pennsylvania
DEPARTMENT OF AGRICULTURE

PENNSYLVANIA OUT-OF-STATE DEALER LICENSE

APPLICATION INFORMATION AND INSTRUCTIONS

Application Checklist

- □ Include the correct license fee in the form of a check or money order **payable to**: PA Department of Agriculture (no cash accepted). The license fee is the exact amount shown on the application.
- □ A new application must be submitted during the license year if your kennel class (size) has changed or you have moved. The Change Application is due within 7 days of the change to your Out-Of-State Dealer license.
- □ Please be sure to indicate the mailing address for the kennel if different than physical address.
- □ **ALL INFORMATION MUST BE COMPLETED ON APPLICATION – incomplete applications will be returned.**
- □ Complete and provide a copy of your nonprofit status if applicable. *Non-profit applicants must provide the date of birth for all Board of Directors.*
- □ ***Provide a copy of your 2015 records listing transactions which occurred within the state of PA.*** This information **MUST** be provided or the application will be returned.
- □ *Application* **MUST** be signed by the appropriate parties as per your kennel organizational structure.

If you have questions regarding the application process, please contact the Bureau of Dog Law Enforcement:
Phone: (717) 787-3062; Fax: (717) 772-4352
www.agriculture.state.pa.us

Complete the application and mail to the address below for processing:

Bureau of Dog Law Enforcement
PO Box 657
Hazleton, PA 18201-0657

Section 206. Kennels

(a) Applications, kennel license classifications and fees.--Any person who keeps or operates a kennel shall, on or before January 1 of each year, apply to the department for a kennel license. Kennels shall be classified by type, and the fee for the license shall be determined by the kennel type, the number of dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by the kennel. The application forms and kennel licenses shall be as designated by the secretary. A separate license shall be required for each type of kennel and every location at which a kennel is kept or operated. A kennel license is required to keep or operate any kennel. All kennel licenses shall expire on December 31. When two or more licensed kennels are operated by the same person at the same location, each kennel shall be inspected and licensed as required by law.

Section 207. Requirements for Kennels

(5) A kennel operator that is applying for a different license because of an increase in the total number of dogs or due to birth of additional dogs in the kennel during a calendar year shall not be in violation, provided the application is filed within seven days of the increase.

Section 209. Dealer license; Application; Fee; Prohibitions

(a) Out-of-state dealers.--All out-of-state dealers shall on or before January 1 of each year, apply to the secretary for an out-of-state dealer license. The fee for such license shall be the appropriate kennel license fees required under section 206. All fees collected under this section shall be remitted to the State Treasury for credit to the Dog Law Restricted Account. All licenses under this section shall expire upon December 31 of the year for which the license was issued. The forms for the application and license shall be approved by the secretary.

(b) Unlawful acts.--It shall be unlawful for out-of-state dealers to sell, exchange, negotiate, barter, give away or solicit the sale, resale, exchange or transfer of a dog or transport a dog into or within the Commonwealth or to operate or maintain a dealer kennel or to deal in any manner with dogs without first obtaining an out-of-state dealer license from the department. It shall be unlawful for a kennel licensed under this act to knowingly accept, receive, buy, barter or exchange a dog with an unlicensed out-of-state dealer for resale. A conviction for a violation of this section shall result in a penalty as determined under section 903(c). Each transaction for each dog shall constitute a separate violation.

APPLICATION DEFINITIONS:

A. **General Rules of Licensure:** All out-of-state dealers shall on or before January 1 of each year, apply to the department for an out-of-state dealer license. Out-of-state dealers shall be classified by type; and the fee for the license shall be determined by the out-of-state dealer type, the number of dogs housed, kept, harbored, boarded, sheltered, sold, given away or transferred in or by the out-of-state dealer. A separate license shall be required for each type of out-of-state dealer. All Out-of -State Dealer licenses expire December 31 of the year for which the license was issued.

B. Out-of-State Dealer / Kennel Types (Definitions):

Rescue Network Kennel – A kennel that utilizes rescue network kennel homes with the goal of ultimately transferring the dog to a permanent owner or keeper through any means of transfer.

Research Kennel – Any Federal research kennel or other research kennel duly registered with and inspected by the Federal Government under the provisions of the Animal Welfare Act (Public Law 89-544, 7U.S.C. § 2131 et seq.) and its attendant regulations.

Non-Profit Kennel – A kennel registered under the law of this Commonwealth as a nonprofit entity or a nonprofit animal control kennel under sections 901 and 1002. The term shall include kennels operated by approved medical and veterinary schools and nonprofit institutions conducting medical and scientific research, which shall be required to register, but shall not be required to pay any of the license fees set by this act, and which may use their own identification tags for dogs within their kennels without being required to attach tags hereinafter prescribed while dogs are within such kennels, if approved by the secretary.

Out-of-State Dealer – A person who does not reside in the Commonwealth of Pennsylvania and who:
(1) Sells or offers for sale a dog in this Commonwealth belonging to another person, for any type of consideration, fee, commission or percentage of the sales price; or
(2) transfers a dog in this Commonwealth for resale to another or any type of consideration, fee, commission or percentage of the sales price.

C. Kennel License Categories:

1. Nonprofit Kennel Class – A kennel "Type" meeting the definition of a Nonprofit Kennel.

2. Out-of-State Dealer Class – Kennel "Types" meeting the definition of an Out-of-State Dealer.

   The classification (I-VI) under this type of kennel is determined by dog numbers.

D. Type and Class of License: The applicant shall check the box on the application next to the Type and Class of kennel they seek to operate in the calendar year. *Please note that failure to properly designate the type or class of kennel could be a reason for refusal of your kennel license application. If you have any questions regarding the type or class of kennel, please contact the Bureau of Dog Law Enforcement.*

Kennel Type - The Type of kennel license shall be based on the definition under which the applicant's kennel falls.

Kennel Class - The kennel Class shall be based on the cumulative number of dogs housed, kept, harbored, boarded or sheltered in the kennel during the previous year, PLUS, the number of dogs sold, given away or transferred by the kennel.

New Kennels - For a new kennel, with no previous history, the kennel Class shall be based on the number of dogs to be housed, kept, harbored, boarded or sheltered in the kennel, PLUS, an estimate of the number of dogs that will be sold, given away or transferred by the kennel.

Change of Type or Class during the Kennel Licensure Year - If the kennel "Type" or "Class" changes during the licensure year, the kennel owner shall notify the Department of the change and file a new kennel license application within 7 days of the change.