



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 13, 2025

Pamela Byars
Owner
Classy Critters Pet Resort and Spa
[REDACTED]
[REDACTED]
pam@classycrittersnc.com

NOTICE of CIVIL PENALTY

Re: CIVIL PENALTY ASSESSMENT for VIOLATION of TITLE 02 N.C. ADMINISTRATIVE CODE (NCAC) CHAPTER 52J SECTION .0102(1), (3), (4), (5) and (6); .0201(d)(4) and (m); .0203(h); .0204(a), (b), (f), and (g); .0207(a); .0209(2);

AWS-CP-2025-16

Facility: Classy Critters Pet Resort and Spa
License Number: 20856

Dear Ms. Byars:

Pursuant to NCGS § 19A-40, I am issuing this notice that you, as owner of Classy Critters Pet Resort and Spa (“the kennel”), are hereby assessed a civil penalty of \$1,900.00 as provided in the enclosed Notice of Violation.

With regard to the civil penalty, within 60 days from the date of this letter, 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,

A handwritten signature in blue ink, appearing to read "Patricia Norris DVM MS".

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 IREDELL

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
PAMELA BYARS	)	for VIOLATIONS of TITLE 02 NC
	)	ADMINISTRATIVE CODE ("NCAC")
OWNER OF	)	CHAPTER 52J SECTIONS .0101(1), (3),
	)	(4), (5) and (6); .0201(m); .0204(a) and (g);
CLASSY CRITTERS PET RESORT & SPA	)	.0207(a); and .0209(2) and NOTICE of
	)	WARNING for VIOLATIONS of 02 NCAC
	)	.0201(d)(4); .0203(h); and .0204(b) and (f).
	)	

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 Classy Critters Pet Resort and Spa ("the kennel"), owned and operated by Pamela Byars, was a boarding kennel licensed pursuant to NCGS § 19A-28.
2. On August 6, 2025, AWS Veterinary Program Specialists Christie Shore and Chris Bradley ("Inspectors Shore and Bradley") conducted a Facility Compliance Inspection ("FCI") at the kennel. The findings for the FCI included:
 - a. In violation of 02 NCAC 52J .0102(1), the kennel owner stated that the 2 dogs comingling at the kennel at the time of this FCI had been at the kennel on August 5, 2025 for daycare. Review of the sign in/out sheet for August 4, 2025 did not show that these dogs had been signed in or out. This violation was previously cited in the October 18, 2023 and March 31, 2025 FCI reports;
 - b. In violation of 02 NCAC 52J .0102(3), the kennel failed to maintain the required documentation for medications administered on July 31 and August, 1, 2, 3, 4, and 5, 2025. This violation was previously cited in the March 31, 2025 FCI report;
 - c. In violation of 02 NCAC 52J .0102(4), the kennel failed to create or update records for the administration of medications at the time of the administration;
 - d. In violation of 02 NCAC 52J .0102(5), the kennel failed to document the escape of the dog named Kota on July 30, 2025 in the incident log for the kennel. The requirement to maintain an incident log with the details of the incident had previously been discussed with this kennel owner by the AWS Inspectors. In addition, Inspector Shore had previously sent 2 emails out to the kennels she inspected notifying them of this requirement;
 - e. In violation of 02 NCAC 52J .0102(6), the kennel failed to notify AWS of Kota's escape within 48 hours of the incident;
 - f. In violation of 02 NCAC 52J .0201(d)(4), the kennel failed to store clean laundry/bedding in cabinets or sealed containers;

- g. In violation of 02 NCAC 52J .0201(m), when discussing Kota's escape, the kennel owner stated that she had just ordered locks for the new kennels so that dogs could not lift the gate latch and escape. Inspectors Shore and Bradley requested a copy of the invoice to verify the order. The kennel owner later admitted that she had the locks for the new kennels all along and that they had come with the kennels;
- h. In violation of 02 NCAC 52J .0203(h), the kennel failed to provide a suitable method of drainage so that the standing water in the turf exercise yards was adequately drained;
- i. In violation of 02 NCAC 52J .0204(a), the kennel failed to provide surfaces in the animal enclosures that were impervious to moisture. This violation was previously cited in the March 31, 2025 FCI report;
- j. In violation of 02 NCAC 52J .0204(b), the kennel failed to replace or cover damaged wood in the door framing at the back door of the new building so that the animals did not have access to wood;
- k. In violation of 02 NCAC 52J .0204(f), the kennel failed to provide inner fencing of the outside exercise yards that was a minimum height of 5 feet;
- l. In violation of 02 NCAC 52J .0204(g), the kennel failed to construct primary enclosures to prevent their escape. The kennel owner failed to use the locks she had in her possession to prevent the escape of Kota. When Kota escaped he caused a traffic accident, and he was mildly injured when he was hit by a car;
- m. In violation of 02 NCAC 52J .0207(a), the kennel failed to properly clean enclosures twice daily as 4 of the outdoor runs had old feces on the turf; and
- n. In violation of 02 NCAC 52J .0209(2), the kennel failed to yearly renew the comingling agreements for the two large dogs in the back area. A review of their records showed that these agreements were dated 2014 for one dog and 2017 for the other dog. This violation was cited in the October 18, 2023 FCI report.

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 the kennel violated the following provisions:

02 NCAC 52J .0102(1) for failure to maintain records of the date of entry and release for animals entering the kennel as noted on August 6, 2025.

02 NCAC 52J .0102(3) for failure to maintain the required documentation for medications administered on July 31, and August, 1, 2, 3, 4, and 5, 2025 as noted on August 6, 2025.

