



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF AGRICULTURE & FOREST ENVIRONMENT

235 Promenade Street | Providence, Rhode Island 02908

Date: July 13, 2026

To: Office of Legal Services

From: Scott Marshall, State Veterinarian/Division of Agriculture and Forest Environment

RE: Amendment of Rules and Regulations Governing Animal Care Facilities (250-RICR-40-05-4)

Public notice of proposed amendment of Rules and Regulations Governing Animal Care Facilities (250-RICR-40-05-4) was posted to the Secretary of State's website on June 2, 2026. A public hearing was held on June 25, 2026. The comment period ended July 2, 2026.

The Department did not receive any written testimony at the public hearing, however one person provided oral comments. The Department also received a total of six comments via email during the comment period. No comments were received after the comment period ended.

Summary of comments:

Comment 1: Matthew Betts provided oral comments at the public hearing. Mr. Betts stated that it would be a hardship for his kennel to make a notation each time a dog voided urine or passed stool, and the urine and stool were cleaned up by kennel staff. He stated that the staff are very attentive and pick up after the dogs as soon as they notice any urine or stool, however asking the staff to then make a notation would create a hardship by adding a significant amount of work.

DEM Response: The proposed amendments will not be further amended based on this comment. The Department determined that neither the proposed amendment, nor the existing regulation, creates a requirement for kennel owners to record each time that an animal voids urine or stool.

Comment 2: Written comment received by email from Katherine Ostiguy. Ms. Ostiguy had concerns that it would not be possible to comply with the proposed amendment to section 4.6.F for kennels to record food and water intake when the animals are housed in a communal setting. This same commenter stated that

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daycare boarding should be exempt from the requirement of recording food and water intake because the animals are not individually housed, therefore monitoring intake of food and water would be impossible. She also stated that those requirements should only apply to overnight boarding.

DEM Response: DEM considered this comment but will not make any further amendments based on them. Per RI General Law § 4-19-2 (19) “Kennel” means a place or establishment, other than a pound or animal shelter, or veterinary hospital that is housing animals during their treatment, where animals not owned by the proprietor are sheltered, fed, and watered in return for a fee.” This law does not delineate between “daycare” and overnight boarding. A kennel license is required for either model. Therefore, it would be inappropriate to create a different model for daycare in regulation since the governing statute doesn’t define daycare or any licensing requirement separate from that which exists under the definition of kennel. Additionally, the proposed amendment does exempt kennels that house animals in a communal setting from monitoring the intake of food and water by individual animals because it would be impossible to monitor water consumption, and, because dogs are not usually fed when housed in a communal setting due to feeding causing potential conflict between animals.

Comment 3: Written comment received by email from Celeste Long. Ms. Long had concerns that it would be difficult to maintain an accurate list of sub-registrants as proposed amendment to section 4.6.E would require. She stated the list of foster homes (sub-registrants) is in constant flux.

DEM Response: DEM considered this comment but will not make any further amendments based on them. The proposed amendment would not require licensed entities who utilize sub-registrants to update the list of sub-registrants in real time, but rather to submit the list of sub-registrants to the Department twice annually.

Comment 4: Written comment received by email from Wes Skorski. Mr. Skorski had concerns about the proposed amendment to section 4.8.A (7)(a) prescribed a ratio of 15 dogs per attendant whereas he states his boarding facility safely uses a ratio of 25 dogs per attendant.

DEM Response: DEM considered this comment but will not make any further amendments based on them. The Department feels that it is unnecessary to make any changes because this proposed amendment clearly states that the 15:1 ratio is a recommendation and not a requirement. It is also noteworthy that this recommendation was included in the proposed amendment at the request of several stakeholders who participated in a regulatory development workshop that DEM hosted prior to publication of the proposed amendment.

Comment 5: Written comment received by email from Robert Wheeler. This commenter had concerns that the proposed amendment to section 4.6.F be clarified. Mr. Wheeler stated the proposed amendment was clear about the requirements for record keeping related to feeding and watering animals being housed in kennels that individually house animals and supports that amendment. He also stated the proposed amendment about exempting kennels that utilize strictly communal housing from keeping records on feeding and watering but said there should be clarification on the requirements of kennels that use both individual housing and

communal housing (i.e. dogs that are individually housed during rest time but are communally housed during exercise. He also provided language for consideration to clarify the proposed amendment to section 4.6.F

DEM Response: DEM considered this comment and will further clarify section 4.6.F to address the requirements for kennels that use both individual housing systems and communal housing systems. “Kennel operators that use both individual enclosures and communal housing systems must maintain records as described in this section for the portion of the time that the animals are housed in an individual enclosure” will be added to this section.

Comment 6: Written comment received by email from Erica Cole. This comment was in support of the proposed amendments. The email in general was very sweeping in scope and raised concerns about various laws, regulations, and policies related to animal health, welfare, and behavior that are well beyond the scope of the proposed amendments.

DEM Response: DEM is grateful for the support of the proposed amendments.

Comment 7: Written comment received by email from Alisa Clements on behalf of the Pet Advocacy Network. This comment was submitted by a pet advocacy group that fully supports the proposed amendments. Their letter of support not only addressed the proposed amendments, but the Department’s overall framework for assuring the welfare of animals.

DEM Response: DEM is grateful for the support of the proposed amendments.