



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 23, 2025

Kyle DeHaven
Greene County Manager
229 Kingold Blvd, Suite D
Snow Hill, NC 28580
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(5); .0206(a); and .0210(a)(3), (c), and (d) and NOTICE of WARNING for VIOLATION of 02 NCAC 52J .0207(a).

AWS-CP-2025-27 – Revised

Facility: Greene County Animal Shelter
Registration Number: 62

Dear County Manager DeHaven:

Pursuant to NCGS § 19A-40, I am issuing this notice that Greene County, as the operator of the Greene County Animal Shelter ("the shelter"), is hereby assessed a civil penalty of \$7,000.00 as provided in the enclosed Notice of Violation.

With regard to the civil penalty, within 60 days from the date of receipt of this Notice, 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 GREENE

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
GREENE COUNTY)	for VIOLATIONS of TITLE 02 NC
)	ADMINISTRATIVE CODE ("NCAC") CHAPTER
OPERATOR OF GREENE COUNTY)	52J SECTIONS .0101(5); .0206(a); .0210(a)(3), (c),
)	and (d) and NOTICE of WARNING for
ANIMAL SHELTER)	VIOLATION of 02 NCAC 52J .0207(a).
)	

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 Greene County Animal Shelter ("the shelter"), owned and operated by Greene County, was an animal shelter registered pursuant to NCGS §19A-26.
2. On December 11, 2025, AWS received a complaint alleging that the shelter failed to provide veterinary care to an injured cat. 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 December 12, 2025, AWS Veterinary Program Specialist Lynn ("Inspector Lynn") conducted the site visit portion of the complaint investigation. This following information was obtained during this site visit:
 - a. In violation of 02 NCAC 52J .0101(5), the shelter failed to consistently document the required information for the administration of medication. In addition, the medication logs are missing entries for numerous doses of medication;
 - b. In violation of 02 NCAC 52J .0206(a), the shelter failed to provide continuous access to fresh, potable water to cats in 19 enclosures as noted at 10:16 am. A recheck of these enclosures at 11:54 am showed that most continued to be without fresh, potable water;
 - c. In violation of 02 NCAC 52J .0207(a), the shelter failed to properly clean the cat enclosures twice daily as 1 hour after the cleaning should have started according to the shelter's renewal application for its AWS Animal Shelter Registration, no cleaning had been completed in the cat enclosures. The kennels housing the cats were soiled and contained soiled litter boxes. A very strong odor was present in the adoptable cat room due to the excessively soiled enclosures and litter boxes;
 - d. In violation of 02 NCAC 52J .0210(a)(3), the shelter failed to follow its Program of Veterinary Care detailed in its AWS Animal Shelter Registration application. In this application, the shelter stated that "vet care is provided as needed" and "Greene County Animal Services staff will call Dr. Jimmy Shaver of Northside Animal Hospital for all veterinary situation involving

- ill or injured animals.” The shelter did not follow these procedures in their failure to provide veterinary care to the cat named Penguin (Intake #349) or the kitten (Intake #323);
- e. In violation of 02 NCAC 52J .0210(c), the shelter failed to obtain and follow a veterinarian’s written recommendations for correcting the Upper Respiratory Infection (“URI”) that has been present at the shelter since at least October 22, 2025. At the time of the site visit, 28 kittens suffering from URI were present in the isolation room. A veterinarian had not been contacted concerning the treatment for any of these kittens or for this outbreak of infectious disease;
 - f. The cat named Penguin was impounded on December 1, 2025. The shelter’s intake notes for Penguin notes that the cat has a “possible broken right back leg” and “open wound right side of anus.” The shelter transferred this cat to a rescue on December 4, 2025. In violation of 02 NCAC 52J .0210(d), no veterinary care was provided to this cat by the shelter while it was in the care and custody of the shelter;
 - g. Kitten Intake #323 was impounded at the shelter as a stray on October 23, 2025. The kitten was intermittently and inconsistently treated with amoxicillin. The shelter did not have a veterinary standing order or a prescription from a veterinarian for the administration of this prescription medication to this kitten. This kitten’s medical condition was noted to be worsening significantly between November 25-26, 2025 and that the kitten had stopped eating. On November 29, 2029, the kitten started having seizures. The shelter transferred the kitten to a rescue on November 30, 2025. The kitten was taken to the veterinary clinic on November 30, 2025 by the rescue. The medical record notes showed the cat to be twitching, hypothermic (low body temperature), bradycardic (low heart rate), and severely dehydrated. Despite treatment, the kitten failed to respond and was euthanized on December 2, 2025. At no point while the kitten was in the care and custody of the shelter did the shelter consult with a veterinarian, provide adequate veterinary care or take the kitten to the veterinarian for treatment, in violation of 02 NCAC 52J .0210(d);
 - h. A tabby kitten, Intake #313, impounded on October 20, 2025, was noted to have a severe ocular lesion covering the majority of its right eye. In violation of 02 NCAC 52J .0210(d), the shelter had not consulted with a veterinarian or sought veterinary care for this kitten while it was in its care and custody. Inspector Lynn directed the shelter staff to either take the kitten to the veterinarian or humanely euthanize it so that it would not continue to suffer. Shelter staff notified Inspector Lynn that the kitten was euthanized later that afternoon;
 - i. Another tabby kitten, Intake #316, impounded on October 20, 2025, was noted to have an easily visible corneal ulcer in its left eye. Corneal ulcers are very painful. In violation of 02 NCAC 52J .0210(d), the shelter had not consulted with a veterinarian or sought veterinary care for this kitten while it was in its care and custody. Inspector Lynn directed the shelter staff to either take the kitten to the veterinarian or humanely euthanize it so that it would not continue to suffer. Shelter staff notified Inspector Lynn that the kitten was euthanized later that afternoon; and
 - j. An orange kitten, Intake #337, impounded on November 10, 2025, was noted to have very noisy, congested breathing and appeared to be lethargic. A review of the medication logs for this kitten showed that it had been inconsistently administered clindamycin starting on December 12, 2025. The shelter did not have a veterinary standing order or a prescription from a veterinarian for the administration of this prescription medication to this kitten. In violation of 02 NCAC 52J .0210(d), the shelter failed to provide adequate veterinary care in a timely manner to this kitten. Inspector Lynn directed the shelter staff to either take the kitten to the veterinarian or humanely euthanize it so that it would not continue to suffer. Shelter staff notified Inspector Lynn that the kitten was euthanized later that afternoon.

