

DISTRICT OF
COLUMBIA
MUNICIPAL
REGULATIONS
for
ANIMALS, PET
SHOPS, AND
ANIMAL
HOSPITALS

CHAPTER 7. ANIMALS, PET SHOPS, AND ANIMAL HOSPITALS

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700 PET SHOPS: GENERAL PROVISIONS

- 700.1 The provisions of §§ 700 through 704 of this chapter provide minimum health standards for the establishment and maintenance of commercial pet shops.
- 700.2 The provisions of §§ 700 through 704 of this chapter shall apply to the establishment, maintenance, and operation of commercial pet shops, and shall be supplemental to existing laws and regulations pertaining to the establishment, maintenance, and operation of pet shops and every operating unit of a pet shop, and to any laws and regulations regulating the design, construction, quality of materials, maintenance, and operation of all buildings and structures and the activities carried on in them.
- 700.3 In the absence of requirements in these or other laws and regulations, the management and operation of any pet shop shall be in accordance with good public health practices.
- 700.4 The provisions of §§ 700 through 704 of this chapter shall not be applicable to the following:
- (a) Any aquarium, circus, common carrier, or exhibition;
 - (b) Any animal hospital licensed pursuant to this title;
 - (c) The keeping of animals for the purposes for which the Animal Allocation Board allots animals to those holding permits issued under

authority of this title.

- 700.5 Each section and every part of each section of this chapter shall be independent of every other section or part, and the finding or holding of any section or part to be void or ineffective for any cause shall not be deemed to affect any other section or part.
- 700.6 Words used in this chapter shall have their usual meaning unless the context or a definition clearly indicates a different meaning.
- 700.7 Words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number.
- 700.8 Whenever any officer or department of the District government, other than the Mayor, is referred to in this chapter, the term shall include the authorized agent of the officer or department.
- 700.9 No pet shop operator shall move his or her pet shop or any part of the pet shop from the premises for which a license has been issued to any other premises without first having obtained the approval of the Director and the Director of Consumer and Regulatory Affairs.
- 700.10 The Director and the Director of Consumer and Regulatory Affairs shall be authorized and empowered to enter and inspect any pet shop at any reasonable hour.
- 700.11 Any refusal to permit the Director or the Director of Consumer and Regulatory Affairs to enter a pet shop for an inspection shall be deemed to be just cause for the suspension, revocation, or denial of a license.
- 700.12 (a) Any operator of a pet shop who fails to comply with any provision of this chapter, or who refuses, interferes with, or prevents any inspection authorized by this chapter, shall, upon conviction, be punished by a fine not to exceed three hundred dollars (\$ 300) or by imprisonment not to exceed ninety (90) days.
- (b) Civil fines, penalties, and fees may be imposed as alternative sanctions of this part pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infraction Act of 1985. Adjudication of any infraction of this part shall be pursuant to titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985.
- 700.13 In the event of any violation of, or failure to comply with, the provisions of this chapter, each and every day of the violation or failure shall constitute a separate offense, and the penalties prescribed in § 700.12 shall be applicable to each separate offense.
- 700.14 The operator of a pet shop shall comply with the provisions of § 710 of this chapter regarding the sale and distribution of turtles in the District.

