

*** § 430. Behavior.**

1. Each animal shelter shall take measures, by way of written questionnaire, personal interview or other means deemed necessary by the commissioner, to collect a behavioral history for each animal in its custody or possession at the time of intake.
2. Routine care and handling of any animal in the custody or possession of each animal shelter, including the timing of feeding and sanitation procedures shall be performed on a regular daily schedule.
3. At least twenty minutes of positive social interactions, in addition to time spent providing feeding, cleaning, basic husbandry or care with people shall be provided by each animal shelter on a daily basis for any animal in such shelter's custody or possession except those so poorly socialized to humans that such contact would be unpleasant, stressful or pose a safety risk to other animals or humans. Daily handling and positive exposure to people and other animals shall be provided for any dog or cat less than four months of age, while taking appropriate precautions to limit infectious disease. Positive social interactions shall include but not be limited to petting an animal, walking, reward based training or interactive play with toys. Time spent providing basic husbandry and animal care shall not be used to offset the social interaction time requirements of this subdivision.
4. Each animal shelter shall provide each animal in its custody or possession opportunity for exercise and exploration in the following manner:
 - (a) all cats housed in a cage, kennel, or room that provides less than eighteen square feet of floor space per cat for fourteen days or longer shall be permitted at least fifteen minutes per day at least five days per week outside of their primary enclosure to exercise and explore;
 - (b) all dogs residing in the shelter for fourteen days or longer shall be permitted time outside of their primary enclosure to exercise and explore for at least twenty minutes per day five days per week; or
 - (c) in the event such activities are not possible due to any animal's health, behavior, order of the commissioner or legal restriction, the condition and reason shall be documented in such animal's medical record.
5. Each animal shelter shall implement additional measures for enrichment and stress reduction for any animal in its custody or possession showing persistent hiding, hostile interactions with other animals, reduced activity, depression or social withdrawal, barrier frustration or aggression, self-injurious behavior, repetitive non goal-oriented movement, or stereotypic behaviors. Such measures shall be documented in such animal's medical record created pursuant to section four hundred twenty-three of this article.

6. Use of aversive methods in animal training or behavioral modification is prohibited except in reward-based method situations, where skilled application of the least aversive method that is expected to succeed may be appropriate.

7. Animal shelters may perform a systematic behavioral evaluation on animals prior to rehoming or other placement. In the event such evaluations are performed, the following requirements shall apply:

(a) staff performing such evaluations shall receive, in advance, adequate training in the performance and interpretation of the behavioral evaluation or evaluations; and

(b) documentation of the results of every behavior evaluation performed shall be added to the animal's record created pursuant to section four hundred twenty-three of this article.

8. Each licensed animal shelter shall fully disclose all available information regarding the behavior of any animal in its custody or possession prior to such animal's transfer to an individual or another organization as authorized pursuant to section three hundred seventy-four of this chapter. Such information shall include, but not be limited to prior history, observed behaviors in the shelter, and the results of any systematic behavioral evaluations performed.

9. Any animal in the custody or possession of a licensed animal shelter that is observed to be experiencing mental suffering or behavioral deterioration shall be assessed and appropriately treated.

* NB Effective December 15, 2025