

Northern New Jersey Great Dane Club

MARCH 2014

2008-2014

Hobby Dog Breeders in New Jersey May Have to Obtain a Kennel License

By Nancy E. Halpern, DVM, Esq. on
February 28, 2014 Posted in Animal, Animal
Cruelty, Animal health, Animal Planning,
Legal liability, Municipal ordinance, Public
Health

If township ordinances base their kennel license requirements on the New Jersey State definition of kennel, without exception, hobby dog breeders should obtain a kennel license, even if they breed only once or twice a year. Preferably, town ordinances exempt from licensure those owners who breed their dogs infrequently, often setting a specific limit of litters for sale/year, and anyone exceeding that limit has to be licensed.

The State defines a kennel as “any establishment wherein or whereupon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.” N.J.A.C. 8:23A-1.1. Once licensed as a kennel, many other State requirements apply, which may not be practical or even possible to comply with in a home, where many hobby breeders raise their litters, including:

- The interior building surfaces of indoor housing facilities shall be constructed and maintained so that they are impervious to moisture and may be readily cleaned;
 - “Impervious surface” means a surface that does not permit the absorption of fluids. Such surfaces are those that can be thoroughly and repeatedly cleaned and disinfected, which will not retain odors, and from which fluids bead up and run off or can be removed without being adsorbed into the surface material.
- Annual satisfactory inspection required by the local health authority;
- Annual satisfactory inspection required by local fire officials;
- For facilities constructed or renovated after January 17, 1995, a plan review and approval by the local health authority is required.

These standards are reasonable for a commercial kennel operation, but they seem excessive if required for part-time hobby breeders, particularly where the dogs are housed within the home. It also seems counter-intuitive that hobby breeders may

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NNJGDC Email Authorization Form

In order to cut the ongoing costs of running the Northern New Jersey Great Dane Club, as well as communicate faster and offer reminders, the club can utilize email rather than the USPS. Our Constitution and By-Laws mandates that we can only communicate via email if you have given us your authority to do so. If you wish to take advantage of this service please complete the fields below and return this form to us by one of these methods:

Send to current NNJGDC Corresponding Secretary

Email to: zzajdel@gmail.com
USPS to: Zuzanna Kounin
42 Eastern Avenue
Somerville, NJ 08876

I hereby authorize the NNJGDC to communicate with me using the email address below for the purposes including, but not limited to, club notices, reminders and or newsletters. This authorization form does not pertain to the NNJGDC Yahoo Group, as I have the opportunity to join or be removed from that group at will. I will make every effort to update NNJGDC, in writing, of any changes to my email address. I also agree not to forward NNJGDC material sent to me to non NNJGDC members unless I receive permission from the original sender.

PLEASE PRINT CLEARLY

Name: _____

Email Address: _____

Please indicate by signing below if you consent to receiving emails for the following:

General Mailings: _____
Signature

Newsletters: _____
Signature

Date _____

Date received by NNJGDC _____

NORTHERN NEW JERSEY GREAT DANE CLUB

(Continued from cover) no longer be able to continue producing and selling healthy, well cared for pure-bred dogs, at a time when the commercial breeding of dogs and sales of puppies from so-called "puppy mills" has come under so much scrutiny, in some cases, rightly so. Hobby breeding might soon be unattainable for those owners who do not want to permit the annual inspections required by law, or cannot remodel their homes to incorporate the surfaces required to breed dogs.

For Danielle Weitz, a lifelong dog owner and breeder of champion German Shepherds, the situation is even worse—she may have to get a kennel license simply to keep her dogs, or suffer through monthly intrusive home inspections for the foreseeable future. Notably, the law does not seem to require such a license, but at least 2 judges have concluded otherwise.

On February 10, 2014, the Appellate Division of the Superior Court of New Jersey heard arguments in *State v. Danielle Weitz*, a case involving Ms. Weitz' failure to apply for a municipal kennel license for the occasional sale of dogs resulting from the breeding of her show-quality German Shepherds at her home, where she owns and cares for around 15 individually licensed dogs.

During the course of the litigation, both parties agreed that the township requires a kennel license for businesses that board, sell, or breed dogs *for sale*. While Ms. Weitz purportedly had previously bred and sold dogs, sporadically, she has never boarded dogs. After being found guilty for operating a kennel without a municipal license Ms. Weitz agreed to stop breeding her dogs *for sale*. According to Ms. Weitz' attorney, Gregg D. Trautmann, this should seemingly put her in full compliance with the law, since there is no law in the township limiting the number of dogs she can own, and Ms. Weitz was never charged with any other animal-related law.

