

## CHAPTER 6. ANIMALS

### ARTICLE 1. GENERAL PROVISIONS'

#### **Sec. 6-1. Definitions.**

(a) As used in this Chapter:

(1) Animal means any and all types of animals, both domesticated and wild, except man.

(2) At Large means off the premises of the owner and not under control of the owner or keeper, either by leash or trained voice command.

(3) Collar means any band, chain, harness or suitable device worn around the neck of a dog to which license may be affixed.

(4) Dog means any member of the domesticated canine species (*canis familiaris*), male or female.

(5) Fowl means any and all fowl, domesticated and wild, male and female.

(6) Keep means possessing, controlling, exercising or allowing to run at large.

(7) Kennel means any establishment, dwelling or other structure in which the owner or occupant thereof keeps or harbors more than five (5) dogs over the age of six (6) months or five (5) cats over the age of four (4) months as pets, for a hobby, sporting activity, breeding or sale.

(8) Owner means any person owning, keeping, or harboring a dog or other animal.

(9) Pet Shop means any establishment authorized by the enforcement officer for confinement, maintenance, safekeeping, and control of dogs that come into custody of the Canine Control Officer in the performance of his official duties.

(10) Vaccination means an anti-rabies vaccination using a type of vaccine approved by the State Veterinarian.

(11) Veterinarian means any veterinarian licensed by the State to practice or employed by a government agency.

(12) Veterinary Hospital means any establishment operated by a veterinarian licensed to practice in the State that provides clinical facilities and houses animals or birds for dental, medical, or surgical treatment; pens, stalls, cages, kennels for quarantine, observation or boarding.

(13) Vicious Animal means any animal that attacks, bites or has a known propensity to attack or bite human beings or other animals on streets, sidewalks, or other public or private places.

(14) Guard Dog means any dog professionally trained to protect one's person, private property and/or personal property or any dog that will, by natural instinct, protect one's person, private property and/or personal property.

'State law reference: As to cruelty to animals, see Gen. Stats., Sec. 53.

#### **Sec. 6-2. Enforcement.**

The Director of Health, Canine Control Officer (Dog Warden), and the Chief of Police shall enforce the provisions of this Chapter.

Sec. 6-3. Manner of Keeping Animals.      **CHAPTER 6. Animals**

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## **ARTICLE 2. RULES AND REGULATIONS**

### ***Sec. 6-3. Manner of Keeping Animals.***

(a) No person shall keep or maintain any animal in such manner so as to become a public nuisance or disturb the peace, comfort or health of any person residing within the Town.

(b) The keeping of all animals within the Town, shall be subject to all pertinent regulations of the State Health Department, the Director of Health and Canine Control Officer.

### ***Sec. 6-4. Keeping of Certain Animals Prohibited.***

(a) No person shall keep any swine, horse, cow, bull, sheep or other farm animals within the Town without the written permission of the Director of Health.

(b) This provision shall not apply to any person lawfully keeping any such animal upon adoption of this ordinance; provided that such person shall not increase the number of animals without the permission of the Director of Health, and upon the sale of such property, the new owner shall obtain the permission of the Director.

### ***Sec. 6-5. Proximity of Swine or Poultry to Adjacent Property.***

(a) No person shall keep swine or poultry within two hundred and seventy feet of either the street line, or of any dwelling house or public building or within fifty (50) feet of a lot line.

(b) Notwithstanding the provisions of subsection (a), a person may keep no more than three hens on a property not less than one quarter acre and not greater than one acre, and keep no more than six hens on a property of more than one acre but not greater than two acres and keep no more than twelve hens on property of more than two acres provided: (1) the hens are kept in a soundly fenced enclosure in the property's rear yard which area is located not less than twenty feet from the abutting property lines; (2) the fenced enclosure contains a well-maintained coop less than fifteen feet in height and impermeable to rodents, wild birds and predators including dogs, cats, foxes and coyotes; (3) the enclosure and coop must be clean and odor free and kept in a neat and sanitary condition at all times in a manner that will not disturb the use or enjoyment of abutting properties due to noise, odor or other adverse impact; (4) odors from hens, hen wastes or other hen related substances shall not be perceptible at the property boundaries or the street lines; (5) any portion of the coop visible from another lot or property or a street line shall be screened by a fence or plantings sufficient to block any sight of the coop from the other lot, property or street line; (6) the hens are used for personal use only; (7) no roosters are kept on such property; and (8) the keeping of such hens shall not create any other type of nuisance to abutting property owners or the general public.

Effective 11-17-15

### ***Sec. 6-6. Keeping Vicious Animals.***

(a) No person shall keep any vicious animal, whether owned by him or not, on his premises, provided that this Section shall not apply to any guard dog on commercial property.