701 PET SHOPS: LICENSES

- 701.1 No person shall operate a pet shop within the District without first having obtained a license from the Director of Consumer and Regulatory Affairs.
- 701.2 The issuance of any license to operate a pet shop shall be subject to the approval of the Director, in addition to any other approvals that may be required.
- 701.3 Application for a license to operate a pet shop shall be made in writing, and shall specify the name of the person operating the pet shop and the name and location of the pet shop.
- 701.4 Whenever, after inspection or investigation, the Director has reason to believe that the holder of a pet shop license has failed on a continuing basis to comply substantially with the provisions of this chapter, the Director shall give written notice of that fact to the Director of Consumer and Regulatory Affairs, and shall make recommendations with respect to the suspension or revocation, or the denial of renewal, of the license.
- 701.5 Whenever, after a complaint by any person specified in § 6 of the Act of the Legislative Assembly approved August 23, 1871 (D.C. Code, § 22-806), the Director has reason to believe that the holder of a pet shop license has failed to comply with the provisions of the Act ([D.C. Code, § 22-801](#) et seq.), the Director shall take the following actions:
- (a) Give written notice to the Director of Consumer and Regulatory Affairs; and
 - (b) Make recommendations with respect to the suspension or revocation, or the denial of renewal, of the license.
- 701.6 Whenever the Director of Consumer and Regulatory Affairs proposes to deny, suspend, or revoke a pet shop license, he or she shall give written notice to the applicant or licensee which shall state what action is proposed and the basis for the proposed action.
- 701.7 The notice required in § 701.6 shall advise the applicant or licensee of the right of appeal as provided in this chapter, and of the time within which the appeal must be filed.
- 701.8 The notice of right of appeal shall be served upon the applicant or licensee and shall be deemed to be properly served upon the person to whom it is directed when it or a copy is:
- (a) Served on the applicant or licensee personally;

(b) Left at the address stated on the application or license with a person over the age of sixteen (16) years then employed at, or a resident of, the address; or

(c) Mailed by certified mail, postage prepaid, to the address stated on the application or license, and not returned by post office authorities.

701.9 If any notice mailed as authorized by § 701.8(c) is returned by post office authorities by reason of refusal of the addressee to accept delivery, it shall be deemed to have been served on the addressee by mail.

701.10 Any person to whom a notice has been served pursuant §§ 701.8 and 701.9 may file with the Board of Appeals and Review a written notice of appeal.

701.11 A written notice of appeal shall be filed within twenty (20) calendar days from the date the notice was served personally, or within twenty-four (24) calendar days of the date the notice was served other than personally.

701.12 The fee for a license to operate a pet shop shall be that prescribed by the District license fee schedule approved by the Mayor.

702 PET SHOP: HEALTH OF ANIMALS

702.1 Sick or diseased animals in any pet shop shall be isolated from healthy animals, given adequate treatment, and kept isolated until completely recovered, or another disposition is made.

702.2 No animal shall be offered for sale, adoption, or gift when there is a reason to suspect that the animal is sick or diseased.

702.3 No operator of a pet shop shall accept, give, sell, or permit the acceptance, gift, or sale of any animal when there is reason to suspect that the animal may be infected with, or be a carrier of, any disease transmissible to man.

702.4 Any animal infected with any disease transmissible to man shall be reported and controlled as required by chapter 2 of this title. Animal bites received by any person shall be reported as required under that chapter.

702.5 The operator of a pet shop shall provide all animals kept in the pet shop with adequate space for exercise.

702.6 No operator of a pet shop shall permit the animals kept in the pet shop to be left without care and attention, or without an opportunity for exercise, for a period of more than fourteen (14) hours.

702.7 Wild animals, other than animals imported into the United States under the supervision of the U.S. Public Health Service, shall not be

offered for sale, adoption, or as a gift, unless the animal is of at least the second generation that has been reared in captivity.

702.8 A record of each purchase, sale, or gift of an animal shall be kept on file by the operator for a minimum of one (1) year from the date of the last transaction with respect to the animal.

702.9 The record required in § 702.8 shall include the following information:

(a) The date of each transaction;

(b) The name and address of the person who receives, or from whom was received, the animal; and

(c) When ascertainable, the sex and other identification data regarding the animal.

703 PET SHOPS: SANITARY REQUIREMENTS

703.1 Premises and facilities maintained as a pet shop shall be kept in a clean and sanitary condition and in good repair at all times.

703.2 The floors of a pet shop shall be smooth and easily cleaned, and kept in a clean, safe, and sanitary condition.

703.3 Where flooding or steaming methods are employed for cleaning floors in a pet shop, adequate means shall be provided for the removal of waste water.

703.4 Water shall not be permitted to pond under equipment, partitions, animal enclosures, or other places in a pet shop.

