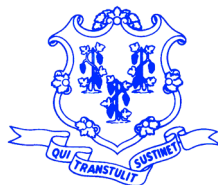


The Connecticut General Assembly

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Memorandum

To: Legislative Regulation Review Committee
From: Legislative Commissioners' Office
Committee Meeting Date: May 24, 2021

Regulation No:	2021-8
Agency:	Department of Agriculture
Subject Matter:	Kennels, Pet Shops, Grooming Facilities, Training Facilities, Animal Importers and Animal Shelters
Statutory Authority: (copy attached)	22-344

	Yes or No
Mandatory	Y
Federal Requirement	N
Permissive	N

For the Committee's Information:

Substantive Concerns:

1. On page 1, in section 22-344-33(b), the term "proper fencing" is ambiguous as it may mean something different to various individuals. This term should either be clarified, defined or not utilized.
2. On page 2, in section 22-344-35(b)(2) and on page 11, in section 22-344-82(a)(1), reference is made to 9 CFR 3.8(c)(1)(iii) concerning space requirements for dogs.

However, said section of the CFR does not appear to exist. Moreover, 9 CFR 3.8(c) addresses exercise requirements for dogs, not space requirements. This citation should be clarified.

3. On page 2, in section 22-344-35(d)(5) and throughout the remainder of the proposed regulation, reference is made to an "elevated resting surface". This phrase is ambiguous as it may mean something different to various individuals. Moreover, in reference to kittens and their dam, it is unclear what could constitute such a surface. This phrase should either be clarified, defined or not utilized.

4. On page 2, in section 22-344-35(d), it is unclear whether, other than a dam and her kittens, more than one cat may occupy a primary enclosure as the subsection requires a primary enclosure for "each" cat yet in subdivision (5) of said subsection the proposed regulation requires an elevated resting area for all the "occupants" of such primary enclosure. Moreover, said subsection does not contain a prohibition on the sharing of a primary enclosure for cats, as subsection (b) of said section does for dogs. Accordingly, this aspect of the proposed regulation should be clarified.

5. On page 3, in section 22-344-36, the proposed regulation requires the maintenance of "healthy air quality" and "adequate ambient conditions" while minimizing "unnecessary stress". Each of these three phrases is ambiguous as they may mean something different to various individuals. Accordingly, these phrases should either be defined, clarified or not utilized.

6. On page 4, in section 22-344-46(c), the proposed regulation requires enclosures to provide "adequate physical comfort" to the animals. This provision is ambiguous as it may mean different things to various individuals. Accordingly, this term should be clarified, defined or not utilized.

7. On page 4, in section 22-344-47(a), the proposed regulation requires animals to be provided "protection from the direct rays of the sun". It is unclear in what form or manner this protection is required to be provided.

8. On page 5, in sections 22-344-49(a) and (b), the proposed regulation refers to "other professionally recognized accepted practices." It is unclear if this phrase is intended to refer to veterinarian approved practices or practices of pet shop licensees. This phrase should be clarified.

9. On page 5, in section 22-344-49(a), the proposed regulation refers to "immature" animals. It is unclear what may constitute an immature animal. This term should be clarified.

10. On page 7, in section 22-344-55, the proposed regulation requires grooming facility rooms to provide "adequate lighting and ventilation". This phrase is ambiguous as it may mean different things to various individuals. The phrase should either be clarified, defined or not utilized.

11. On page 7, in section 22-344-56, the proposed regulation requires the walls and ceilings of a grooming facility to be paneled or "of other suitable materials". It is unclear what may constitute "other suitable materials". Accordingly, this phrase should be clarified, defined or not utilized.

12. On page 7, in section 22-344-58, the proposed regulation requires drying cages to be able to "accommodate the dog contained comfortably". It is unclear what this standard requires as it may mean different things to various people. This phrase should be clarified, defined or not utilized.

13. On page 8, in section 22-344-68, the proposed regulation requires training facility gates and entrances where guard or attack dogs are housed, used or trained to be "kept secured to ensure public safety". It is unclear what this standard may require as it may have a different meaning to various individuals. This standard should either be clarified, defined or not utilized.

14. On page 8, in section 22-344-69, the proposed regulation requires the installation of a "sight barrier". It is unclear where at a training facility such a sight barrier is required to be installed. As well, it is unclear what is meant by the term "sight barrier", as it is not defined. This provision and term should be clarified.