However, Ms. Weitz' sentence, first entered on October 23, 2013 by the Municipal Court Judge, and upheld on March 7, 2013, by the Honorable Eugene H. Austin, J.S.C., requires more than is permitted by law, as Mr. Trautmann argued before the Appellate Court. In addition to being required to apply for a kennel license, Ms. Weitz was directed to cease breeding her dogs entirely. And, the Court ordered monthly inspections of her home until she obtains a kennel license to ensure that the dogs have not been bred.

The State's attorney, Mark R. DiMaria, argued that under the General Police Powers, the inspections mandated by the Judge were appropriate, even though he admitted that they involved repeated acts of entering Ms. Weitz' home without a warrant. Mr. DiMaria insisted that Ms. Weitz had not ceased the pattern of behavior she has been found guilty of by the court.

But according to Mr. Trautmann, Ms. Weitz had agreed not to sell any dogs or breed her dogs for sale. Therefore, but for the court-ordered sentence, Ms. Weitz should not have to obtain a kennel license, based on the ordinance and the State's definition of "kennel."

The issue before the Appellate Court is whether the lower courts exceeded their authority by mandating that Ms. Weitz obtain a kennel license, or suffer through monthly home inspections for as long as she continues to own dogs, even though she has agreed to refrain from activities which require such a license. If the Court were to uphold the sentence, it would appear that, at least in the Borough of Franklin Lakes, Mr. Weitz either has to obtain a kennel license, or prove that she will not breed her dogs again, for sale or otherwise.

Other New Jersey hobby breeders should carefully review their local ordinances, to determine whether they are required to obtain a kennel license, and what such a license requires for the breeders to obtain satisfactory annual inspections of their homes.

NORTHERN NEW JERSEY GREAT DANE CLUB

Northern New Jersey Great Dane Club
Minutes from the February 19, 2104
Membership Meeting
Franklin Steakhouse
318 Passaic Ave
Fairfield, New Jersey

The meeting was called to order at 8:16pm By Jeffrey D. Ball.

Members in attendance (14): Mary Fran Cini, Cathy Dlugosz, Jeffrey D. Ball, Ken Bocian, Diane Bocian, David Litke, Kira Wright, Carol Farro, Jack Keenan, Mitch Archer, Zuzanna Zagdel-Kounin, Deema Kounin, Rose Ann Tucker, Gay Wayne

Guests in attendance (0):

I. Minutes- Ken made a motion to accept January's meeting min with a correction that Kira had ankle not knee surgery. The motion was seconded by Carol and unanimously approved.

II. Corresponding Secretary- Zuzanna has received the list of people who signed up for receiving the newsletter VIA email instead of mail. If anyone else would like to sign up for emails please contact Zuzanna.

III. Recording Secretary- Kira thanked everyone for the lovely basket she received from the club for her surgery.

IV. Treasurer- Diane B has turned all of the membership renewals over to the Corresponding Secretary Zuzanna.

Diane B. reported an opening balance of \$8728.25. There was a deposit for \$71.73 from iGive and \$275.00 for dues, and four checks were written. The first check was for NJFDC membership for \$40.00, the second check was for the VFW Hall for the x-mass party in the amount of \$180.00, the third check was for our insurance for \$625.00 and the final check was for the GDCA Dues for \$150.00, leaving the account with a closing balance of \$8079.98.

V. Committee Reports-

Memberships- There is one application on the floor for membership. The application is for Justin Ball. The Board will approve of the application at the next board meeting and then be presented to the club for approval.

Health & Welfare- Cathy presented to the club information on Carry All's for Great Danes. Anyone interested can visit their website at www.fourflags.com.

Sunshine- No Report

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Rescue- There are many difficult dogs in rescue right now. MAGDRL is seeking foster homes for dogs who can be by their selves.

MAGDRL will be at the Rockland Kennel Club Dog show again this year. They have agreed to have the Jr clothing present at their table.

Fund Raising- In order to keep the location of the garage sale the club decided to post pone the date until after Carol's surgery. There was also a conflict in scheduling with the Match Show. The Match Show Committee will look into seeing if we can move the Match to May 18th instead of May 17th.

