signs of water spillage. One kitten was deceased, and the other kitten subsequently drank continuously for approximately 3 minutes once water was provided;
- i. In violation of 02 NCAC 52J .0206(a), the shelter failed to provide water to 2 additional enclosures housing kittens. The Inspectors observed these violations at 10:23 a.m. and 10:26 a.m. respectively;
- j. In violation of 02 NCAC 52J .0207(a), the shelter failed to properly clean the litter boxes in the enclosures twice daily;
- k. In violation of 02 NCAC 52J .0207(d)(5), the shelter failed to sanitize the water bowls daily with hot water, detergent, and disinfectant; and
- l. In violation of 02 NCAC 52J .0209(7)(a), the shelter failed to document the provision of daily social interactions and enrichment provided to the animals in long-term care.

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 the AWS investigation, AWS finds that the shelter violated the following provisions:

02 NCAC 52J .0101(4) for failure to document the route of administration of the euthanasia solution for 7 animals as noted on November 17, 2025.

02 NCAC 52J .0101(6) for failure to maintain correct information in the computer shelter records for 6 animals concerning the method of euthanasia as noted on November 17, 2025.

02 NCAC 52J .0201(b) for failure to replace or repair the broken outlet in the dog holding kennel room as noted on November 17, 2025.

02 NCAC 52J .0201(d)(5) for failure to store the bedding for the cat isolation area in a sealed cabinet as noted on November 17, 2025.

02 NCAC 52J .0201(g) for failure to provide functional room thermometers in the cat meet and greet room, the cat observation room, and the intake area as noted on November 17, 2025.

02 NCAC 52J .0201(h) for failure to supervise 2 dogs confined in an exercise area that did not have a separate 5-foot tall perimeter fence as noted on November 17, 2025.

02 NCAC 52J .0203(d)(2) for failure to provide a doghouse for each dog previously housed outside as relayed to the Inspectors by shelter staff during the site visit as noted on November 17, 2025.

02 NCAC 52J .0206(a) for failure to provide continuous access to water to an enclosure containing 2 kittens as noted by the Inspectors at 10:13 a.m. on November 17, 2025. One of the kittens in this enclosure was deceased and the other kitten showed evidence of significant thirst.

02 NCAC 52J .0206(a) for failure to provide continuous access to water to 2 additional enclosures housing kittens as noted on November 17, 2025.

02 NCAC 52J .0207(a) for failure to properly clean the litter boxes in the enclosures twice daily as noted on November 17, 2025.

02 NCAC 52J .0207(d)(5) for failure to sanitize the water bowls daily with hot water, detergent, and disinfectant as noted on November 17, 2025.

02 NCAC 52J .0209(7)(a) for failure to document the provision of social interaction and enrichment to the long-term care animals as noted on November 17, 2025.

Pursuant to NCGS §§ 19A-30 and 19A-40, these violations can result in the suspension, revocation, or refusal to renew a registration for any animal shelter and/or the assessment of a civil penalty of up to \$5,000 per violation.

CIVIL PENALTIES

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 violations listed above.

Accordingly, Duplin County, as the owner and operator of the Duplin County Animal Services Animal Shelter, is hereby assessed a civil penalty for the following violations:

\$200.00 for violation of 02 NCAC 52J .0101(4) for failure to document the route of administration of the euthanasia solution for 7 animals as noted on November 17, 2025.

\$200.00 for violation of 02 NCAC 52J .0101(6) for failure to maintain correct information in the computer shelter records for 6 animals concerning the method of euthanasia as noted on November 17, 2025.

\$200.00 for violation of 02 NCAC 52J .0201(h) for failure to supervise 2 dogs confined in an exercise area that did not have a separate 5-foot tall perimeter fence as noted on November 17, 2025.

\$500.00 for violation of 02 NCAC 52J .0206(a) for failure to provide continuous access to water to an enclosure containing 2 kittens in which 1 kitten was deceased and 1 was found to be significantly thirsty as noted on November 17, 2025.