15. On page 8, in section 22-344-70(4), the proposed regulation prohibits the withholding of "reasonable comfort" from a dog that is being trained. It is unclear what constitutes "reasonable comfort" as it may have a different meaning to various individuals. This term should either be clarified, defined or not utilized.

16. On page 8, in section 22-344-75(a)(1), the proposed regulation requires primary enclosures used by animal importers to "contain each dog and cat comfortably" and to "withstand the normal rigors of transportation." It is unclear what is meant by "comfortably" and "the normal rigors of transportation". These terms should be clarified, defined or not utilized.

17. On page 9, in sections 22-344-75(a)(5) and (6), the proposed regulation uses the term "conveyance". It is not clear what is meant by this term, as it is not defined. If the intent is "transport vehicle", then such term should be utilized.

18. On page 9, in section 22-344-75(c), the proposed regulation requires dogs and cats to be transported by animal importers in a manner that "minimizes stress". It is not clear what this standard requires as it may mean different things to various individuals. This standard should be clarified, defined or not utilized.

19. On page 10, in section 22-344-80(a)(6), the proposed regulation requires cages and enclosures at animal shelters to be situated in a manner that protects dogs and cats from "stressful illumination". It is not clear what is meant by this term as it may mean different things to various individuals. This term should be clarified, defined or not utilized.

20. On page 11, in section 22-344-81(a)(1), the proposed regulation requires animal shelter ventilation to maintain "healthy air quality" to minimize "unnecessary stress" on the dogs

and cats due to "uncomfortable temperatures or environmental conditions". It is unclear what is meant by "healthy air quality", "unnecessary stress" and "uncomfortable temperatures or environmental conditions" as such terms may mean different things to various individuals. Accordingly, each of these terms should be clarified, defined or not utilized.

21. On page 11, in section 22-344-82(a)(3), the proposed regulation requires facilities, enclosures and other places where dogs and cats are kept at animal shelters to "provide adequate shelter from the sun and inclement weather when such animals are outside." It is unclear what this standard requires as the term "adequate" may mean different things to various individuals. This standard should either be clarified, defined or not utilized.

22. On page 11, in section 22-344-82(b), the proposed regulation requires an animal shelter to provide "sufficient staffing" that is adequate to ensure the proper care of dogs and cats on a daily basis. It is unclear what constitutes "sufficient staffing" as such term may mean different things to various individuals. This term should be clarified, defined or not utilized.

23. On page 11, in section 22-344-82(b)(1), the proposed regulation requires the use of a working outdoor thermometer to monitor outdoor temperature at "appropriate intervals". It is not clear what constitutes "appropriate intervals" as such term may mean different things to various individuals. This term should be clarified, defined or not utilized.

24. On page 12, in section 22-344-82(b)(9), the proposed regulation requires dogs and cats at animal shelters to be provided with "proper and adequate enrichment" to avoid "excessive emotional stress". It is not clear what constitutes "proper and adequate enrichment" or "excessive emotional stress" as such terms may mean different things to various individuals. These terms should be clarified, defined or not utilized.

25. On page 12, in section 22-344-90(a), in the second and third lines, the proposed regulation refers to "new" registrations for an animal shelter. It is unclear if this term is meant to refer to registrations made after the effective date of the regulation or initial registrations. This term should be clarified.

Technical Corrections:

1. Throughout the proposed regulation, each occurrence of "must" should be "shall", in accordance with the committee's directive concerning mandates.

2. Throughout the proposed regulation, numbers should appear as the spelling of the number followed by the numeral in parentheses, for consistency. For example, on page 2, in section 22-344-35(b)(1), "twenty-five pounds, five square" should be "twenty-five (25) pounds, five (5) square".

