

21—67.7(162) Boarding kennels, commercial kennels, animal shelters, pounds and dealers.**67.7(1) Boarding kennels and commercial kennels.**

a. Records shall be made and retained for a period of 12 months for each animal boarded, groomed or trained. Records shall include the following:

- (1) Owner's name, address, telephone number and email address;
- (2) Identification of animal;
- (3) Duration of animal's stay;
- (4) Service(s) provided;
- (5) Any illnesses which have occurred and veterinary treatment the animal received; and
- (6) Written documentation of the animal's vaccinations or vaccination exemptions from a veterinarian.

b. All dogs and cats transported into boarding kennels and commercial kennels regulated under Iowa Code chapter 162 shall have been vaccinated against distemper, parvo and rabies, unless exempted by Iowa Code section 351.42 or the direct written recommendation of a qualified veterinarian. Vaccine records and exemptions must be kept on file for a period of 12 months for each animal boarded, groomed, or trained.

c. Vaccine titers shall not be accepted as a form of vaccine verification. Vaccine records and written vaccine exemptions shall be kept on file. Acceptable forms of documentation for vaccine verification include the following:

- (1) Written documentation of vaccination from a veterinarian;
- (2) A rabies certificate signed by a veterinarian.

d. Animals exhibiting symptoms of disease shall be promptly examined and treated by a veterinarian.

e. Group housing is permitted only if the animals are owned by the same person and are compatible.

f. Grooming and training utensils and equipment shall be cleaned and sanitized between use on animals owned by different persons.

g. Primary enclosures shall be cleaned and sanitized between use in containing animals owned by different persons. Primary enclosures must be cleaned at least once daily and sanitized weekly for animals staying overnight.

h. Primary enclosures shall utilize latches that cannot be inadvertently opened or shall be equipped with some form of locking device so as to prevent the accidental release of the animal contained in the primary enclosure.

67.7(2) Animal shelters and pounds.

a. Dogs, cats and other vertebrates upon which euthanasia may be permitted by law shall be destroyed only by euthanasia in a manner deemed acceptable by and published in the American Veterinary Medical Association Guidelines for Euthanasia of Animals: 2013 Edition.

b. Animal shelters and pounds shall develop and implement a plan providing for the surgical sterilization of all dogs and cats released, unless exempted from this provision in accordance with Iowa Code section 162.20(5).

c. Sterilization agreements shall contain the following:

- (1) The name, address and signature of the person receiving custody of the dog or cat.
- (2) A complete description of the animal, including any identification.
- (3) The signature of the representative of the pound or animal shelter.
- (4) The date that the agreement is executed and the date by which sterilization must be completed.
- (5) A statement which states the following:

1. Sterilization of the animal is required pursuant to Iowa Code section 162.20.
2. Ownership of the dog or cat is conditioned upon the satisfaction of the terms of the agreement.
3. Failure to satisfy the terms of the agreement constitutes a breach of contract, requiring the return of the dog or cat.

4. A person failing to satisfy the sterilization provisions of the agreement is guilty of a simple misdemeanor.

d. In addition to maintaining the records required by subrule 67.6(1), animal shelters and pounds shall maintain, for a period of 12 months, the following records:

- (1) Euthanasia records, including date of entry, source of animal, and date of euthanasia.
- (2) Sterilization agreements, including confirmation in the form of a receipt furnished by the office of the attending veterinarian.
- (3) Disposition records of all animals lawfully claimed by owners, research facilities, or Class B federal dealers.

e. A pound or animal shelter may apply in writing for an enforcement waiver pursuant to Iowa Code section 162.20(5) “*b.*” The application shall include the specific guidelines under which the waiver is being requested and a certified copy of the ordinance providing the basis for the waiver application. A waiver application fee of \$10 shall accompany the application.

f. A pound or animal shelter shall be subject to civil penalties as provided in Iowa Code section 162.20(3) “*c.*” for not procuring and maintaining required records documenting compliance with the sterilization agreement, successfully seeking return of the animal from a noncompliant custodian, failing to effect a sterilization agreement when required for an animal which is released, or seeking legal recourse as provided in Iowa Code section 162.20(4). The pound or animal shelter shall be entitled to appeal pursuant to Iowa Code chapter 17A.

67.7(3) Dealers.

a. A dealer license is required to operate as a dealer in Iowa. This requirement applies to residents and nonresidents of Iowa, including dealer foster homes in Iowa.

b. All dogs and cats taken in by or in the possession of a dealer must be vaccinated and kept current against distemper, parvo and rabies, unless exempted by Iowa Code section 351.42 or the direct written recommendation of a qualified veterinarian. A signed rabies certificate or other written documentation from a veterinarian is required to verify vaccination compliance. Vaccine titers are not sufficient for demonstrating vaccine compliance. Dealers must provide vaccine records or exemptions to the department upon request.

c. Dogs and cats brought into the state of Iowa must meet the importation requirements stated in rule 21—65.10(163).

d. A dealer with housing facilities must meet the requirements provided for housing facilities and primary enclosures in rule 21—67.3(162) and in-home facilities in rule 21—67.9(162).

e. A dealer must maintain records and statement of sales as provided for in rule 21—67.6(162).

f. A dealer approved by the department to act as a fostering oversight organization must meet the requirements for fostering oversight organizations and foster care homes provided in rule 21—67.11(162). A dealer may not utilize or oversee a foster home without prior written authorization of the department.

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