703.5 At least one (1) slop sink equipped with both hot and cold running water, and having sides not less than sixteen inches by sixteen inches (16" x 16") and a depth not less than ten inches (10") shall be provided within the building in a location easily accessible to the area or areas where pets are maintained.

703.6 Walls and ceilings shall have a smooth, washable surface; shall be finished in a light color; and shall be kept in a clean, safe, and sanitary condition.

703.7 The atmosphere in all rooms where pets are housed or displayed shall be maintained free of noxious substances and objectionable odors.

703.8 The discharge of any exhaust system shall be so constructed, located, and maintained as not to create a nuisance.

703.9 All rooms shall be provided with artificial illumination reasonably and uniformly distributed so as to give illumination of an intensity of five (5) foot candles thirty inches (30") above the floor level.

- 703.10 During cleaning operations, an illumination intensity of twenty (20) foot candles shall be provided on all working surfaces or areas being cleaned.
- 703.11 All pet shop premises shall be maintained vermin proof and free of vermin.
- 703.12 All food remnants, manure, and other organic wastes stored on the pet shop premises shall be kept in tight, covered containers.
- 703.13 The storage of any food remnants, manure, and other organic wastes stored on the pet shop premises shall not be permitted to create a nuisance on the premises.
- 703.14 All coops, cotes, cages, pens, or other enclosures where animals are kept shall meet the following requirements:
- (a) Be constructed so as to be readily and thoroughly cleaned;
 - (b) Be of sufficient dimensions to permit the animal held in it to turn about freely, stand, sit, and lie in a natural position; and
 - (c) Be kept clean and sanitary.
- 703.15 Animal carcasses stored on the pet shop premises shall be placed in tight plastic bags, and shall be suitably refrigerated until removed from the premises.
- 703.16 No operator or employee of a pet shop shall permit any animal in his or her custody to commit a nuisance on public space or on property under the control of others.

704 PET SHOPS: PREVENTION OF INJURY

- 704.1 Any animal that exhibits behavior which indicates it may do bodily harm to any person, or that is of a species of normally wild animals capable of doing bodily harm to any person, shall be securely confined to prevent any person from coming in casual contact with the animal, and shall not be permitted to run at large.

705-709 RESERVED

710 TURTLES: SALES

- 710.1 No person shall sell or offer for sale or distribution to the public, turtles or viable turtle eggs unless, prior to the transaction, proof is filed with the Director that the turtles or turtle eggs come from a lot which has been certified to be free from the bacteria of the salmonella and Arizona genera, in accordance with procedures outlined in Title 42 of the Code of Federal Regulations.

- 710.2 It shall be the duty and obligation of all persons selling or offering for sale or distribution turtles or viable turtle eggs at wholesale to provide the retail dealer with the certificate of proof required in § 710.1 regarding the lot of turtles which is then the subject of sale.
- 710.3 It shall be the duty of all wholesale and retail dealers to maintain turtle storage and display facilities free from the bacteria of the salmonella and Arizona genera.
- 710.4 The following warning notice shall be posted conspicuously at every display of turtles for retail sale or distribution or where the public may handle turtles, unless the requirement is waived in writing by the Director:
- CAUTION: TURTLES MAY TRANSMIT BACTERIA CAUSING DISEASE IN HUMANS.
- 710.5 Because turtles may transmit bacteria causing disease in humans, the turtle owner shall do the following:
- (a) Wash hands thoroughly after handling turtles or material in a turtle bowl;
- (b) Prevent water or any other items from a turtle bowl from coming in contact with food or other areas where food is prepared; and
- (c) Ensure that these precautions are followed by children or others handling turtles.
- 710.6 No person shall sell or offer for sale or distribution to the public turtle food unless the turtle food is free of the bacteria of the salmonella and Arizona genera.
- 710.7 The provisions of this section shall not apply to turtles offered for sale, or distributed for bona fide educational, zoological, medical, scientific, or exhibition purposes, other than use as pets.

