

## BECOMING A LICENSED ANIMAL RESCUE IN GEORGIA

Becoming a licensed Animal Rescue in the State of Georgia requires an “**Animal Shelter License**” that is issued by the **Georgia Department of Agriculture**. It is not a difficult task; however, there are several additional steps that the organization must complete prior to undergoing their “prelicense inspection”.

The first step is to make sure that you are in compliance with your local ordinances. Some cities or counties have ordinances that limit the number of animals that a person can have on a property. Having a State license cannot exempt an individual or corporation from having to comply with these ordinances. Your State inspector may require a letter from your local government (city or county zoning) stating that you will not be in violation of any of their ordinances.

Second step for Georgia residents is to contact the **Georgia Secretary of State** <http://www.sos.ga.gov/corporations/>, and incorporate as a non-profit organization. Merely registering a name with them is not sufficient, the process must be completed. The process does not take long and it is not very expensive. Your inspector will require proof of this at the time of the pre-license inspection.

If you wish to be a tax exempt organization you must register with the **I.R.S.** as a 501-C3 corporation. <http://www.irs.gov/pub/irs-pdf/p4220.pdf>. This may require the help of a tax professional or attorney.

After you have incorporated, you will give the **Georgia Department of Agriculture – a call at 404-656-4914**. After they answer any questions that you have they will direct you to our licensing division for processing. You may also apply for the license online at <http://www.agr.georgia.gov/licensing.aspx> you will need to go through the **online login** link. After you apply we will take your request and forward the information to the Field Inspector that works your county. The inspector will then contact you and set up an appointment to look over your facility and ensure that you are in compliance with the **Georgia Animal Protection Act** (This is considered to be your prelicense inspection). The inspector will answer any questions that you have and will go over the record keeping requirements and other expectations at that time. If your group plans to utilize foster homes, documentation of all fosters must be given at the time of the initial pre-license inspection. A foster home agreement must be signed by each foster head and the primary license holder is responsible for performing 2 annual inspections on each foster. Foster homes must also comply with local ordinances. It is important to vet potential fosters carefully since you as the primary license holder will be held responsible if they are found to be in non-compliance.

An animal Rescue license does not allow individuals/groups to pick up stray animals. Animals can be obtained in a couple of ways. They must either be relinquished by a legitimate owner (in writing) or acquired from a licensed Animal Shelter. The Animal Shelter is not required to release animals to your organization so a cordial relationship is a necessity. A licensed Rescue organization must be familiar with and adhere to all the rules and regulations in the Georgia Animal Protection Act. Also, any individual that is obtaining animals on behalf of a licensed animal rescue must be authorized (in writing) by a corporate member of the licensed rescue. This document must be on file at the shelter that is allowing the authorized individual to obtain the animal. All rules and regulations and many of the necessary forms can be view/obtained at our website <http://agr.georgia.gov/animalprotection.aspx>.

Once you become licensed your license will be up for renewal on an annual basis. All license renewals will be done through our licensing division at <http://agr.georgia.gov/licensing.aspx>

Inspectors perform random/routine inspections during the year to ensure continued compliance. The inspections are unannounced and may occur at any time during normal business hours 8:00am – 6:00pm. Inspectors may also inspect foster homes at any time there is reason to believe that there are issues of non-compliance.

**Non-resident rescue organizations** that are obtaining animals from Georgia Shelters (either personally or by utilizing volunteers or advocacy groups) with the intent of re-homing those animals must be licensed and must also consent to the jurisdiction of the State of Georgia. The consent form is on our website. A non-resident organization (licensed or unlicensed) may not utilize foster homes in Georgia. To operate foster homes in the State of Georgia a license holder must reside in Georgia.

#### **§ 4-11-6. Applicability of article to nonresidents; consent to jurisdiction; service**

Any person who is not a resident of this state but who engages in this state in any activities for which a license is required by this article shall be subject to this article as to such activities. Each nonresident applicant for a license required by this article shall be required as a condition of licensure to execute consent to the jurisdiction of the courts of this state for any action filed under this article; and service of process in any such action shall be by certified mail or statutory overnight delivery by the Commissioner.