02 NCAC 52J .0102(4) for failure to create or update records for the administration of medications at the time of the administration as noted on August 6, 2025.

02 NCAC 52J .0102(5) for failure to document the escape of the dog named Kota on July 30, 2025 in the incident log for the kennel as noted on August 6, 2025.

02 NCAC 52J .0102(6) for failure to notify AWS of Kota's escape within 48 hours of the incident as noted on August 6, 2025.

02 NCAC 52J .0201(d)(4) for failure to store clean laundry/bedding in cabinets or sealed containers as noted on August 6, 2025.

02 NCAC 52J .0201(m) for failure to be truthful with AWS Inspectors during an inspection as noted on August 6, 2025.

02 NCAC 52J .0203(h) for failure to provide a suitable method of drainage so that the standing water in the turf exercise yards was adequately drained as noted on August 6, 2025.

02 NCAC 52J .0204(a) for failure to provide surfaces in the animal enclosures that were impervious to moisture as noted on August 6, 2025.

02 NCAC 52J .0204(b) for failure to repair or replace damaged wood in the door framing at the back door of the new building so that the animals did not have access to wood as noted on August 6, 2025.

02 NCAC 52J .0204(f) for failure to provide inner fencing of the outside exercise yards that was a minimum height of 5 feet.

02 NCAC 52J .0204(g) for failure to construct primary enclosures to prevent the escape of animals as noted on August 6, 2025.

02 NCAC 52J .0207(a) for failure to properly clean enclosures twice daily as noted on August 6, 2025.

02 NCAC 52J .0209(2) for failure to renew the comingling agreements yearly for the two large dogs comingling at the kennel on August 6, 2025.

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, Pamela Byars, as owner of Classy Critters Pet Resort and Spa, is hereby assessed a civil penalty for the following violations:

\$100.00 for violation of 02 NCAC 52J .0102(1) for failure to maintain records of the date of entry and release for animals entering the kennel as noted on August 6, 2025.

\$200.00 for violation of 02 NCAC 52J .0102(3) for failure to maintain the required documentation for medications administered on July 31 and August, 1, 2, 3, 4, and 5, 2025 as noted on August 6, 2025.

\$100.00 for violation of 02 NCAC 52J .0102(4) for failure to create or update records for the administration of medications at the time of the administration as noted on August 6, 2025.

\$200.00 for violation of 02 NCAC 52J .0102(5) for failure to document the escape of the dog named Kota on July 30, 2025 in the incident log for the kennel as noted on August 6, 2025.

\$200.00 for violation of 02 NCAC 52J .0102(6) for failure to notify AWS of Kota's escape within 48 hours of the incident as noted on August 6, 2025.

\$200.00 for violation of 02 NCAC 52J .0201(m) for failure to be truthful with AWS Inspectors during an inspection as noted on August 6, 2025.

\$100.00 for violation of 02 NCAC 52J .0204(a) for failure to provide surfaces in the animal enclosures that were impervious to moisture as noted on August 6, 2025.

\$500.00 for violation of 02 NCAC 52J .0204(g) for failure to construct primary enclosures to prevent the escape of animals as noted on August 6, 2025. This escape resulted in an injury to the dog and harm to the public's safety as it caused a traffic accident.

\$200.00 for violation of 02 NCAC 52J .0207(a) for failure to properly clean enclosures twice daily as noted on August 6, 2025.

\$100.00 for violation of 02 NCAC 52J .0209(2) for failure to renew the comingling agreements yearly for the two large dogs comingling at the kennel on August 6, 2025.

\$1,900.00 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 license 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.

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

NOTICE of WARNING

As to the remaining violations of 02 NCAC 52J .0201(d)(4); .0203(h); and .0204(b) and (f), this Warning Letter serves as written notice indicating in which respects the kennel 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 license 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.



Date

Patricia Norris, DVM, MS
Director, Animal Welfare Section,
NCDA & CS

Appendix

REFERENCED LAWS 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.

§ 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;
- (3) veterinary care provided while boarded, which shall include date, times of administration, description of medication and initials of person administering product or procedure. The description of the medication shall include the name, strength or concentration, dosage, and dosing regimen. The dosage regimen shall include the frequency and duration to include the number of dosages or days to be given and the reason for the administration;
- (4) all records shall be created and/or updated at the time of the occurrence such as intake, medication or treatment administration and/or release. The record shall be accurate; creation of a misleading record or deliberate or non-incidental falsification of a record including medication administration during or after an investigation or inspection shall be considered a violation of this regulation;
- (5) an incident file shall be kept within each facility for animals sustaining injury or illness requiring veterinary care; animal death; and/or any animal escape. Each report shall include date of incident, pet's name, breed or breed type/species, age, owner's name and contact information, description of incident and course of action; and
- (6) in the event of either an animal death or escape, the licensee shall notify the Animal Welfare Section within 48 hours.

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

(d) Storage of food and bedding:

- (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

(m) A licensee or registrant and all agents of the facility shall be truthful with NCDA&CS employees during all phases of inspections or investigations.

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

(h) A suitable method of drainage shall be provided so that water is adequately drained from the primary enclosures, common areas, exercise areas and walkways and so that the animal(s) does/do not have access to standing water.

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 .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.

(b) For primary enclosures and exercise areas placed into service on or after January 1, 2005, no wood shall be within the animal's reach. For primary enclosures and exercise areas in use in a licensed or registered facility prior to January 1, 2005, any damaged wood shall be replaced in a manner that does not permit contact with wood by the animal.

(f) The height of a primary enclosure or an exercise area other than a cage shall be no less than five feet tall.

(g) All primary enclosures and exercise areas shall be constructed to prevent the escape of animals.

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 .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.

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.