\$400.00 for 2 additional violations (\$200.00 per violation) of 02 NCAC 52J .0206(a) for failure to provide continuous access to water to 2 other enclosures housing kittens as noted on November 17, 2025.

\$200.00 for violation of 02 NCAC 52J .0207(a) for failure to properly clean the litter boxes in the enclosures twice daily as noted on November 17, 2025.

\$1,700.00 TOTAL AMOUNT ASSESSED

Continued or future violation of the statutes or regulations referenced in this letter 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 your facility's registration pursuant to NCGS § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under NCGS § 19A-40.

NOTICE OF WARNING

As to the remaining violations of 02 NCAC 52J .0201(b), (d)(5), and (g); .0203(d)(2); .0207(d)(5) and .0209(7)(a), this Warning Letter serves as written notice indicating in which respects the shelter may have violated the NC Animal Welfare Act and the rules issued pursuant thereto.

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 a willful disregard or violation may result in action against your facility's registration 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)

December 8, 2025

Date



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

Appendix

REFERENCED STATUTES 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.

02 NCAC 52J .0101 RECORDS; ANIMAL SHELTERS, ETC.

Operators of all animal shelters, pet shops, public auctions, and dealers shall maintain records on all dogs and cats showing the following:

- (4) disposition of animals including name and address of person to whom animal is sold, traded, transferred, or adopted, and the date and time of such transaction; name and address of intermediary transporter if used; in the event of death, the record shall show the date, signs of illness, and cause of death if identified; if euthanized, the record shall show date and type of euthanasia;
- (6) all records shall be created and/or updated within 48 hours of the occurrence of procedures, including but not limited to intake, change of location, medication or treatment administration and/or disposition. The record shall be accurate; creation of a misleading record or deliberate or non- incidental falsification of a record including medication administration documentation during or after an investigation or inspection shall be considered a violation of this regulation.

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 .0201 GENERAL

(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:

- (5) in areas housing animals being observed or treated for contagious disease, bedding shall only be stored in sealed cabinets if that clean laundry is dedicated solely for the use for those specific animals.

(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.

(h) A separate five-foot tall perimeter fence is required if any animal(s) has/have unsupervised access to an outdoor primary enclosure, common area, and/or exercise area. Supervision of animals is required for any animal(s) within any outdoor enclosure, common area, or exercise area without a separate five-foot tall perimeter fence.

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 .0203 OUTDOOR FACILITIES

(d) Dogs and cats in outdoor primary enclosures shall be provided housing to allow them to remain dry and comfortable during inclement weather:

(2) one house shall be available for each animal within each primary enclosure. The house(s) shall be of adequate size for the animal housed in the enclosure. In the case of a mother and her unweaned offspring, one house of adequate size to comfortably house the mother and all the offspring together must be provided;

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. March 23, 2009; January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0206 WATERING

(a) Animals shall have continuous access to fresh, potable water, except as might otherwise be required to provide adequate veterinary care.

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

02 NCAC 52J .0207 SANITATION

(a) Waste shall be removed from primary enclosures, exercise areas and common areas to prevent contamination of the dogs or cats contained therein and to reduce disease hazards and odors. Enclosures and exercise areas for dogs and cats shall be properly cleaned a minimum of two times per day. The animal must be able to walk or lie down without coming in contact with any waste or debris.

(d) Sanitation shall be as follows:

(5) food and water receptacles shall be sanitized daily with hot water, detergent, and disinfectant. The disinfectant shall be used consistent with the manufacturer's directions;

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

(7) Animals in long term care must be provided with human interaction other than interaction for enclosure cleaning, same species social interaction, opportunity for play and exercise, and environmental enrichment daily. The provision of these daily interactions and enrichment shall be adequate for the animal's species, age, size and behavior needs. In addition:

(a) The provision of the daily social interactions and enrichment shall be documented in the animal's records and the records maintained for three years; and

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