



**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

Sheriff Johnny Barnes  
Washington County Sheriff's Office  
120 Adams Street  
Plymouth, NC 27962  
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); .0201(m); and .0210(d) and (h) and NOTICE of WARNING for VIOLATION of 02 NCAC 52J .0101(6); .0202(d); .0203(a)(2) and (b)(2); and .0204(a).**

**AWS-CP-2025-15**

**Facility: Washington County Animal Shelter  
Registration Number: 107**

Dear Sheriff Barnes:

Pursuant to NCGS § 19A-40, I am issuing this notice that the Washington County Sheriff's Office, as the operator of Washington County Animal Shelter ("the shelter"), is hereby assessed a civil penalty of \$1,650.00 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,

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 WASHINGTON

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

IN THE MATTER of )  
 )  
WASHINGTON COUNTY )  
 )  
SHERIFF’S OFFICE )  
 )  
OPERATOR OF WASHINGTON )  
 )  
COUNTY ANIMAL SHELTER )  
 )

NOTICE of VIOLATION and  
ASSESSMENT of CIVIL PENALTY  
for VIOLATIONS of TITLE 02 NC  
ADMINISTRATIVE CODE (“NCAC”) CHAPTER  
52J SECTIONS .0101(5); .0201(m); .0210(d) and  
(h); and NOTICE of WARNING for  
VIOLATION of 02 NCAC 52J .0101(6); .0202(d);  
.0203(a)(2) and (b)(2) and .0204(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 Washington County Animal Shelter (“the shelter”), owned and operated by the Washington County Sheriff’s Office, was an animal shelter registered pursuant to NCGS §19A-26.
2. On February 10, 2025, a Facility Compliance Inspection (“FCI”) of the shelter was conducted. The inspection was marked as “Disapproved” due to multiple violations of the AWA and its associated rules. The shelter was found to be in violation of 02 NCAC 52J .0202(d); .0203(d)(1); .0204(a); .0206(a); .0207(a); .0209(7)(a); and NCGS § 19A-32.1(e).
3. On April 4, 2025, a second FCI of the shelter was conducted. The inspection was marked as “Contingently/Conditionally Approved.” The shelter was found to be in violation of 02 NCAC 52J .0207(d)(3) and .0209(3). No one was available at the shelter at the time of the FCI to allow the Inspector access to the shelter’s records. Therefore, compliance with 02 NCAC 52J .0101(1) – (6); .0209(7); and .0210(d) and (h) could not be verified.
4. On July 8, 2025, a third FCI of the shelter was conducted. The inspection could not be completed as the Animal Control Officer (“ACO”) in charge of the shelter did not have access to the office and the shelter records were not able to be inspected. The Inspector returned on July 10, 2025 and the inspection was completed. The inspection report for these combined July FCIs was marked as “Disapproved” due to the severity of the violations and the repetitive nature of these violations of the AWA and its associated rules. The shelter was found to be in violation of NCGS § 19A-32.1(f), (g), (h), (i) and (j) and 02 NCAC 52J .0101(1), (2), (4), (5), and (6); .0103; .0202(d); 0203(a)(2) and (b)(2); .0204 (a); .0206(a); .0207(a); .0209(7)(a); and .0210(h).
5. On August 4, 2025, a fourth FCI of the shelter was conducted. The inspection report for August 4, 2025 FCI was marked as “Disapproved” due to the severity of the violations and the repetitive nature

of these violations of the AWA and its associated rules. The shelter was found to be in violation as follows:

- a. In violation of 02 NCAC 52J .0101(5), the shelter staff stated that 4 dogs had been taken to the veterinary clinic for fecal examinations. The veterinary clinic only had records for 2 dogs for fecal examinations. The shelter records did not document these examinations;
- b. In violation of 02 NCAC 52J .0101(5), the veterinary clinic records for Lucy D16 received "OTC flea meds at the shelter," but the shelter records do not document administration of flea medications to Lucy D16;
- c. In violation of 02 NCAC 52J .0101(5), the administration of Panacur to dogs named Lucy, Darla, Fudge and Lady daily for 6 days was not documented in the shelter records;
- d. In violation of 02 NCAC 52J .0101(6), the intake form does not have an area to record the date of intake. The intake date is being placed in the area for available date which could cause the shelter to violate NCGS § 19A-32.1;
- e. Despite the violations related to required record keeping, the AWS Inspector did note a vast improvement in the shelter record keeping system compared to the July 10, 2025 FCI;
- f. In violation of 02 NCAC 52J .0201(m), the shelter staff said that 4 dogs were taken to the veterinary clinic for fecal examinations and that the dog named Lucy was found not to have any intestinal worms. The veterinary clinic records show that 2 dogs had 2 fecal examinations completed, 2 more were scheduled for the next day but did not show up for their appointment, and that Lucy had hookworms and whipworms;
- g. In violation of 02 NCAC 52J .0202(d), the floors still need to be resealed so that they are impervious to moisture and can be readily sanitized;
- h. In violation of 02 NCAC 52J .0203(a)(2) and (b)(2), the gravel needs to be replenished;
- i. In violation of 02 NCAC 52J .0204(a), the kennel walls still need repainting;
- j. In violation of 02 NCAC 52J .0210(d), the shelter failed to provide adequate veterinary care to the brown female pit bull D21. The dog, impounded on July 24, 2025, was emaciated, had white gums, limping on her right rear leg, and showed a head tilt. No veterinary care had been provided to this dog. The AWS Inspector directed the shelter staff to take this animal to a veterinarian within 24 hours. The dog was taken to the veterinarian the next morning and euthanized due to her condition;
- k. In violation of 02 NCAC 52J .0210(d), the shelter did not provide adequate veterinary care in the administration of deworming medications to Lucy, Fudge, Darla, and Lady. The veterinarian prescribed Panacur to be given at 1 cc per 4 lbs. of body weight daily for 3 consecutive days. According to the shelter's medical logs, Lucy received either 2 or 4 ccs (instead of the 6.5 ccs prescribed based on her weight) of Panacur daily for 6 days. Fudge received either 2 or 4 ccs (instead of the 8.5 ccs prescribed based on his weight) for 6 days. The other dogs, Darla and Lady, were also administered varied amounts of Panacur. The shelter had no weight for these dogs and, therefore, the appropriate dosage could not be verified; and
- l. In violation of 02 NCAC 52J .0210(h), 4 dogs that were older than 4 months of age and had been housed at the shelter for more than 14 days were not vaccinated for rabies.