4. The medical records for Penguin were obtained from the attending veterinarian that treated the cat for the rescue. A review of these veterinary medical records showed that the cat had a comminuted (broken into 3 or more pieces) fracture of the left femur, a second fracture of the right femoral head (where the femur attaches to the pelvis), and a fractured pelvis. The damage to the pelvis was severe enough to interfere with Penguin's ability to defecate. Penguin also had a large wound over the pelvic area with purulent discharge (pus).

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(5) for failure to properly document the administration of medication for several animals as noted on December 12, 2025.

02 NCAC 52J .0206(a) for failure to provide continuous access to fresh, potable water to cats in 19 enclosures as noted on December 12, 2025.

02 NCAC 52J .0207(a) for failure to properly clean the cat primary enclosures a minimum of twice daily as noted on December 12, 2025.

02 NCAC 52J .0210(a)(3) for failure to implement the Program of Veterinary Care detailed in the shelter's 2026 Animal Shelter Registration renewal application as noted on December 12, 2025.

02 NCAC 52J .0210(c) for failure to obtain and follow a veterinarian's written recommendations for correcting the infectious disease problem that has been present at the shelter since at least October 22, 2025 as noted on December 12, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat named Penguin as noted on December 12, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the kitten Intake #323 as noted on December 12, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat Intake #313 as noted on December 12, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat Intake #316 as noted on December 12, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat Intake #337 as noted on December 12, 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, Greene County, as the owner and operator of the Greene County Animal Shelter, is hereby assessed a civil penalty for the following violations:

\$200.00 for violation of 02 NCAC 52J .0101(5) for failure to properly document the administration of medication for several animals as noted on December 12, 2025.

\$3,800.00 for 19 violations (\$200.00 per violation) of 02 NCAC 52J .0206(a) for failure to provide continuous access to fresh, potable water to cats in 19 enclosures as noted on December 12, 2025.

\$250.00 for violation of 02 NCAC 52J .0210(a)(3) for failure to implement the Program of Veterinary Care detailed in the shelter's 2026 Animal Shelter Registration renewal application as noted on December 12, 2025.

\$500.00 for violation of 02 NCAC 52J .0210(c) for failure to obtain and follow a veterinarian's written recommendations for correcting the infectious disease problem that has been present at the shelter since at least October 22, 2025 as noted on December 12, 2025.

\$1,000.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat named Penguin as noted on December 12, 2025.

\$500.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the kitten Intake #323 as noted on December 12, 2025.

\$250.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat Intake #313 as noted on December 12, 2025.

\$250.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat Intake #316 as noted on December 12, 2025.

\$250.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner to the cat Intake #337 as noted on December 12, 2025.

\$7,000.00 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 violation of 02 NCAC 52J .0207(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 23, 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:

- (5) record of veterinary care including medications, treatments, procedures, and immunizations. The record shall include: diagnosis(es), diagnostic testing and results, date and time of administration or procedure, description of medication and initials of person administering any product, medication 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, duration to include the number of dosages or days to be given and the reason for the administration; and

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 .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; 19A-30(3); Eff. April 1, 1984; Amended Eff. January 1, 2005; Readopted Eff. September 1, 2022.

02 NCAC 52J .0210 VETERINARY CARE

(a) A written program of veterinary care ('PVC') to include disease control and prevention, vaccination, euthanasia (animal shelters only), disposition of diseased, ill, injured, infirm or deformed animals, and provision of adequate routine and emergency veterinary care shall be established with the assistance of a licensed veterinarian by any person who is required to be licensed or registered under the Animal Welfare Act, Article 3 of Chapter 19A of the General Statutes. The following is required of each PVC:

- (3) The facility shall implement and follow the PVC; and
- (c) If there is a disease problem that persists for more than 30 days at the facility, the facility operator shall obtain and follow a veterinarian's written recommendations for correcting the problem. These recommendations shall include, at a minimum: sanitation of primary enclosures, common areas, exercise areas and accessories, and protocols for animal intake, evaluation, isolation, disease recognition and treatment and euthanasia (in animal shelters).
- (d) Each dog and cat shall be observed daily by the animal caretaker who has been adequately trained or is experienced in animal care or is under the direct supervision of a person who has such training or

experience. Sick or diseased, injured, lame, or blind dogs or cats shall be provided with adequate veterinary care in a timely manner or be euthanized, provided that the euthanasia shall not affect compliance with any state or local law requiring the holding, for a specified period, of animals suspected of being diseased. If an animal cannot be euthanized due to a required holding period and does not meet the criteria of G.S. 19A-32.1(b)(2), then adequate veterinary care shall be provided to the animal.

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