3. Throughout the proposed regulation, references to Fahrenheit and Celsius should appear as "Fahrenheit" and "Celsius", rather than "F" or "C", respectively, for clarity and consistency.
4. On page 1, in section 22-344-32, "**As used in this section and sections 22-344-33 to 22-344-90 of the Regulations of Connecticut State Agencies:**" should not be part of the catchline for said section, should appear in unbolded text on the line below the catchline, and ", inclusive," should be inserted before "of", for proper form.
5. On page 1, in section 22-344-32(5), in the first line, the parentheses should be commas, for proper form, in the second line, "while" should be inserted before "following" and in the third line, "at least" should be "not less than", for clarity.
6. On page 1, in section 22-344-33(b), subdivisions "1)", "2)" and "3)" should be "(1)", "(2)" and "(3)", for proper form.
7. On page 1, in the catchline of section 22-344-34, a bolded hyphen should be inserted after "**Facilities**", for proper form. The same change should be made on page 2 in section 22-344-35 and on page 3 in sections 22-344-36 and 22-344-37.
8. On page 2, in section 22-344-35(b)(3), "In all events, dogs" should be "Dogs", for clarity.
9. On page 2, in section 22-344-35(c), "be" before "meet" should be deleted as unnecessary.
10. On page 2, in section 22-344-35(c)(1), "and" should be inserted before "forty-eight" and the "or" after "ten feet;" should be deleted, for proper form.
11. On page 2, in section 22-344-35(d)(3), "subsection (d)(2)" should be "subdivision (2) of this subsection", for proper form.
12. On page 3, in section 22-344-38(a), in subdivision (1), "the" should be inserted before "owner" and "animal"; in subdivision (2), "the" should be inserted before "animal" and "breed"; in subdivision (3), "the" should be inserted before "date", "name of", and "person" and "a" should be inserted before "product"; and in subdivision (4), "a" should be inserted before "current", for proper form.
13. On page 3, in section 22-344-38(b), "of this section" should be inserted after "subsection (a)", for proper form.
14. On page 4, in section 22-344-38(c), in the first line, "licensee" should be inserted before "shall" and "their" should be "his or her", for clarity.
15. On page 4, in section 22-344-39, the reserved sections, the second "**Sec.**" and period after "**Reserved**" should be deleted to read as follows: **(NEW) Sec. 22-344-39 ---22-344-44. Reserved**, for proper form. The same change should be made throughout the proposed regulation.

16. On page 4, in section 22-344-46(a), in the fourth line, a comma should be inserted before "except" and "said" should be "such", for proper form.
17. On page 4, in section 22-344-46(b), "animal(s)" should be "animals" and "often" should be inserted after "daily or more", for proper form.
18. On page 5, in section 22-344-49(c), in the third line, "his" should be "such licensee's" and in the sixth line, "can be" should be "is", for clarity.
19. On page 5, in the first line of section 22-344-49(e), "licensee" should be inserted after "shop" and "their" should be "such licensee's", for clarity.
20. On page 6, in section 22-344-50(1), "Section" should be "section", for proper form.
21. On page 6, in section 22-344-50(8), "Connecticut Department of Health Services regulation 19a-36-A46" should be "section 19a-36-A46 of the Regulations of Connecticut State Agencies", for clarity.
22. On page 6, in section 22-344-51(a), in subdivision (1), "the" should be inserted before "person", "date" and "United States", in subdivision (2), "the" should be inserted before "dog", and a comma should be inserted before "including" and after "number", in subdivision (3), "the" should be inserted before "person" and "date" and in subdivision (4), "the" should be inserted before "dog", "method" and "date", for proper form.
23. On page 6 in section 22-344-51(b), "(a)(3) through (5)" should be "(a)(3) to (5), inclusive", for proper form.
24. On page 7, in section 22-344-51(b) "the logbook" and "the log-book" should each be "such logbook", "within 72 hours of the event" should be "not later than seventy-two (72) hours after the event", and "refer to such entry," should be "refer to such original entry", for clarity.
25. On page 7, in section 22-344-51(c), "of this section" should be inserted after " subsection (a)", for proper form.
26. On page 7, in section 22-344-56, "easily cleaned" should be ", easily cleaned,", for clarity.
27. On page 7, in section 22-344-57, "A grooming" should be "Each grooming", for proper form.
28. On page 8, in section 22-344-65, the provision should be rewritten as follows, for clarity: "Any facility for housing dogs for training shall comply with the provisions of sections 22-344-33 to 22-344-38, inclusive, of the Regulations of Connecticut State Agencies and the training facility shall be separate from any residence or living quarters."