Website- All the pages on the clubs website need to be updated.

Pet Therapy- Bright and Beautiful Therapy Dogs, INC. are seeking individuals to help with the core testing. If anyone is interested in testing please see Kira. You do not have to be an evaluator to help with testing.

VI. Unfinished Business:

Due Renewals are now due. According to our Bylaws any dues not turned in by April will result in dismissal from the roster.

Rose Ann with Marcus, and Cathy came out to the Ridgewood Event. The event went very smoothly with a large outcome.

VII. New Business:

At the last meeting a question arose about the left over wine glasses from the national. The club ordered 300 glasses for the national. 47 glasses were given away for the Candy Bars, 72 glasses were purchased by club members, and 83 were sold at the national leaving a total of 98 glasses left. We made a total of \$593.00 on the glasses during Casino night and \$360.00 from members for a total of \$953.00.

For the first two years of the club we were members of the K9 Health Foundation. Last year we did not renew our membership. Carol made a motion to pay the \$200.00 membership fee to reinstate our membership with K9 Health Foundation. The motion was seconded by Jack and unanimously approved.

The fee for the location of our Match show has increased to \$100.00. Mary Fran made a motion to accept the increase in the site fee; the motion was seconded by David.

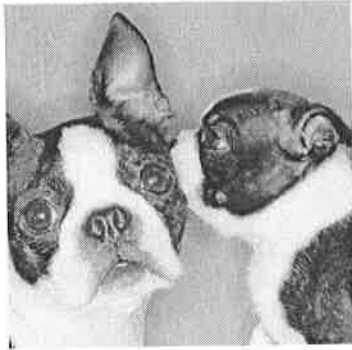
There being no further business, Carol moved to adjourn. The motion was seconded by Mary Fran and unanimously approved and the meeting was adjourned at 9:16pm.

Respectfully submitted,

Kira A Wright

Kira A Wright

Recording Secretary



PSSSSST!
SAVE THE DATE!
(APRIL 5TH, 2014)
PASS IT ON!

Attention all Pet Owners - Dog Enthusiasts - Exhibitors - Breeders

Plan on attending another informative symposium sponsored by the
Great Dane Club of Lehigh Valley!

**If you love your dog, this is a perfect opportunity to learn more
about the newest treatments available.**

The symposium will be held at Caitlyn & Cody's Diner located at 1907 John Fries Hwy in
Quakertown, PA on April 5th, 2014. Check in will be from 8:30 AM till 9:00 AM.
The cost of \$35/person includes a continental breakfast and buffet lunch.

SPEAKERS:

Dr. Erika Krick

Dr. Jennifer Macleod

Dr. Margret Casal

TOPICS:

A Team Approach to Treating Cancer

Common Orthopedic Problems in
Pediatric, Middle Age and Geriatric Dogs

Canine Reproduction and Genetics

TIME:

9:00 AM

approx 10:30AM
following lunch



RESPONSES ARE DUE BY MARCH 29th, 2014. Please confirm your reservation by
filling in this form and sending payment of \$35.00 (made payable to GDCLV, LLC) c/o
Dr. Elaine Miller, 3616 Applebutter Road, Dublin PA 19317. (Elaine Miller 215-249-3148)

Name: _____ Phone#: _____
Address: _____ Email: _____

Sponsored by the Great Dane Club of Lehigh Valley, LLC.

The GDCLV, LLC wishes to thank the Great Dane Club of America for their support of this educational event.

NORTHERN NEW JERSEY GREAT DANE CLUB

Dr. Erika Krick

Dr. Krick graduated from the University of Pennsylvania School of Veterinary Medicine in 2002. After 1 year of general practice she returned to Penn to complete a 1 year rotating internship in small animal medicine and surgery and a 3 year Medical Oncology Residency. Dr. Krick is a Board-Certified Veterinary Oncologist and is currently an Assistant Professor of Oncology at the University of Pennsylvania School of Veterinary Medicine. Her primary research interests are feline oncology and mast cell tumors in dogs. She is specifically interested in cancer cachexia in cats and strategies to improve the quality and length of life for cats with cancer. She has also designed and participated in several clinical trials testing new treatment strategies for dogs with a variety of cancers, including lymphoma and solid tumors.