711 DISEASED TURTLES

- 711.1 The Director may at any time take samples of tank water or any other appropriate method of sampling of turtles offered for sale or distribution and, after testing by a method deemed by the Director to be appropriate for the determination of the presence of bacteria, order the humane destruction of any turtle, lots of turtles, or turtle eggs found to be contaminated with bacteria of salmonella and Arizona genera or found to be held in water contaminated with those bacteria.
- 711.2 The Director's order issued pursuant to § 711.1 shall be in writing, and shall state with particularity the facts upon which it is based, including the specification of the tests utilized.

711.3 The Director's order issued pursuant to § 711.1 shall be served upon the person in whose possession the turtles or turtle eggs are found.

711.4 Any person receiving an order for destruction shall, within ten (10) days of the date of the notice, take the following actions:

(a) Destroy and dispose of the turtles or turtle eggs in a manner satisfactory to the Director, and so notify the Director in writing:

(b) Request in writing that the Director destroy the turtles or turtle eggs; or

(c) Notify the Director in writing that he or she wishes to appeal the demand for destruction.

711.5 When the Director receives a notice of appeal as provided in § 711.4(c), he or she shall provide an opportunity for a hearing, by written notice to the appellant, specifying a time and place for the hearing.

711.6 The appeal hearing shall be held within ten (10) days of the notice requesting a hearing.

711.7 The hearing on appeal shall be consistent with hearing procedures afforded under the D.C. Administrative Procedure Act.

712-719 RESERVED

720 USE OF IMPOUNDED ANIMALS FOR RESEARCH

720.1 The Director of the D.C. Pound may make available, for purposes of medical research and instruction at approved institutions, impounded animals which otherwise would be destroyed.

720.2 The use of impounded animals for research and instruction shall be carried out in accordance with the provisions of this chapter.

720.3 As used in this chapter, "institution" shall mean any school or college of medicine, dentistry, veterinary medicine, or agriculture, medical diagnostic laboratory, hospital, or other scientific, educational, or governmental establishment located within the District which, under the faculty or other responsible officers, is engaged in the following:

(a) Investigation of or giving instruction in the structures or function of living organisms;

(b) Investigation of or giving instruction in the causes, prevention, control, or cure of disease or abnormal conditions of human beings or animals;

(c) The testing and diagnosis of laboratory specimens; or

(d) The improvement and standardization of pharmaceuticals and drugs by means of experimentation on live vertebrate animals.

720.4 In any operation likely to cause greater discomfort than that attending anesthetization, the animal shall first be rendered incapable of perceiving pain and shall be maintained in that condition until the operation is ended.

720.5 Exceptions to the provision of § 720.4 shall be made by the Director of the Institution alone, and then only when the anesthesia would defeat the purpose of the experiment.

720.6 When anesthesia would defeat the purpose of the experiment, the anesthesia shall be discontinued only so long as essential to make the necessary observations.

720.7 Where continuance of an animal's life is necessary to determine the result of an experiment, the operation shall be conducted with appropriate precautions comparable to those used with human beings; and appropriate care shall be taken to minimize discomforts during convalescence.

720.8 The Director may suspend the permit held by an institution for violations of this chapter.

720.9 A suspended permit may be reinstated after the violation is corrected, but in no case in less than seven (7) days.

720.10 Repeated violations shall be deemed cause for the permit to be revoked for a period of at least three (3) months, or until the institution shows that it will be able to comply with the provisions of this chapter.

721 ANIMAL ALLOCATION BOARD

721.1 Pursuant to the provisions of §§ 720.1 and 720.2, there is established in the District an Animal Allocation Board which shall consist of the following members:

(a) One (1) representative from each institution, to be designated by the head of the institution, which has been approved by the Mayor as eligible for obtaining animals from the D.C. Pound for purposes of medical research and instruction;

(b) One (1) representative from the Department to be designated by the Director; and

(c) Other members as the Mayor, from time to time, may appoint, including at least three (3) members from among the public at large who are interested in animal welfare.