29. On page 8, in the catchlines of sections 22-344-66, 22-344-69 and 22-344-70, a bold hyphen should be inserted after "**Facility**", for consistency.
30. On page 8, in section 22-344-66, in the third line, "inches that shall not be more than" should be "inches in size that shall be not more than", and in the fourth line of said section, "the building and area" should be "such building or area", for clarity.
31. On page 8, in sections 22-344-75(a) and (a)(1), occurrences of "dog and cat" or "dogs and cats" should be "dog or cat" and "dogs or cats", respectively, for clarity.
32. On page 9, in section 22-344-75(c)(7), "these regulations" should be "the provisions of this section", for clarity.
33. On page 10, the first line of section 22-344-80 should be rewritten as follows, for clarity: "The provisions of sections 22-344-80 to 22-344-82, inclusive, of the Regulations of Connecticut State Agencies apply to animal shelters that house dogs or cats."
34. On page 10, section 22-344-80(b) should be rewritten as follows, for clarity and proper form: "Subdivisions (2), (3), and (4) of subsection (a) of this section shall be effective one year after the effective date of this section."
35. On page 10, in section 22-344-80(c), "shelter shall have on file at their" should be "shelter registrant shall have on file at his or her", for clarity.
36. On pages 10 and 11, in sections 22-344-81(a), (a)(1) and (a)(2), "An animal shelter" should be "Each animal shelter", for clarity.
37. On page 11, section 22-344-81(b) should be rewritten as follows, for clarity and proper form: "Subdivision (2) of subsection (a) of this section shall be effective one year after the effective date of this section."
38. On page 11, in section 22-344-82(a)(1), in the fourth line, a comma should be inserted after "section", for proper form and in the seventh line, "with this requirement" should be inserted after "compliance", for clarity.
39. On page 11, in section 22-344-82(a)(2), the comma after "disinfecting" should be "; and", for proper form.
40. On page 11, in section 22-344-82(b)(4), "and/or" should be "or", for proper form.
41. On page 12, in section 22-344-82(b)(12), "Connecticut" should be inserted before "licensed", for consistency.
42. On page 12, in section 22-344-82(b)(14), "that is" should be inserted before "under", for clarity.

43. On page 12, in section 22-344-82(c), "section" should be inserted before "22-359", for proper form, "promulgated" should be "adopted", for accuracy, and "the" should be inserted before "control", for clarity.

44. On page 12, in section 22-344-90(a), in the sixth line, "or registrant" should be inserted after "applicant", for consistency.

45. On page 12, in section 22-344-90(b), in the second line, "facilities" should be "facility" and "at least" should be "not less than", for clarity.

46. On page 13, section 2 should be rewritten as follows, for proper form: "Sections 22-344-1 to 22-344-15, inclusive, 22-344-15a to 22-344-15f, inclusive, 22-344-16a, 22-344-17a, 22-344-18a, 22-344-19a, 22-344-20a, 22-344-21a, 22-344-25c, and 22-344-26 to 22-344-31, inclusive, of the Regulations of Connecticut State Agencies are repealed."

Recommendation:

<p>Approval in whole with technical corrections with deletions with substitute pages Disapproval in whole or in part <input checked="" type="checkbox"/> Rejection without prejudice</p>
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Reviewed by: Bradford M. Towson / Shannon McCarthy

Date: May 13, 2021

Sec. 22-344. Licensing of commercial kennel, pet shop, training facility or grooming facility. Advertising by commercial kennels. Registration of animal importer. Fees. Humane treatment of animals. Registration of animal shelters. Inspection. Fines. Conformance to zoning regulations. (a)(1) No person shall maintain a commercial kennel until he has obtained from the commissioner a license to maintain such kennel under such regulations as the commissioner provides as to sanitation, disease and humane treatment of dogs or cats and the protection of the public safety. Upon written application and the payment of a fee of four hundred dollars, the commissioner shall issue such license to be effective until the second December thirty-first following issuance provided the commissioner finds (A) that such regulations have been complied with, and (B) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such kennel is to be maintained has certified that the kennel conforms to the municipal zoning regulations. Such license shall be renewed biennially, not later than December thirty-first, in accordance with the provisions of this section, and may be transferred by the licensee to another premises upon approval of the commissioner.

(2) Any person who maintains a commercial kennel and who advertises the services of such commercial kennel shall cause the license number for such commercial kennel, as issued pursuant to this section, to clearly appear in such advertisement. The commissioner may adopt regulations, in accordance with chapter 54, to prescribe the requirements for the appearance of the license number of a commercial kennel in any form of advertisement. Such regulation may include, but need not be limited to, the size, font and location of such license number for any given form of advertisement.