Dr. Jennifer Macleod

I grew up in the Philadelphia area. I received my bachelors of science in chemistry/biology at West Chester University and graduated from the University of Pennsylvania school of Veterinary Medicine in 1999. I then completed a 1 year rotating internship at the Animal Medical Center in New York City followed by an internship in neurology/neurosurgery at the University of Georgia. I then completed my surgical residency at Penn. Following my residency I worked in private practice for a year in the San Francisco Bay Area before taking a position on faculty at the University of California at Davis. I moved back to Pennsylvania with my husband (veterinary radiologist, Sandy Macleod) to work at VSEC in 2008. We have 2 boys Liam 6 and Arran 5, 3 dogs, 2 cats, 2 hermit crabs and 2 fish. When not working I enjoy jogging, reading and cooking!

Margret Casal, DMV, PhD, Dipl. ECAR

**Associate Professor of Medical Genetics, Pediatrics, and Reproduction
School of Veterinary Medicine, University of Pennsylvania**

Margret Casal obtained her veterinary degree from the University of Zürich in Switzerland and her Master's in Virology from the University of Bern, also in Switzerland. After working in small animal reproduction for several years at the University of Zürich, she came to the University of Pennsylvania's (UOP) Veterinary School for a residency in Medical Genetics. After the residency, she stayed at the UOP and completed a PhD in Gene Therapy and Genetics. Dr. Casal is specialized in veterinary genetics, pediatrics and reproduction. She is board certified in theriogenology by the European College of Animal Reproduction. Her clinical interests lie primarily in pediatric diseases of the cat and she has been working in the field of canine and feline reproduction for the past 25 years. Her research interests are focused on the characterization, genetic basis, and treatment of canine genetic skin disorders that also occur in humans.

**Caitlyn & Cody's Diner
1907 John Fries Hwy
Quakertown, PA 18951
Ph# (215) 536 888**

DIRECTIONS: From the intersection of Routes 309 and 663, head towards the PA Turnpike entrance. The diner is across the street from the Quakertown entrance/exit of the PA Turnpike (between two hotels).

NORTHERN NEW JERSEY GREAT DANE CLUB

2014 AKC Legislative Conference Offers Tools and Training to Fight Anti-Dog Legislation

Legislative Liaisons from around the country gathered for the 2nd American Kennel Club Legislative Conference to discuss the strategies and tools necessary to fight anti-dog legislation.

The conference, held January 25-26, 2014 in Raleigh, North Carolina, provided Legislative Liaisons, representatives of AKC-affiliated federations, and AKC club leaders an opportunity to exchange ideas, discuss what was working in their states and communities and share lessons learned with fellow dog advocates from across the United States.

"The purpose of the conference was to provide our legislative leaders with tools and information that will help them inspire and empower concerned dog owners in their clubs and communities to counter misinformation and fight bad canine policy," said AKC Government Relations Director Sheila Goffe.

"It was an outstanding conference, probably one of the best I've attended put on by any organization," said Linda Hart, Secretary and State Legislation Liaison of the Colorado Federation of Dog Clubs, Inc. Representatives, lobbyists and public relations professionals were on-hand to speak with attendees. Presentations included:

- *Political Participation and Success*, presented by Michael Williams, a Senior Policy Advisor with Barnes & Thornburg, LLP who has served as AKC's federal affairs advisor and advocate since November 2008.
- *Taking Back the Conversation*, presented by Sarah Longwell, a Senior Vice President at Berman and Company.
- *Media Training for Dog Advocates*, led by Bill McIntyre, Executive Vice President/Group Head, Grassroots & Public Affairs, Edelman.
- *A Legislator's Perspective on Animal Rights*, presented by Rep. Tara Sad, Chair of Environment and Agriculture Committee, New Hampshire House of Representatives.
- *Political Involvement -- From Fancier to Legislator*, led by Rep. Janice Sparhawk Gardner, an AKC judge, delegate, legislative liaison and member of the New Hampshire House of Representatives.
- *Tales from the Trenches: Federation Building and Community Outreach*, presented by Michele Kasten and Jeffrey Ball, both longtime fanciers and Vice-President and President of the Illinois Federation of Dog Clubs and Owners and the New Jersey Federation of Dog Clubs, respectively.
- *Humane Relocation and the Animal Rights Movement*, led by Patti Strand, the National Director of the National Animal Interest Alliance (NAIA), former AKC Board Member and a volunteer lobbyist since 1991.
- *The Breeder as Advocate*, presented by author/educator Pat Hastings.

