

FAQs for WV 19-20-26 Commercial Dog Breeding Operations

What other counties have done this?

Currently the following counties have set the license fees for commercial breeders:

- Brooke
- Cabell
- Hancock
- Jackson
- Kanawha
- Monongalia
- Preston
- Raleigh
- Roane
- Taylor
- Marshall
- Tyler

Are there any commercial breeders in our county?

Without licensing, it is extremely difficult to determine if a commercial breeder is active in your area. If your locality requires a business license, operations can be tracked through that process. Also, every individual that possess 4 or more breeding females and sells the offspring to the public, dealers or sight unseen is required to be licensed by the United States Department of Agriculture. To determine if an individual has a USDA license you can refer to the following link:

stores<https://acisearch.aphis.usda.gov/LPASearch/faces/LPASearch.jspx>

How is the money collected?

The county can collect the fees in whatever manner is most applicable and convenient for them. Most counties have processed the fees through their Assessor's office. As long as the fees do not exceed the maximums set by the state, the collection process is left to the individual county.

What is the money used for?

License fees are to be deposited in a specially designated account to be used for animal shelters, animal rescue and spay neuter programs administered by county animal shelters or other humane organizations.

Do we need a local ordinance for this?

No, an ordinance is not needed, it is already an enacted West Virginia state law only the fees need to be set.

Is there a form we can use already established?

Yes, a writeable generic license and a writeable County Commercial Dog Breeder Permit Information & Instructions sheet is provided on the accompanying thumb drive.

Who does the inspections?

Biannual inspections are performed by animal control officers or law-enforcement officers. A comprehensive inspection checklist is also included on the accompanying thumb drive.

How is it enforced and what time frames are given for compliance?

As previously mentioned the law is already in effect. An officer, when determining an establishment meets the criteria, can treat the matter much the same way they would when discover an individual does not have a current dog license. Using their discretion, a warning can be issued to achieve compliance by a date determined by the officer or by his or her department. If compliance is not met the officer can charge for the violation.