(3) For purposes of this subsection, no person who boards three or fewer cats or dogs in his or her residence shall be required to obtain a commercial kennel license pursuant to this subsection.

(b) No person shall maintain a pet shop until he has obtained from the commissioner a license to maintain such pet shop under such regulations as the commissioner provides as to sanitation, disease and humane treatment of animals and the protection of the public safety. Upon written application and the payment of a fee of four hundred dollars, the commissioner shall issue such license to be effective until the second December thirty-first following issuance provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such pet shop is to be maintained has certified that the pet shop conforms to the municipal zoning regulations. Application

for renewal of such license shall be made biennially by not later than the second December thirty-first following issuance. Such pet shop license may be transferred by the licensee to another premises upon the approval of the commissioner. The commissioner, after consultation with the Commissioners of Public Health and Energy and Environmental Protection, shall establish and maintain, pursuant to regulations adopted in accordance with chapter 54, a list of animals which are deemed to be injurious to the health and safety of the public or whose maintenance in captivity is detrimental to the health and safety of the animal. The sale or offer of sale of any animal which is on said list is prohibited and any person who violates this provision shall be fined not more than five hundred dollars.

(c) No person shall engage in the business of grooming or maintaining a grooming facility until such person has obtained from the commissioner a license to maintain such facility under such regulations as the commissioner provides as to sanitation, disease and humane treatment of such animals and the protection of the public safety. Upon written application and the payment of a fee of two hundred dollars, the commissioner shall issue such license to be effective until the second December thirty-first following issuance provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such grooming is to be maintained has certified that the facility conforms to the municipal zoning regulations. Such license shall be renewed biennially, not later than the second December thirty-first following issuance, in accordance with the provisions of this section, and may be transferred by the licensee to other premises upon approval of the commissioner.

(d) No person shall maintain a training facility until such person has obtained from the commissioner a license to maintain such facility under such regulations as the commissioner provides as to sanitation, disease and humane treatment of such animals and the protection of public safety. Upon written application and the payment of a fee of two hundred dollars, the commissioner shall issue such license to be effective until the second December thirty-first following issuance provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such training facility is to be maintained has certified that the facility conforms to the municipal zoning regulations. Such license shall be renewed biennially not later than the second December thirty-first following issuance upon the terms required for the original license and may be transferred by the licensee to another premises upon approval of the commissioner.

(e) (1) No animal importer shall import any dog or cat into this state until such person registers as an animal importer with the commissioner. Such registration shall be on a form as prescribed by the commissioner. Such registration shall require the submission of the

following information: (A) The name, mailing address, business address, telephone number and Internet address of such registrant, (B) if such registrant is domiciled out-of-state, the name, Connecticut address and phone number of a Connecticut-based agent for service of process, and (C) the number of animals brought into the state during the prior year by such animal importer and the state or country of origin for each such animal. Such registration shall be accompanied by payment of a fee of two hundred dollars and shall be valid until the second December thirty-first following such registration. Such registration shall be renewed biennially not later than the second December thirty-first following issuance, in accordance with the provisions of this subsection, provided the commissioner determines that such registrant complies with any requirements provided by the commissioner as to the health, safety and humane treatment of animals that is applicable to animal importers. Such registration shall not be required for any employee or volunteer of a registered animal importer or other person who is required to be licensed pursuant to the provisions of this chapter, provided such employee, volunteer or other person is not otherwise an animal importer. Any person who violates the provisions of this subdivision shall be fined not more than five hundred dollars.

(2) Any animal importer who intends to offer for sale, adoption or transfer any dog or cat at a venue or location that is open to the public or at an outdoor location, including, but not limited to, a parking lot or shopping center, shall provide notice to the Department of Agriculture and the municipal zoning enforcement officer of the town where any such sale, adoption or transfer will occur, not later than ten days prior to such event. Such notice shall state the date for such sale, adoption or transfer event, the exact location of such event and the anticipated number of animals for sale, adoption or transfer at such event. Any person who fails to provide notice as required pursuant to this subdivision shall be fined not more than one hundred dollars per animal that is offered for sale, adoption or transfer at such event.

