



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

April 14, 2025

Max and Bronwyn Drummond
Owners
Wags2Whiskers
401 North Raleigh Farm Road
Youngsville, NC 27596

NOTICE of CIVIL PENALTY

Re: CIVIL PENALTY ASSESSMENT for VIOLATION of NC GENERAL STATUTE § 19A-28

AWS-CP-2025-

Facility: Wags2Whiskers
License Number: Unlicensed

Dear Mr. and Mrs. Drummond:

Pursuant to NCGS § 19A-40, I am issuing this notice that you as owner and operator of an unlicensed boarding kennel (“the kennel”) are hereby assessed a civil penalty of \$500.00 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 or by email at 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 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
Samuel Gray, Assistant Attorney General

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

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

IN THE MATTER of)
)
MAX and BRONWYN DRUMMOND)
)
OWNERS of)
)
WAGS2WHISKERS)
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)

NOTICE of VIOLATION and
ASSESSMENT of CIVIL PENALTY
for VIOLATION of N.C. GENERAL
STATUTE (“NCGS”) § 19A-28

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, Max and Bronwyn Drummond, owners and operators of Wags2Whiskers provided boarding services at their residence (“the kennel”), located at 401 North Raleigh Farm Road, Youngsville, NC 27596. This kennel was not licensed with AWS as a boarding kennel pursuant to NCGS § 19A-28.
2. AWS obtained information from social media which advertised Wags2Whiskers as a facility offering boarding, therefore, 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, 2024, AWS Veterinary Program Specialist Sexton (“Inspector Sexton”) met with Mr. Drummond at this location and informed him of the statute requiring a facility to obtain an AWS boarding kennel license in order to provide boarding and day care services. Mr. Drummond then asked if the kennel received donations or tips instead of charging a fee would the kennel still need to be licensed. Inspector Sexton relayed that any monetary gain would be considered a fee for services. Near the end of that visit, Mr. Drummond stated that they would remove advertisements to the public and stop charging for their boarding services. Inspector Sexton offered to assist him in the licensing process should they decide to continue to operate as a kennel.
4. On January 16, 2025, social media posts for boarding services were found for the kennel. Despite the previous conversation on December 12, 2024 during which Mr. Drummond stated he would remove all advertisements for boarding services, Inspector Sexton had easily located advertisements on social media for boarding services at the kennel. On January 21, 2025, Inspector Sexton attempted to conduct another site visit at the location, but no one answered the door. Inspector Sexton spoke with Mr. and Mrs. Drummond on January 27, 2025. Inspector Sexton reiterated that a boarding kennel license from AWS was required by statute in order for the Drummonds to continue operating as a boarding kennel. Mr. and Mrs. Drummond agreed to remove their website and would no longer be

advertising boarding services. The Drummonds did not agree to stop providing boarding services at either of these visits.

5. On April 2, 2025, AWS Outreach Coordinator Blomquist (“Coordinator Blomquist”) attempted to conduct a follow-up site visit at the kennel but no one answered the door. He left a doorhanger with his contact information and requested that the Drummonds contact him. At this visit, 7 dogs were seen in the fenced backyard and numerous dogs were heard barking in the house.
6. On April 2, 2025, a search on social media showed that the kennel was still advertising boarding services and the Facebook page for the showed posts during 2025 on January 14, 2025, January 18, 2025, January 21, 2025, January 22, 2025, February 3, 2025, February 4, 2025 (2 posts), February 19, 2025, February 28, 2024, March 2, 2025, March 14, 2025, March 16, 2025, March 21, 2025, March 24, 2025, and April 2, 2025. These posts named the following dogs: MLK weekend pups, Tallulah, Hartley, Roxy, Maui, Pippin, Perogi, Gordon, Ruby, Ace, this week’s pups [Colley, Sadie, Jeter, Murphy, Maggie, Stanley, and Relay], Cosmo, Luna, Aribella, Tator Tot, Raven, Sparrow, Louis, Spotts, Olive, Liberty, Maggie, and Murphy. According to the Page Transparency section of this Facebook page, this page was created on May 9, 2014.
7. As the Drummonds failed to contact him as requested, on April 4, 2025, Coordinator Blomquist attempted to conduct a site visit at the kennel, but no one answered the door. A white truck was in the driveway and numerous dogs could be heard barking in the house. Approximately an hour later, the Drummonds called. Coordinator Blomquist reiterated the need to apply for a boarding kennel license from AWS. Once again, the Drummonds said that they would stop advertising boarding services and would stop charging a fee for their services. They did not agree to cease providing boarding and daycare services, but rather said they would only board dogs for their friends and family. Mrs. Drummond did state that she remembered discussing the requirement to obtain a boarding kennel license with Coordinator Blomquist approximately 2 years ago.
8. A review of AWS documentation shows that AWS has never received a boarding kennel license application or issued a boarding kennel license to the Drummonds for operation of a boarding kennel at 401 North Raleigh Farm Road, Youngsville, NC 27596.

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 willfully violated the following provision:

NCGS §19A-28 for willfully operating a boarding kennel without obtaining a license 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, Max and Bronwyn Drummond are hereby assessed a civil penalty for the following violation:

\$500.00 for the willful violation of NCGS § 19A-28 for operating a boarding kennel without obtaining a license granted by the AWS Director to operate such an establishment. This violation was deemed willful as the Drummonds had been notified previously of the statutes by AWS personnel.

\$500.00 TOTAL AMOUNT ASSESSED

Pursuant to NC General Statute § 19A-33, operation of a boarding kennel without a currently valid license constitutes a Class 3 misdemeanor with each day of operation constituting a separate offense. In addition, the operation of a boarding kennel without a valid license is a violation of the NC Animal Welfare Act and may result in the assessment of a civil penalty of up to \$5,000.00 per violation pursuant to NC General Statute § 19A-40 and/or denial of a future license application pursuant to NC General Statute § 19A-30.

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

April 14, 2025

Date



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

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-33. Penalty for operation of pet shop, kennel or auction without license.

Operation of a pet shop, kennel, or public auction without a currently valid license shall constitute a Class 3 misdemeanor subject only to a penalty of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00), and each day of operation shall constitute a separate offense.

§ 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.