

February 2, 2005

Governor Edward G. Rendell  
225 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Governor Rendell:

It has been two years since your Secretary of Agriculture, Mr. Wolff, promised representatives from Hearts United for Animals that you were concerned about the conditions in the commercial kennels in Pennsylvania and that you would definitely take steps to correct the situation. In two years there have been no improvements. We have great respect for the wonderful work you did as Mayor of Philadelphia and appreciate the steps you have taken to address the problems confronting Pennsylvania. Those two facts coupled with the fact that you are well known to be a dog lover influenced us into giving you the benefit of the doubt. But the dogs continue to suffer in Pennsylvania. This is a disgrace for this state and must be addressed.

The Pennsylvania Dog Law states in section 459-207(b) that "all kennels shall be maintained in a sanitary and humane condition in accordance with the standards and sanitary codes promulgated by the secretary through regulations." This gives the Secretary of Agriculture the ability to make changes in the regulations that address sanitary and humane conditions in the kennels. The regulations that implement the Dog Law are vague and do not provide adequate protection for the dogs. The Pennsylvania District Justices have refused to enforce the provisions on the grounds that they are so vague that no reasonable person could be expected to understand what was required by the regulations.

Therefore, by this letter we request that you direct Secretary Wolff to take action to implement revisions to the Dog Law regulations that will help protect the dogs. We have attached proposed revisions that provide for sanitation, safety and temperature control. During the recent Philadelphia Eagles football game the world saw how terribly cold it can be in Pennsylvania. Our research and surveys indicate that the citizens of this state and the nation strongly disapprove, by huge margins, of keeping dogs in kennels without heat. That is precisely what is happening in Pennsylvania. If President Bush can unilaterally dismantle decades of environmental laws through regulatory revision, then it should not be difficult for you to provide heat for the dogs who are imprisoned for their entire lives in cages in Pennsylvania.

Please look at your beautiful Golden Retriever and take action to protect the other dogs in Pennsylvania. Tonight as I write this letter, the temperature in Eastern Pennsylvania is 12 degrees above zero. There are hundreds of kennels in this state, housing thousands of dogs, that do not have heat. That is cruelty by any standard. Please take steps to immediately address the conditions in Pennsylvania.

Thank you for your consideration.

Sincerely,

Lee Wheeler  
Director

## **21.1 Definitions - Attending Veterinarian.**

In the second to last line delete the word “dogs” and replace it with “kennels”. And put a period after the word “procedures” in the last line and delete the rest of the sentence.

## **21.1 Definitions - Housing Facilities**

Delete and replace with language as follows: “Any building that is intended to house dogs.

### **1.1 Definitions – Primary Enclosure**

Add the words “inside a Housing Facility” after the word “structural” in the first line.

### **21.21 Dog Quarters**

Delete and replace with language as follows:

Every Housing Facility and Primary Enclosure shall be constructed and maintained in such a manner as to protect the dogs from injury and to insure sanitary and humane conditions for the dogs as required by the Dog Law.

### **21.22 Housing**

Delete paragraph (d).

### **21.24 Shelters – Revise title to “Housing Facility and Primary Enclosures”**

Delete and replace with language as follows:

- a) Dogs shall be kept in Housing Facilities that are constructed to provide for the health and comfort of the dogs. They must be constructed so that they are structurally sound and must be kept in good repair at all times.
- b) Housing facilities and areas used for storing animal food or bedding must be free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. Animal areas inside Housing Facilities must be kept neat and free of clutter, including equipment, furniture, and stored material, but may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices. If a housing facility is located on the same premises as another business, it must be physically separated from the other business so that animals the size of dogs, skunks, and raccoons are prevented from entering it.
- c) All dogs shall be provided a mat or bedding that provides comfort from the flooring.
- d) All interior surfaces must be free of rust, jagged edges, or sharp points.
- e) The Housing Facility must have reliable electric power adequate for heating, cooling, ventilation and lighting and for carrying out all necessary husbandry requirements.
- f) The Housing Facility must provide adequate running potable water for the dogs’ drinking

needs, for cleaning and for all other animal husbandry requirements.

- g) Housing facility operators must provide for regular and frequent collection, removal and disposal of animal and food waste, bedding, debris, garbage, water and other fluids and waste and dead animals in a manner that minimize contamination and disease risks. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal waste and water are rapidly eliminated and animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and backup for sewage onto the floor.
- h) Trash containers in Housing Facilities and in food storage and food preparation areas must be leak proof and must have tightly fitted lids on them at all times.
- i) Washing facilities including washrooms, basins, sinks or showers must be provided for animal caretakers and must be accessible in the Housing Facility.
- j) Supplies of food and bedding must be stored in a manner that protects the supplies from spoilage, contamination and vermin infestation. The supplies must be stored off the floor and away from the walls, to allow cleaning underneath and around the supplies. Foods requiring refrigeration must be stored accordingly, and all food must be stored in a manner that prevents contamination and deterioration of the nutritive value. All open supplies of food and bedding must be kept in leak proof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas. Substances that are toxic to the dogs but are required for normal husbandry practices must not be stored in food storage and preparation areas, but may be stored in cabinets in the animal areas.
- k) Under no circumstances shall dogs be tethered to any Primary Enclosure or to any other structure. Additionally dogs may be not housed on a temporary or permanent basis in a drum or barrel dog house, regardless of the material of which the drum or barrel is constructed.

## **25.25 Temperature Control**

Delete and replace with the following language:

Housing Facilities must be sufficiently heated and cooled to protect the dogs from temperature or humidity extremes and to provide for their health and well-being. When dogs are present, the ambient temperature in the Housing Facility must not fall below 60 degrees. The ambient temperature must not rise above 80 degrees for more than 4 consecutive hours when dogs are present. If short-haired dogs, sick, aged, young or infirm dogs are present in the Housing Facility, the temperature must be at a level that is appropriate for their well-being. The preceding requirements are in addition to all other requirements of this Chapter. No license shall be granted to any applicant unless it is determined that the provisions of this section can be met at all times during the year.