## 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 maintain records of veterinary care provided to animals including the following: 1) fecal examinations and the results for Lucy and Fudge; 2) the administration of flea medications to Lucy; and 3) the details of the administration of Panacur to Lucy, Fudge, Darla, and Lady as noted on August 4, 2025.

02 NCAC 52J .0101(6) for failure to record the date of intake on the impound forms as noted on August 4, 2025.

02 NCAC 52J .0201(m) for failure to be truthful with AWS staff during an inspection as to the number of dogs taken in for fecal examination and the results of the fecal examination for Lucy as noted on August 4, 2025.

02 NCAC 52J .0202(d) and .0204(a) for failure to maintain surfaces in the facility so that they are impervious to moisture and easily sanitized as noted on August 4, 2025.

02 NCAC 52J .0203(a)(2) and (b)(2) for failure to maintain a minimum depth of 6” of gravel in the outdoor primary enclosures and exercise areas as noted on August 4, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner for the brown female pit bull D21 impounded on July 24, 2025 as noted on August 4, 2025. The dog was euthanized on August 5, 2025.

02 NCAC 52J .0210(d) for failure to provide adequate veterinary care for Lucy, Fudge, Darla, and Lady in the administration of a deworming medication not in compliance with the veterinary prescription as noted on August 4, 2025.

02 NCAC 52J .0210(h) for failure to vaccinate 4 animals that were older than 4 months and had been housed at the shelter for more than 15 days for rabies as noted on August 4, 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, Washington County Sheriff's Office, as the owner and operator of the Washington County Animal Shelter, is hereby assessed a civil penalty for the following violations:

\$300.00 for 3 violations (\$100.00 for each violation) of 02 NCAC 52J .0101(5) for failure to maintain records of veterinary care provided to animals as noted on August 4, 2025.

\$200.00 for violation of 02 NCAC 52J .0201(m) for failure to be truthful with AWS staff during an inspection as noted on August 4, 2025

\$500.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care in a timely manner for the brown female pit bull D21 impounded on July 24, 2025 as noted on August 4, 2025.

\$250.00 for violation of 02 NCAC 52J .0210(d) for failure to provide adequate veterinary care for Lucy, Fudge, Darla and Lady in the administration of a deworming medication not in compliance with the veterinary prescription as noted on August 4, 2025

\$400.00 for 4 violations (\$100.00 for each violation) of 02 NCAC 52J .0210(h) for failure to vaccinate 4 animals that were older than 4 months and had been housed at the shelter for more than 15 days for rabies as noted on August 4, 2025.

**\$1,650.00 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 .0101(6); .0202(d), .0203(a)(2) and (b)(2), and .0204(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)

August 13, 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
- (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-incident 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**

(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 .0202 INDOOR FACILITIES**

(d) Interior building surfaces of indoor facilities with which animals come in contact shall be constructed and maintained so that they are impervious to moisture and can be readily sanitized.

*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**

(a) In outdoor facilities that are subject to the Animal Welfare Act, primary enclosures, common areas and walkways with which an animal comes in contact:

(2)      may use gravel for groundcover so long as it is maintained at a minimum depth of six inches and maintained in a sanitary manner as prescribed in Rule .0207 of this Subchapter.

(b) Exercise areas of outdoor facilities:

(2)      use gravel for groundcover so long as it is maintained at a minimum depth of six inches and kept in a sanitary manner; and/or

*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.

*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 .0210      VETERINARY CARE**

(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.

(h) All animals in a licensed or registered facility shall be in compliance with the North Carolina rabies law, G.S. 130A, Article 6, Part 6. This subsection shall not apply to animals which have been in the facility less than 15 days.

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