



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

March 27, 2026

Marie and Justin Plummer
Winston Salem Dog Care and Pet Services
4680 Tobaccoville Road
Tobaccoville, North Carolina 27050
WSdogcare@gmail.com

NOTICE of CIVIL PENALTY and NOTICE of WARNING - REVISED

Re: CIVIL PENALTY ASSESSMENT for VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE (NCAC) CHAPTER 52J SECTIONS .0201(b); .0203(e); .0204(a), (j), and (k); and .0206(a) and NOTICE of WARNING for VIOLATIONS of 02 NCAC 52J .0202(d); .0209(1) and (8); and .0210(d).

AWS-CP-2026-2

Facility: Winston Salem Dog Care and Pet Services
License Number: 20908

Dear Mr. and Mrs. Plummer:

Pursuant to NCGS § 19A-40, I am issuing this notice that you, as the owners of Winston Salem Dog Care, (“the kennel”), are hereby assessed a civil penalty of \$1,800.00 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 FORSYTH

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

IN THE MATTER OF)
)
MARIE and JUSTIN PLUMMER)
)
OWNERS of)
)
WINSTON SALEM DOG CARE)
)
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)
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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 Winston Salem Dog Care and Pet Services (“the kennel”), owned and operated by Marie and Justin Plummer, was a boarding kennel licensed pursuant to NCGS § 19A-28.
2. On March 6, 2026, in compliance with 02 NCAC 52J .0102(6), the kennel reported that a dog named Reagan died at the facility that day. The kennel reported that the dog jumped unseen into a dryer while it was being loaded with laundry. The dryer completed its drying cycle. Reagan was found deceased inside the dryer when it was emptied approximately 80 minutes after the time the dryer was started. Based on this information, AWS initiated 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 March 18, 2026, AWS conducted the site visit portion of the investigation. The findings obtained during the site visit included:
 - a. In violation of 02 NCAC 52J .0201(b), on March 6, 2026, the kennel failed to protect the electrical appliances in the laundry area so that the animals did not have access to them. According to kennel personnel, the barrier that had been in place was moved the previous day. Kennel personnel relayed that 7 dogs had interacted with the accessible dryer prior to the incident with Reagan. The kennel was previously cited for this violation in the August 12, 2025 Facility Compliance Inspection (“FCI”) report;
 - b. In violation of 02 NCAC 52J .0201(b), on March 18, 2026, the kennel failed to protect electrical outlets and cords under the table in the kitchen area enclosure where the dogs were free roaming. The kennel was previously cited for this violation in the August 12, 2025 FCI report;
 - c. In violation of 02 NCAC 52J .0202(d), the kennel failed to maintain the interior building

- surfaces so that they were impervious to moisture in the laundry area enclosure as the dogs were free roaming in this area on March 6, 2026. With the barrier removed, the dogs had access to these non-impervious surfaces;
- d. In violation of 02 NCAC 52J .0203(e), the kennel failed to provide adequate protection from inclement weather and sun sufficient to protect all animals simultaneously in the outdoor gravel play/exercise area as observed on March 18, 2026;
 - e. In violation of 02 NCAC 52J .0204(a), the kennel failed to provide impervious surfaces in the kitchen area where the dogs were free roaming on March 18, 2026. Some of the dogs were large enough to reach the non-impervious surfaces in this area;
 - f. In violation of 02 NCAC 52J .0204(j), on March 18, 2026, the kennel failed to provide supervision of the 5 dogs housed in the kitchen area enclosure. The kennel was previously cited for this violation in the August 12, 2025 FCI report;
 - g. In violation of 02 NCAC 52J .0204(k), on March 6, 2026, the kennel failed to provide supervision of the 11 dogs housed in the laundry area enclosure in the required ratio of 1 supervising employee for each 10 dogs. On that day, only 1 employee was supervising the 11 dogs in this area. Reagan was one of the 11 dogs that were insufficiently supervised in this area on the day he died. The kennel was previously cited for this violation in the August 12, 2025 FCI report;
 - h. In violation of 02 NCAC 52J .0206(a), the kennel failed to provide continuous access to water to a Rottweiler (dog) housed in the main basement. No water receptacle was present in this dog's enclosure. During the duration of the AWS site visit on March 18, 2026, this dog remained without water. Water was not provided to the dog until the AWS Inspectors directed the kennel personnel to do so. The kennel was previously cited for this violation in the February 18, 2025 and August 12, 2025 FCI reports;
 - i. In violation of 02 NCAC 52J .0209(1), based on a review of the kennel's incident log, on February 14, 2026, the kennel housed a female dog in estrus in the same enclosure or exercise area with an intact male dog. When the dogs were observed to be breeding, the kennel staff separated them;
 - j. In violation of 02 NCAC 52J .0209(8), the kennel housed dogs in enclosures/exercise areas that had not been inspected and found to be in compliance as primary enclosures or exercise areas prior to use as such. On March 6, 2026, 11 dogs were free roaming in the laundry area enclosure and one of these dogs, Reagan, died. This area had previously been inspected as an area where a barrier was in place separating the washer and dryer, the dogs were housed in crates as the primary enclosures, and the animals only had access to the area when they were taken in and out of the crates. This area had not been approved as a primary enclosure or an exercise area. On March 18, 2026, animals were being housed in the laundry area enclosure and the kitchen area enclosure. Neither of these areas had been inspected by AWS and found to be in compliance as primary enclosures or exercise areas. The staff stated they only used these areas when the weather was inclement. The weather was not inclement on March 18, 2026; and
 - k. In violation of 02 NCAC 52J .0210(d), based on a review of the kennel's incident log, on January 7, 2026, the kennel failed to provide adequate veterinary care in a timely manner for a dog named Bella. Bella arrived at the kennel exhibiting a head tilt that worsened throughout the day. The kennel did not contact Bella's owner or seek veterinary care for the dog. Upon the dog being returned to the owner, the owner took the dog to the veterinarian where the decision to humanely euthanize the dog was made.

