

**\* § 425. Animal housing.**

1. Each licensed animal shelter shall provide each animal in its custody or possession with a suitable primary enclosure that meets the requirements prescribed in this section.
2. Unsupervised tethering for periods exceeding thirty minutes is prohibited.
3. Animal housing shall meet the following requirements:
  - (a) materials used in housing construction shall be non-porous, water-resistant, non-toxic, and able to withstand regular cleaning and disinfection;
  - (b) drainage shall prevent accumulation of water or other liquids on floors; and
  - (c) housing shall be structurally sound, in good repair and maintained in a safe, working condition to properly confine animals, prevent injury, keep animals safe from predation, keep other animals out, and allow animals to remain dry and clean.
4. Wire or slat-bottom cages are prohibited unless a solid tray is provided for the cage bottom to prevent injury to the animal.
5. Animal populations shall be segregated appropriately, in accordance with the following requirements:
  - (a) dogs and cats shall be housed in separate rooms with efforts made to minimize the exposure of cats to the barking of dogs to the extent practicable;
  - (b) animals of the same species shall be separated by age groups (e.g. neonates and juveniles; adults) except that nursing animals may be housed with their offspring;
  - (c) animals with known or suspected infectious diseases shall be housed in isolation areas as prescribed in subdivision nine of section four hundred twenty-four of this article;
  - (d) nothing in this subdivision shall be construed to prevent the temporary housing of animals in areas without such segregation for medical care and in pre- and post-operative surgical areas.
6. Well-socialized, healthy animals may be housed with one or more conspecifics. Animals housed together shall be compatible and have similar environmental requirements. Such housing shall not allow exposure to numerous different animals on a frequently changing basis.
7. Prior to being housed with one or more other animals the following conditions shall apply:
  - (a) all animals are vaccinated and dewormed against the pathogens specified in section four hundred twenty-nine of this article;
  - (b) physical examinations verifying the absence of clinical signs of infectious diseases have been performed;

(c) surgical sterilization or housing in same-sex groupings, except littermates under twelve weeks of age; and

(d) the animal has a collar or tag to facilitate visual identification, unless the animal's age or condition is such that application of visual identification is not practicable or would be detrimental to the animal's health.

8. Animals that are poorly socialized, fearful, or aggressive towards other animals or that are ill, injured, or within a week of whelping or queening shall be housed individually in a suitably sized, enriched primary enclosure.

(a) Littermates under the age of twelve weeks may be co-housed in an isolation area if all individuals are infected with the same infectious, contagious, parasitic or communicable disease.

(b) Dogs and cats within a week of giving birth or until separation from the offspring shall be provided with a box with a solid floor large enough to allow the animal to lie fully stretched on its side, permitting all offspring to nurse and to accommodate all offspring until weaned; and an area large enough to allow the dam or queen to leave the whelping box.

9. Each enclosure shall clearly indicate the identities of all animals contained within, specifying each animal's unique identifier as required under section four hundred twenty-three of this article. Each animal shall also be individually identified.

10. All primary enclosures shall provide sufficient space to allow each animal, regardless of species, to:

(a) make all normal postural adjustments;

(b) fully stretch its body and have sufficient room to circle, lie down, and stand upright without the head or tail touching the sides of the enclosure even with the presence of water and food bowls, beds, litter boxes, and other normal cage objects; and

(c) allow animals to sit, sleep and eat away from areas of their enclosure where they defecate and urinate.

11. Any primary enclosure housing two or more animals shall provide the following:

(a) sufficient space and quality of environment to allow all animals to maintain social distances;

(b) adequate areas for hiding, resting, feeding, and elimination with sufficient space to separate areas and the ability for all animals to access those areas.

12. Regardless of the size of the primary enclosure, the number of animals cohoused in a primary enclosure at one time shall not exceed the following thresholds:

(a) twelve adult cats;

- (b) two litters of kittens not to exceed ten kittens total;
- (c) five adult dogs; or
- (d) one litter of puppies.

13. Puppies and kittens less than sixteen weeks of age shall not be housed in the same enclosure with adults other than their dam or queen, or foster or surrogate dam or queen.

14. All animals housed with one or more conspecifics shall be separated for feeding or observed at feeding times for antagonistic interactions that pose a safety and welfare concern.

15. Animals shall not be housed outdoors for more than twelve hours within a twenty-four-hour period, with the exception of free-roaming cats under the care of the animal shelter.

16. Outdoor primary enclosures shall comply with all housing requirements prescribed in this section and shall provide the following:

- (a) protection from the elements at all times;
- (b) adequate drainage to prevent the accumulation of excess water in or around the enclosures;
- (c) a moisture-proof, insulated shelter structure large enough to simultaneously accommodate all animals in the enclosure, unless immediate entry to an indoor portion of the enclosure is accessible;
- (d) security from unauthorized entry of other animals into the enclosure;
- (e) a separate, shaded area sufficient to simultaneously accommodate all animals, except when animals have immediate access to an indoor portion of the enclosure;
- (f) clean dry bedding at all times and a heat source when the outdoor temperature falls below fifty degrees fahrenheit; and
- (g) enclosures that allow outdoor access for cats shall be fully enclosed to prevent escape from the enclosure.

17. For any animal in the custody or possession of any animal shelter for fourteen days or longer, alternative housing shall be provided in one of the following formats:

- (a) enriched cages at least twice the size otherwise required for an animal's size;
- (b) foster care in a private home, office, or other suitable off-site location; or
- (c) room housing.

\* NB Effective December 15, 2025