- 721.2 Members of the Animal Allocation Board shall do the following:
- (a) Serve without compensation;
 - (b) Determine their own organization; and
 - (c) Name their own officers.
- 721.3 Meetings of the Animal Allocation Board shall be held at the call of the presiding officer of the Board.
- 721.4 Members of the Animal Allocation Board who are appointed from the Department shall serve indefinite terms at the Director's discretion.
- 721.5 The members of the Animal Allocation Board who are not appointed by the Director shall serve staggered three (3) year terms.
- 721.6 Any person chosen to fill a vacancy on the Animal Allocation Board shall be appointed only for the unexpired portion of the term to which appointed.
- 721.7 Additional members of the Animal Allocation Board shall be appointed for terms not to exceed three (3) years, as specified by the Mayor at the time of appointment; Provided, that the provisions of § 721.8 shall be met.
- 721.8 Each term specified by the Mayor shall expire on the last day of a calendar year, and the terms of the additional appointments shall be set so as to ensure that the terms of not more than approximately one-third (1/3) of the members shall expire each year.
- 721.9 Each member of the Animal Allocation Board shall serve until his or her successor is appointed and qualified.
- 721.10 The functions of the Animal Allocation Board shall be the following:
- (a) To advise the Mayor in making policy determinations regarding the use of impounded animals for medical research and instruction;
 - (b) To assist the Director in developing standards and criteria for licensing institutions that desire to avail themselves of impounded animals for research and instruction purposes; and
 - (c) To establish schedules, for use by the Poundmaster, for the equitable allocation of animals among approved institutions.

- 722.1 Any institution, as defined in § 799 of this chapter, that desires to obtain animals which have been lawfully impounded, shall apply to the Director for a permit.
- 722.2 If the Director finds that the institution applying for a permit is a fit and proper agency within the meaning of the provisions of this chapter to receive a permit, the Director shall issue a permit to the institution, subject to the Mayor's approval.
- 722.3 All permits issued shall expire automatically on June 30th of each year, but may be renewed by an institution upon application to the Director, subject to approval by the Mayor.
- 722.4 An institution that has been granted a permit becomes eligible to procure live animals as provided in this chapter, and to continue to procure them so long as the institution holds a valid permit and conforms to all the provisions imposed by this chapter and by the Director.
- 722.5 Failure to comply with the provisions of this chapter and of the Director shall be deemed just cause for revocation of a permit by the Mayor.
- 722.6 When the Director determines that the institution is a fit and proper agency within the meaning of the provisions of § 720 and the standards of this section, the Director shall issue a permit to the institution, subject to the approval of the Mayor, to receive animals from the D.C. Pound.
- 722.7 Only those institutions shall be approved in which the use of impounded living animals will be under the immediate supervision of persons qualified by training and experience to conduct the scientific work.
- 722.8 Application for approval shall be made on forms provided by the Department for that purpose.
- 722.9 Approval shall be granted to an institution in the name of the person responsible for the use of living, impounded animals.
- 722.10 The permit shall not be transferable, and shall be revoked if the individual in whose name approval has been granted ceases to be in charge.
- 722.11 The individual whose name appears on the certificate of approval shall be responsible for the following:
- (a) The use of all living animals in experimentation;
 - (b) The humane treatment and care of the animals;
 - (c) The propriety of the procedures used;

(d) The scientific justification for the use of the animals in experiments, tests, or demonstrations;

(e) The sanitation and care of the animals in the animal quarters;

(f) For seeing that all dogs which will be kept longer than seven (7) days by the institution shall be given a bath with an appropriate cleansing agent, and examined and treated for parasites; and

(g) For seeing that certain long-haired breeds shall be clipped when caged in indoor quarters.

723 ANIMAL QUARTERS

723.1 The animal house shall be kept in good condition, clean and sanitary, and provide proper lighting, ventilation, and heating.