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 .0201(b) for failure to protect electrical appliances so that the animals did not have access to them on March 6, 2026. This violation resulted in the death of the dog named Reagan. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

02 NCAC 52J .0201(b) for failure to protect electrical outlets and cords so that the animals did not have access to them as noted on March 18, 2026. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

02 NCAC 52J .0202(d) for failure to maintain the interior building surfaces so that they were impervious to moisture on March 6, 2026. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

02 NCAC 52J .0203(e) for failure to provide adequate protection from inclement weather and sun sufficient to protect all animals simultaneously in the outdoor gravel play/exercise area as observed on March 18, 2026.

02 NCAC 52J .0204(a) for failure to provide impervious surfaces in the kitchen area where the dogs were free roaming on March 18, 2026.

02 NCAC 52J .0204(j) for failure to provide supervision of the 5 dogs housed in the kitchen area enclosure as observed on March 18, 2026. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

02 NCAC 52J .0204(k) for failure to provide supervision of the 11 dogs housed in the laundry area enclosure in the required ratio of 1 supervising employee for each 10 dogs on March 6, 2026. On that day, only 1 employee was supervising the 11 dogs in this area. Reagan was one of the 11 dogs that was insufficiently supervised in this area on the day he died. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

02 NCAC 52J .0206(a) for failure to provide continuous access to water to a dog as noted on March 18, 2026. The kennel was previously cited for this violation in the February 18, 2025 and August 12, 2025 FCI reports.

02 NCAC 52J .0209(1) for housing a female dog in estrus in the same enclosure or exercise area with an intact male dog on February 14, 2026.

02 NCAC 52J .0209(8) for housing dogs in enclosures/exercise areas that had not been inspected and found to be in compliance as primary enclosures or exercise areas prior to use as such on March 6, 2026 and March 18, 2026.

02 NCAC 52J .0206(a) for failure to provide adequate veterinary care in a timely manner for the dog named Bella despite worsening of a medical condition during the time the kennel had care and custody of the dog. The dog was euthanized later the same day.

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, Marie and Justin Plummer, as owners of Winston Salem Dog Care and Pet Services, are hereby assessed a civil penalty for the following violations:

\$500.00 for violation of 02 NCAC 52J .0201(b) for failure to protect electrical appliances on March 6, 2026. This violation resulted in the death of the dog named Reagan. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

\$100.00 for violation of 02 NCAC 52J .0201(b) for failure to protect electrical outlets and cords so that the animals did not have access to them as noted on March 18, 2026. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

\$200.00 for violation of 02 NCAC 52J .0203(e) for failure to provide adequate protection from inclement weather and sun sufficient to protect all animals simultaneously in the outdoor gravel play/exercise area as observed on March 18, 2026.

\$100.00 for violation of 02 NCAC 52J .0204(a) for failure to provide impervious surfaces in the kitchen area where the dogs were free roaming on March 18, 2026.

\$200.00 for violation of 02 NCAC 52J .0204(j) for failure to provide supervision of the 5 dogs housed in the kitchen area enclosure as observed on March 18, 2026. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

\$500.00 for violation of 02 NCAC 52J .0204(k) for failure to provide sufficient supervision of the 11 dogs housed in the laundry area enclosure on March 6, 2026. On that day, only 1 employee was supervising the 11 dogs in this area. Reagan was one of the 11 dogs that were insufficiently supervised in this area when he died. The kennel was previously cited for this violation in the August 12, 2025 FCI report.

\$200.00 for violation of 02 NCAC 52J .0206(a) for failure to provide continuous access to water to a dog as noted on March 18, 2026. The kennel was previously cited for this violation in the February 18, 2025 and August 12, 2025 FCI reports.

\$1,800.00 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 .0202d; .0209(1) and (8); and .0210(d) 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.

March 27, 2026
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:

- (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

(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.

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. September 1, 2022.

02 NCAC 52J .0203 OUTDOOR FACILITIES

(e) Dogs and cats in outdoor areas shall be provided adequate protection from inclement weather and the Sun. This protection shall be sufficient to protect all animals simultaneously in the exercise area. If an animal cannot maintain its normal body temperature in an outdoor exercise area, the animal shall not be placed in an outside exercise area.

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.

(j) Not more than four adult dogs shall be housed or confined in the same primary enclosure or exercise area without supervision. Dogs younger than six months of age shall not be housed or confined or comingled with adult dogs other than their dams without supervision; this includes any animals owned by the staff or operator of the facility.

(k) If more than four dogs including animals owned by the staff or operator of the facility are housed or confined in an exercise area or primary enclosure, then there shall be at least one person constantly supervising each 10 dogs housed or confined within each primary enclosure or exercise area. This supervision shall be conducted from within the exercise area or primary enclosure such that the person(s) has/have immediate access to the animals in the event of an emergency, aggression or fight between 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 .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 .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:

- (1) Females in season (estrus) shall not be housed in the same primary enclosure or exercise area with intact or neutered males, except for planned breeding purposes. Breeding shall not be allowed in animal shelters.
- (8) All animals shall be confined in primary enclosures or exercise areas. Primary enclosures and exercise areas shall be inspected by the Animal Welfare Section and in compliance with the rules of this Subchapter before an animal can be confined in the enclosure or area.

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

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