

What is the difference between a kennel permit and a ‘special license’?

The difference between these two licenses is quite simple really – just think of the kennel permit in terms of a *business* license that is issued annually by the town. The practical purpose of the kennel permit is to enable the town to establish a record of persons who are in the business of selling or breeding certain animals.

The kennel permit is *mandatory* when a person owns or keeps two or more domestic pets (i.e., *dogs, wolf-hybrids, cats or ferrets*) that are four months of age or older, for the purposes of sale or for breeding. 20 V.S.A. §3681. Personal house pets are excluded under this rule, and must be licensed separately. The Vermont Department of Agriculture, Food and Markets commissioner prescribes the form of the kennel permit, and a \$10 license fee is paid to the municipal clerk. It is important to keep in mind that if someone qualifies for a kennel license, this does not mean they can operate a kennel in your town if your town has zoning. Kennel permits have no relationship to zoning regulations; thus, prospective kennel operators should consult with the town zoning administrator prior to establishing a business. Finally, the kennel permit is *in addition* to any other license and associated fees required by law.

At first glance, the purpose of a special license seems to be to save kennel operators money. Under this provision, breeders of domestic pets or wolf-hybrids *may*, at their own option, obtain a single license, at a reduced cost, for all of the breeding animals, as opposed to licensing individual animals. However, upon closer inspection of the specific statutory language of this licensing provision, we concur with Dr. Todd Johnson, state veterinarian, that the more likely intent of this benefit is to protect children from harm by providing an incentive to breeders to keep animals out of reach. First, the animals must be kept within a “proper enclosure.” This term is defined as an enclosure that “*is a locked fence or structure of sufficient height and sufficient depth into the ground to prevent the entry of young children and to prevent the animal from escaping...and provides humane shelter for the animal.*” Secondly, the domestic pets or wolf-hybrids must, at all times, have a current rabies vaccination. 20 V.S.A. §3583. Thus, not everyone who owns two or more domestic breeding pets or operates a kennel necessarily qualifies for a special license, and there is concern that it is widely misused.

The special license must be renewed annually by April 1st, and does not apply to pets that have been neutered, since it is a benefit specifically offered to *breeders* for *breeding* animals. The fees vary according to the number of breeding animals: \$30 up to 10 pets; more than 10 pets, \$30 plus \$3.00 for each animal in excess of that number, *plus* the \$10 kennel permit. Domestic pets and wolf-hybrids covered by the special license are exempt from other licenses and fees, including the municipal license surcharge (for local rabies control programs). They *are not* exempt from the state \$1 surcharge that is used to fund state rabies control programs. 20 V.S.A. §§3583(b), 3581(f).

VLCT News, April 2002