(3) For the purpose of this subsection, "animal importer" means a person who brings any dog or cat into this state from any other sovereign entity for the purpose of offering such dog or cat to any person for sale, adoption or transfer in exchange for any fee, sale, voluntary contribution, service or any other consideration. "Animal importer" includes any commercial or nonprofit animal rescue or adoption, humane relocation or delivery organization that is not otherwise required to be licensed under the provisions of this chapter.

(4) The provisions of this subsection shall not be construed to apply to any animal importer who offers a dog or cat for sale to a pet shop that is licensed in accordance with the provisions of subsection (b) of this section, provided such animal is delivered directly to a pet shop.

(5) The Commissioner of Agriculture may inspect any animal imported by an animal importer or any record required to be kept by such animal importer, provided such inspection shall not authorize the entry of the commissioner into the residence of such animal importer.

(6) Not later than December 31, 2013, the Commissioner of Agriculture shall prescribe the conditions that constitute the humane treatment of animals that are applicable to animal importers. Such conditions shall include, but not be limited to, the appropriate shelter, availability of food and water and standard of care to be provided by an animal importer to such animals.

(f) No person shall operate or maintain an animal shelter until he or she registers such animal shelter with the commissioner to operate and maintain such animal shelter under such regulations as the commissioner provides as to sanitation, disease and humane treatment of dogs or cats and the protection of the public safety. Upon written application and payment of a fee of fifty dollars to offset administrative costs of such registrations, the commissioner shall issue such registration to be effective until the second December thirty-first following issuance provided the commissioner finds (A) that such regulations have been complied with, and (B) in the case of each initial application for such registration, that the zoning enforcement official of the municipality wherein such animal shelter is to be operated or maintained has certified that the animal shelter conforms to the municipal zoning regulations. Such registration shall be renewed biennially, not later than December thirty-first, in accordance with the provisions of this section, and may be transferred by the registrant to another premises upon approval of the commissioner. For purposes of this subsection, "animal shelter" means any private entity that operates a building or facility that is used solely to house homeless animals for the purpose of rescue or adoption and that is not operated within a private residence.

(g) The commissioner may, at any time, inspect or cause to be inspected by the commissioner's agents any such commercial kennel, animal shelter, pet shop, grooming facility or training facility, and if, (1) in the commissioner's judgment such kennel, shelter, pet shop, grooming facility or training facility is not being maintained in a sanitary and humane manner or in a manner that protects the public safety, (2) the commissioner finds that contagious, infectious or communicable disease or other unsatisfactory conditions exist, or (3) in the case of a pet shop, the commissioner finds any violation of the provisions of section 22a-381d, the commissioner may issue a fine to such commercial kennel, shelter, pet shop, grooming facility or training facility of not more than five hundred dollars for each animal that is the subject of such violation, may issue such orders as the commissioner deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such kennel, shelter, pet

shop, grooming facility or training facility fails to comply with the regulations or orders of the commissioner, or fails to comply with any provision of the statutes or regulations relating to dogs or other animals, the commissioner may revoke or suspend such license or registration, as applicable. Any person aggrieved by any order issued under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183. Any person maintaining any commercial kennel, animal shelter, pet shop, grooming facility or training facility without having obtained a license or registration for the same, as applicable or after any such license or registration has been revoked or suspended as provided herein shall be fined not more than two hundred dollars. The provisions of this section shall not apply to veterinary hospitals, except those boarding or grooming dogs for nonmedical purposes, and other establishments where all the dogs or animals were born and raised on the premises where they are kept for sale

(h) The provisions of subsections (a) to (d), inclusive, of this section requiring certification by the zoning enforcement official that every commercial kennel, pet shop, grooming facility and training facility conforms to the zoning regulations of the municipality wherein such kennel, pet shop, grooming facility or training facility is maintained shall not apply to any person who is licensed under said subsections and maintained any such kennel, pet shop or grooming facility prior to October 1, 1977, provided such person does not relocate such kennel, pet shop, grooming facility or training facility in a zone in which such kennel, pet shop, grooming facility or training facility is not a permitted use. In addition, the provisions of said subsections and subsection (f) requiring certification by the zoning enforcement official that every commercial kennel, animal shelter, pet shop, grooming facility and training facility conforms to the zoning regulations of the municipality wherein such kennel, shelter, pet shop, grooming facility or training facility is maintained shall not apply when a zone in which such kennel, shelter, pet shop, grooming facility or training facility is maintained is changed to a use which does not permit such kennel, shelter, pet shop, grooming facility or training facility in such zone.