

**21—67.3(162) Housing facilities and primary enclosures.****67.3(1) Housing facilities.**

a. Buildings shall be of adequate structure and maintained in good repair so as to ensure protection of animals from injury.

b. Shelter shall be provided to allow access to shade from direct sunlight and regress from exposure to wind, rain or snow. Heat, insulation, or clean and dry bedding adequate to provide comfort shall be provided when the atmospheric temperature is below 50°F or the temperature to which the particular animals are acclimated. Indoor housing facilities shall be provided for dogs and cats under the age of eight weeks and for dogs and cats within two weeks of whelping. Dogs and cats that are not acclimated to the temperatures prevalent in the area or region where they are kept and sick, aged, young or infirm dogs and cats cannot be housed in outdoor facilities.

c. Temperature.

(1) Indoor housing facilities for dogs and cats must be capable of controlling the temperature in the housing facility and sufficiently heated and cooled when necessary to protect dogs and cats from temperature or humidity extremes and to provide for their well-being.

(2) When dogs and cats are present, the ambient temperature in the indoor housing facility cannot fall below 50°F for dogs and cats not acclimated to lower temperatures, for breeds that cannot tolerate lower temperatures without stress or discomfort, and for sick, aged, young or infirm dogs and cats except as approved by the attending veterinarian. Heat, insulation, clean and dry bedding or other methods of conserving body heat that are adequate to provide comfort shall be provided when the atmospheric temperature is below 50°F. The ambient temperature must not fall below 45°F or rise above 85°F for more than four consecutive hours when dogs or cats are present.

d. Ventilation. Indoor and outdoor housing facilities shall at all times be provided with ventilation by means of doors, windows, vents, air conditioning or direct flow of fresh air that is adequate to provide for the good health and comfort of the animals. Such ventilation shall be environmentally provided so as to maintain adequate temperature and minimize drafts, moisture condensation, odors or stagnant vapors of excreta. Auxiliary ventilation, such as fans, blowers or air conditioning, must be provided when the ambient temperature is above 85°F. Relative humidity must be maintained at a level that ensures the health and well-being of the animals housed in the housing facility. Indoor housing facilities must be capable of the following:

- (1) Maintaining humidity levels between 30 percent and 70 percent; and
- (2) Rapidly eliminating odors from within the building.

e. Adequate lighting shall be provided by natural or artificial means, or both, during sunrise to sunset hours to allow efficient cleaning of the facilities and routine inspection of the facilities and animals contained therein.

f. Ceilings, walls and floors shall be constructed so as to lend themselves to efficient cleaning and sanitizing. Such surfaces shall be kept in good repair and maintained so that they are substantially impervious to moisture. Floors and walls to a height of four feet shall have finished surfaces. No sharp or jagged edges may be present that may injure an animal. Animal contact surfaces must be free of excessive rust that prevents required cleaning and sanitizing or that affects the structural strength of the surface or that may be detrimental to the health of the animal.

g. Food supplies and bedding materials shall be stored so as to adequately protect them from contamination or infestation by vermin or other factors which would render the food or bedding unclean. Separate storage facilities shall be used to store cleaning and sanitizing equipment and supplies.

h. Washrooms, basins or sinks for maintaining cleanliness among animal caretakers and the sanitizing of food and water utensils shall be provided within or be readily accessible to each housing facility.

i. Equipment shall be available for removal and disposal of all waste materials from housing facilities to minimize vermin infestation, odors and disease hazards. Drainage systems shall be functional to effect the above purposes.

j. Group housing is permitted for animals that are compatible with one another, except as otherwise stated herein. Adequate space shall be provided to prevent crowding and to allow freedom of

movement and comfort to animals of the size which are housed in the facility. Females in estrus shall not be housed with males except for breeding purposes.

*k.* Facilities shall be provided to isolate diseased animals and to prevent exposure to healthy animals.

*l.* Outdoor dog runs and exercise areas shall be of sound construction and kept in good repair so as to safely contain the animal(s) therein without injury. Floors shall be concrete, gravel or materials which can be regularly cleaned and kept free of waste accumulation. Grass runs and exercise areas are permissible provided that adequate ground cover is maintained, holes are kept filled and the ground cover is not allowed to become overgrown. Dog runs and exercise areas utilizing wire floors are permissible provided that the wire floors are not injurious to the animals and are adequately maintained. Wire flooring cannot cause injury to any animal contained in a dog run or exercise area that has wire flooring and must:

- (1) Have a solid resting surface of adequate size for an animal to lay on its side;
- (2) Be in good repair, free of excessive rust that prevents required cleaning and sanitizing or that affects the structural strength of the surface or that may be detrimental to the health of the animal;
- (3) Be free of jagged or sharp edges, and constructed so as to lend itself to efficient cleaning and sanitizing; and
- (4) Be of a gauge and construction to prevent bending and sagging and to prevent physical harm to an animal or entrapment of the feet of an animal housed within the primary enclosure.

*m.* Housing facilities and areas used for storage of food or bedding must be free of trash, garbage, waste, weeds, debris and other materials potentially harmful to animals.

*n.* Animal areas must be kept clean, neat, and free of clutter.

*o.* The department may limit the number of animals allowed in any housing facility based on, but not limited to, the number of available primary enclosures, the animal care space available within a facility, or lack of available personnel to care for the animals.