723.2 The floors of the animal house shall be of waterproof cement, quarry tile, or terrazzo.

723.3 The floors shall be smooth and properly drained, so they will dry quickly.

723.4 Floors shall be cleansed daily, using a cleansing agent, by hosing or wet mopping.

723.5 Proper lighting of the animal quarters is essential, and may be furnished by natural or artificial means.

723.6 When the lighting is natural, a means shall be provided to control the amount of sunlight entering during warm seasons of the year to prevent over-heating of the animal rooms.

723.7 Proper ventilation is essential and may be provided by the following methods:

(a) A central ventilating system with a screened opening entering each room;

(b) Outside windows which may be opened; or

(c) An outside fan for each room.

723.8 When outside windows are opened, they shall be properly screened to prevent flies and other insect pests from entering.

723.9 Outside doors shall be screened.

723.10 Facilities for maintaining the proper temperature control suitable to the species of animals housed shall be installed and kept in a satisfactory

operating condition.

- 723.11 Unless exercise interferes with the purpose of the study, each large animal shall be given an opportunity to exercise outside of the cage daily.
- 723.12 Outside runways are desirable when weather and climate permit.
- 723.13 When, in the opinion of the Director, outside runways cannot be reasonably provided, inside exercise areas may be used.
- 723.14 The floors of all runways shall be smooth and made waterproof by concrete or tile properly drained, and shall be kept in a clean sanitary condition.
- 723.15 When dogs are confined in cages, they shall be caged individually.
- 723.16 Animal cages shall be of a type approved by the Director, and shall be of sufficient size to permit the animal to turn about freely and to stand and lie in a natural position.
- 723.17 Animal cages shall be of non-rusting metal, or shall be treated to prevent rust.
- 723.18 Animal cages shall be constructed to facilitate cleaning, and shall be kept in good condition.
- 723.19 The floor of an animal cage may be of perforated metal, or of a special type of screen.
- 723.20 Cages shall be kept clean and, after they are vacated and before they are reoccupied, shall be thoroughly cleansed and disinfected in a manner approved by the Director.
- 723.21 Cages shall be spaced at least six inches (6") from the walls or partitions.
- 723.22 The space between the cages and the walls shall be kept clean.
- 723.23 Cages for dogs shall not be more than two (2) tiers high, and the lower tier shall be adequately protected from the excreta from the upper tier.
- 723.24 All cages and animals in the cages shall be plainly marked, showing the name of the department and the staff member who is in charge of the experiment.
- 723.25 Food and water dishes shall be thoroughly washed daily and, if interchanged with animals in other cages, shall be sanitized.
- 723.26 Unless contra-indicated by the experiments, water shall be available to the animals at all times.

- 723.27 The food given the animals shall be wholesome and of sufficient quantity for the type of animal and the scientific test.
- 723.28 When the animals are quartered in outdoor kennels, the following shall be provided:
- (a) The runways shall be of concrete, properly drained, and kept in a sanitary condition;
 - (b) The dogs shall be provided with sufficient shelter, adequately protected against the weather; and
 - (c) The shelters shall be kept clean and in a sanitary condition.

724 RECORDS AND REPORTS

- 724.1 Institutions having a permit shall maintain suitable records on all allocated impounded dogs and cats.
- 724.2 The records required in § 724.1 shall show the type of experimentation, treatment, general health, and disposition of the animal.
- 724.3 Adequate progress notes shall be kept up to date.
- 724.4 On long-term experiments, progress notes shall be made at least weekly.
- 724.5 Progress records shall be maintained at least ninety (90) days after disposition of the animal, and shall be available to the Director or the Director's representative.

725-729 RESERVED

799 DEFINITIONS

- 799.1 For the purpose of this chapter, the following terms shall have the meaning ascribed to them unless the context clearly indicates a different meaning:
- Department - the Department of Human Services of the District of Columbia.
- Director - the Director of the Department of Human Services of the District of Columbia.
- Mayor - the Mayor of the District of Columbia, or the Mayor's designated representative.
- Veterinarian - a person currently licensed to practice veterinary medicine or any branch of medicine under the Act of February 1, 1907, as amended. (Title 2, chapter 27 of the D.C. Code)