AKC staff also led a number of sessions:

- *The Latest from AKC GR: Trends, Tools and Resources*, presented by AKC Government Relations Director Sheila Goffe. Goffe spoke about new legislative trends to watch in 2014 and the AKC resources available to clubs and federations.
- *Advocacy 101: Engaging Members in Effective Networking and Advocacy*. Manager of Canine Legislation Jennifer Clark and Legislative Analyst Sarah Sprouse discussed community activism, getting to know local officials and understanding the legislative process.
- *Using Technical Language to Your Advantage*. Government Relations Senior Policy Analyst Phil Guidry, JD., discussed legislative analysis and provided tips and insight into reading legislative language and understanding how it can impact dog ownership.
- *Canine Litigation*. AKC Vice President and General Counsel Margaret Poindexter discussed AKC's involvement in litigation of significance to the organization and dog owners.

NORTHERN NEW JERSEY GREAT DANE CLUB

Northern New Jersey Great Dane Club
Membership Application

NAME: _____ TELEPHONE:(home) _____
(work) _____
ADDRESS: _____ (cell) _____
(fax) _____

CITY, STATE, ZIP: _____ E-MAIL _____

Are you a member of the Great Dane Club of America? Yes No
Are you 18 years of age or older? Yes No
List other All-Breed or Specialty Clubs to which you now belong or have belonged and offices held (if any): _____

If elected to Membership, are you be willing to serve on a Committee(s): Yes No

Committee(s) interested in working on: (please check ANY of interest)

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Advertising/Catalog | <input type="checkbox"/> Dinner Arrangements | <input type="checkbox"/> Membership | <input type="checkbox"/> Publicity |
| <input type="checkbox"/> Audio/Photography | <input type="checkbox"/> Obedience Classes | <input type="checkbox"/> Roster | <input type="checkbox"/> The Newsletter |
| <input type="checkbox"/> Awards | <input type="checkbox"/> Historian | <input type="checkbox"/> Pet Therapy/Health | <input type="checkbox"/> Show Handling Classes |
| <input type="checkbox"/> Breed Trophies | <input type="checkbox"/> Match Show | <input type="checkbox"/> Point Show | <input type="checkbox"/> Special Events |
| <input type="checkbox"/> Budget / Audit | <input type="checkbox"/> Material/Property | <input type="checkbox"/> Programs | <input type="checkbox"/> Sunshine |
| <input type="checkbox"/> Community Service | <input type="checkbox"/> Meeting Hospitality | <input checked="" type="checkbox"/> Public Education | <input type="checkbox"/> Web Site |
| <input type="checkbox"/> Phone Tree | <input type="checkbox"/> Librarian | | |

If elected to Membership, I hereby agree to abide by the Constitution and By-Laws of the Great Dane Club of Northern New Jersey and the Rules and Regulations of the Great Dane Club of America and American Kennel Club.

Signature of Applicant

| | | | |
|------------------------------------|---------------------------------|---------|--------------------------|
| Annual Dues, check application box | ONE time Application Fee: | \$10.00 | <input type="checkbox"/> |
| | Individual Membership | \$25.00 | <input type="checkbox"/> |
| | Two Members of Immediate Family | \$40.00 | <input type="checkbox"/> |
| | Junior Membership | \$10.00 | <input type="checkbox"/> |

Note: 1) Application fee must be included with membership application and is not refundable.
2) Annual Dues should not be paid until membership is accepted.

| | | |
|-----------------|----------------------|----------------------|
| Sponsorship | | |
| Name of Sponsor | Signature of Sponsor | Length of time known |

There must be two sponsors from different families for each applicant.
Letters of Recommendation from each Sponsor must accompany this application.
Please forward completed application along with application fee to:

FOR CLUB USE ONLY
 Received by Membership Chairperson _____
 Read at meeting _____
 Voted on: _____

Notice to membership _____
 Accept Decline

DATES to REMEMBER

Membership meeting

MARCH 19th, 2014

7:30 p.m.

Same Location

Franklin Steakhouse Tavern
318 Passaic Ave
Fairfield, NJ 07004

We look forward to seeing you at the meeting!

NNJGDC
11 Pershing Avenue
Ridgewood, NJ 07450

FIRST CLASS MAIL