**67.3(2) Primary enclosures.**

*a.* Primary enclosures shall be of sound construction and maintained in good repair to protect the animals from injury. No sharp points or jagged edges may be present that may cause injury to an animal. Animal contact surfaces must be free of excessive rust that prevents required cleaning and sanitizing or that affects the structural strength of the surface or that may be detrimental to the health of the animal. Animal contact surfaces must also be free of jagged edges, sharp points and anything that may cause injury to an animal.

*b.* Construction materials and maintenance shall allow the animals to be kept clean and dry. Walls and floors shall be impervious to urine and other moisture and lend themselves to efficient cleaning and sanitizing.

*c.* A primary enclosure shall provide for adequate space appropriate for the age, size, weight, breed, and temperament of the animal.

*d.* The shape and size of the enclosure shall afford adequate space for the individual animals within the enclosure. Adequate space includes, but is not limited to, allowing the animal the ability to comfortably reposition, turn about, stand erect, sit or lie while limbs are fully extended. Cats must have adequate space for a litter box so that litter does not contaminate food and water.

*e.* A nursing bitch or queen must be provided additional space. The amount of additional space required should be based on the breed and behavioral characteristics of the animal.

*f.* The department may limit the number of animals housed in a primary enclosure based on, but not limited to, the amount of available and usable floor space, personnel available to care for the animals and the compatibility of the animals within the enclosure.

*g.* Group housing.

(1) Group housing for animal shelters, pounds, commercial breeders, pet shops, dealers, public auctions or research facilities is permitted for animals that are compatible with one another, except as otherwise stated herein. Adequate space shall be provided to prevent crowding and to allow freedom of movement and comfort to animals of the size which are housed within the primary enclosure. No more than 12 adult dogs or cats may be housed in the same primary enclosure. Dogs and cats shall not be housed in the same primary enclosure.

(2) Group housing in boarding kennels and commercial kennels is permitted only if the animals are owned by the same person and are compatible or by operating as a dog day care as required in rule 21—67.8(162).

*h.* Elevated resting surfaces are required for cats housed in groups of four or more. Elevated resting surfaces must be collectively large enough to simultaneously hold all occupants of a primary enclosure and must be impervious to moisture, easily cleaned and sanitized, easily replaced, and of sufficient elevation for the cats enclosed in the primary enclosure to comfortably lay under the elevated surfaces.

*i.* Litter boxes containing clean litter shall be provided at all times for kittens and cats. Adequate litter boxes must be provided for the number of cats within a primary enclosure. Litter boxes must:

(1) Be cleaned at minimum once daily or more often as necessary to prevent the accumulation of animal waste;

(2) Contain adequate litter and be of adequate size; and

(3) Be cleaned and sanitized in a separate sink from food and water receptacles. If a separate sink is not available, then the sink must be cleaned and sanitized after the litter boxes are washed and before anything else is washed in the sink.

*j.* Animal waste, including used cat litter, must be removed from primary enclosures at minimum once daily or more frequently to prevent the accumulation of waste and contamination of the animals contained within the primary enclosure and must be discarded in accordance with state, county and local ordinances.

*k.* Means shall be provided to maintain the temperature and ventilation that are comfortable for the species within the primary enclosure. Lighting shall be adequate to allow observation of the animals, but the animals shall be protected from excessive illumination.

*l.* Animals shall be removed from their primary enclosures at least twice in each 24-hour period and exercised unless the primary enclosure is of sufficient size to provide for sufficient exercise. The amount of exercise should be appropriate for the age, breed, and health condition of the animal. Impounded animals, animals deemed too dangerous to be removed from the primary enclosure, and animals undergoing rabies quarantine may be exempt from removal from their primary enclosure but must be housed in a primary enclosure large enough to allow for exercise within the primary enclosure. Animals under the medical supervision of a veterinarian may be exempt in writing from exercise if exemption is deemed medically appropriate by the attending veterinarian.

*m.* Doghouses with tethered restraints, including but not limited to chains, cannot be used as primary enclosures for dogs but may be used for the purpose of exercise. The tethered restraint used shall be placed or attached so that it cannot become entangled with the tethered restraints of other dogs or any other objects. Such tethered restraints shall be of a type commonly used for the size of dog involved and shall be attached to the dog by means of a well-fitted collar. Such tethered restraints shall be at least three times the length of the dog as measured from the tip of the dog's nose to the base of its tail and shall allow the dog convenient access to the doghouse.

*n.* Primary enclosures containing wire flooring cannot cause injury to any animal contained in the primary enclosure, and the wire flooring must:

(1) Have a solid resting surface of adequate size for an animal to lay on its side;

(2) Be in good repair, free of excessive rust that prevents required cleaning and sanitizing or that affects the structural strength of the surface or that may be detrimental to the health of the animal;

(3) Be free of jagged or sharp edges, and constructed so as to lend itself to efficient cleaning and sanitizing; and

(4) Be of a gauge and construction to prevent bending and sagging and to prevent physical harm to an animal or entrapment of the feet of an animal housed within the primary enclosure.

*o.* When primary enclosures are stacked, all stacked enclosures must be secured so that the upper primary enclosure(s) cannot fall in a manner which may cause injury or harm to any animal. A means to prevent urine, feces, and other debris from passing into or being discharged into the underlying primary enclosure(s) is required.

*p.* All enclosures must be impermeable to water and easily cleaned and sanitized.

*g.* Bedding within primary enclosures must be easily cleaned and sanitized or disposable.  
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