

# **\*\*\*DRAFT - NOT FOR FILING\*\*\***

## **901:1-8-01**      **Definitions.**

As used in this chapter of the Administrative Code:

- (A) "Animal rescue" means an individual or organization recognized by the director of agriculture that keeps, houses, and maintains dogs and that is dedicated to the welfare, health, safety, and protection of dogs, provided that the individual or organization does not operate for profit, does not sell dogs for a profit, does not breed dogs, and does not purchase more than nine dogs in any given calendar year unless the dogs are purchased from a dog warden appointed under Chapter 955. of the Revised Code, a humane society, or another animal rescue for dogs. "Animal rescue for dogs" includes an individual or organization that offers spayed or neutered dogs for adoption and charges reasonable adoption fees to cover the costs of the individual or organization, including, but not limited to, costs related to spaying or neutering dogs.
- (B) "Animal shelter" means a facility that keeps, houses, and maintains dogs such as a dog pound operated by a municipal corporation, or by a county under Chapter 955. of the Revised Code, or that is operated by a humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization that is devoted to the welfare, protection, and humane treatment of dogs and other animals.
- (C) "Department" means the Ohio department of agriculture.
- (D) "Dog retailer" means a person who buys, sells, or offers to sell dogs at wholesale for resale to another or who sells or gives one or more dogs to a pet store annually. "Dog retailer" does not include an animal rescue for dogs, an animal shelter for dogs, a humane society, a medical kennel for dogs, a research kennel for dogs, a pet store, or a veterinarian.
- (E) "Humane society" means an organization that is organized under section 1717.05 of the Revised Code.
- (F) "Pet store" means an individual retail store to which both of the following apply: the store sells dogs to the public; and with regard to the sale of a dog from the store, the sales person, the buyer of a dog, and the dog for sale are physically present during the sales transaction so that the buyer may personally observe the dog and help ensure its health prior to taking custody. "Pet store" does not include an animal rescue for dogs, an animal shelter for dogs, a humane society, a medical kennel for dogs, or a research kennel for dogs.
- (G) "Qualified breeder" has the same meaning as set out in section 956.19 of the Revised Code.

## **901:1-8-02**      **Licensing.**

- (A) Initial and renewal applications for pet store licensure shall be made on a form provided by the department. Forms may be found by visiting [www.agri.ohio.gov](http://www.agri.ohio.gov).
- (B) Applications shall be considered complete when the following have been submitted to the department:
  - (1) A completed and signed application form; and
  - (2) A license fee of five hundred dollars as outlined in section 956.20 of the Revised Code.
- (C) Incomplete applications will be returned to the applicant unprocessed.
- (D) Each license issued shall expire one year from issuance.
- (E) A person who is proposing to continue the operation of a pet store shall within thirty days prior to expiration of their current license renew their license for the following year. The person shall apply for the license in

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the same manner as for an initial license.

**901:1-8-03      Identification.**

No pet store shall display, offer for sale, deliver, barter, auction, broker, give away, transfer, or sell any dog that has not been microchipped with a microchip using either 125 kHz, 128 kHz, or 134.2 kHz frequencies.

**901:1-8-04      Pet Store Recordkeeping.**

(A) All pet stores shall document the following information within twenty-four hours of obtaining a dog:

- (1) The name and address of the animal rescue, animal shelter, humane society, dog retailer, or qualified breeder which supplied the dog;
- (2) The date that the pet store took possession of the dog;
- (3) The breed, gender, color, and any identifying marks of the dog;
- (4) The dog's birth date, if known;
- (5) The permanent implanted identification microchip number as required by rule 901:1-8-03 of the Administrative Code; and
- (6) The certificate of veterinary inspection that accompanied the dog.

(B) If the dog was acquired from a qualified breeder or dog retailer, then the pet store shall also document the following information within twenty-four hours of the pet store receiving the dog, if applicable:

- (1) The Ohio high volume dog breeder license number issued to the breeder by the department;
- (2) The United States department of agriculture license number of the breeder that bred the dog;
- (3) A copy of the most current United States department of agriculture inspection report for the breeder;
- (4) The Ohio dog retailer license number issued to the retailer by the department;
- (5) A document signed by the pet store certifying that all information required to be provided to the person acquiring the dog under this section is accurate.

(C) Pet stores are not required to submit these records to the director, but the records shall be made available to the director or the director's designee for review and copy upon request.

**901:1-8-05      Dog Retailer Recordkeeping.**

(A) Pursuant to section 956.051, no dog retailer shall negligently sell, deliver, barter, auction, broker, give away, or transfer a dog to a pet store without the records required under this rule.

(B) All dog retailers subject to this rule shall document the following information, if applicable:

- (1) The name and address of the animal rescue, animal shelter, humane society, dog retailer, or qualified

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breeder which supplied the dog;

(2) The date that the pet store took possession of the dog;

(3) The breed, gender, color, and any identifying marks of the dog;

(4) The dog's birth date, if known;

(5) The permanent implanted identification microchip number as required by rule 901:1-8-03 of the Administrative Code; and

(6) The certificate of veterinary inspection that accompanied the dog.

(C) If the dog was acquired from a qualified breeder or dog retailer, then the dog retailer shall also document the following information:

(1) The Ohio high volume dog breeder license number issued to the breeder by the department;

(2) The United States department of agriculture license number of the breeder that bred the dog;

(3) A copy of the most current United States department of agriculture inspection report for the breeder;

(4) The Ohio dog retailer license number issued to the retailer by the department;

(5) A document signed by the dog retailer certifying that all information required to be provided to the person acquiring the dog under this section is accurate.

(D) Dog retailers are not required to submit these records to the director, but the records shall be made available to the director or the director's designee for review and copy upon request.