Sec. 6-7. Permit to Keep Reptiles and Wild Animals.<sup>2</sup>

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(b) This Section shall not apply to any zoo or carnival, provided that such zoo or carnival comply with the provisions of Sec. 6-7.

**Sec. 6-7. Permit to Keep Reptiles and Wild Animals.<sup>2</sup>**

(a) No person shall keep or maintain any poisonous reptile or wild animal without first having registered such animal or reptile with the Chief of Police and the Director of Health, and obtaining a permit therefor. The Chief of Police may prescribe regulations to insure the safe penning or caging of such animals.

(b) The Director of Health shall issue a permit to keep any wild animal or poisonous reptile when in his judgment, it is not detrimental to public health or likely to create a nuisance.

(c) The fee for the permit to keep any wild animal or poisonous reptile shall be as provided by the Council in the Fee Schedule.

<sup>2</sup>State law ref: As to regulation of keeping poisonous snakes, see C.G.S. Sec. 7-152.

**Sec. 6-8. License Required to Raise Animals or Poultry.**

(a) Any person engaged in raising or breeding poultry, pigeons, rabbits, hares or guinea pigs for commercial purposes, or keeping hens pursuant to section 6-5, shall obtain a license from the Director of Health.

(b) Each application shall state the number and kind of poultry or animal to be raised, or kept, and the location of the premises to be used for that purpose.

Effective 11-17-15

**Sec. 6-9. Sanitation of Enclosures.**

All stables, pens and yards, or other buildings or enclosures in which animals or poultry are kept, shall be maintained in a reasonably sanitary condition and subject to inspection by the Director of Health, who may order the same closed or removed if not maintained in a sanitary condition, after notice to abate the same within a reasonable time.

**Sec. 6-10. Complaint of Unsanitary Conditions**

Whenever a complaint is made to the Director of Health that the animals or structures mentioned in Sections 6-5, 6-7, 6-8 and 6-9 are creating unsanitary or obnoxious conditions, the Director of Health shall give notice of a hearing to be held at which the party complained against and the complainant shall be present. If, after hearing, the Director deems the conditions unsanitary, he shall revoke the license of the party complained against.

(a) Any person whose license is revoked pursuant to this Section may appeal such decision to the Mayor, in writing, within ten (10) days after notice of the Director's decision.

**Sec. 6-11. Burial or Removal of Animal Carcass**

No person shall permit any dead horse, cow, sheep or other animal carcass to

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remain within the Town longer than a reasonable time for removing or burying the same, which shall be done in accordance with the Director of Health's rules and regulations.

**Sec. 6-12. Poisoning Animals.**

No person shall willfully or negligently poison any animal, except those animals classified as pests, such as rats, by the Director of Health.

**Sec. 6-13. Unnecessary Noises by Animals.<sup>3</sup>**

No person shall keep an animal which, by causing frequent or long continued noise, shall disturb the comfort or repose of any person in the vicinity. Such action is declared to be a public nuisance and detrimental to public health and welfare.

<sup>3</sup>State law reference: As to similar State provisions, see Gen. Stats., Sec. 22-363.

**Sec. 6-14. Minimum Area Limitations<sup>4</sup>**

- (a) No animal shall be kept on any lot or parcel of land consisting of less than one acre (43,560 square feet) in area.
- (b) The provisions of Subsection (a) shall not apply to the keeping of:
  - (1) Small household pets to include, but not limited to dogs and cats; or,
  - (2) Animals for commercial purposes where such use is established as a lawful use under the Zoning Ordinance.

**Sec. 6-15. Running At Large Prohibited<sup>4</sup>**

- (a) No person shall permit any animal to go at large in any street or public place in the Town.
- (b) No animal running at large by accident with a person in immediate pursuit of it shall be deemed a stray within the provisions of this Article.

<sup>4</sup>State law reference: As to dogs generally, see Gen. Stats., Sec. 22-364 et seq.

**Sec. 6-16. Property Owners May Impound Animal.**

- (a) Any person who finds an animal or fowl on his property to his injury or annoyance may:
  - (1) Remove such animal or fowl to an animal shelter, public or private; or
  - (2) Retain possession of such animal or fowl and, as soon as possible, notify the Humane Society and Canine Control Officer or other appropriate existing agency of this custody, giving a description of the animal and the owner's name, if known.

Sec. 6-17. Impounding of Dogs.

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Sec. 6-21. Testing of Dogs for Rabies.

**Sec. 6-17. Impounding of Dogs.**

The Canine Control Officer may seize and take into custody and impound or cause to be taken into custody and impounded and thereafter destroyed or disposed of as provided in this Article:

- (1) Any dog off the premises of the owner, which official or his agent have reason to believe is a stray dog;
- (2) Any dog off the premises of the owner without a current registration tag on his collar;
- (3) (3)Any female dog in season off the premises of the owner; and
- (4) (4)Any dog which is permitted to run at large in violation of this Article.

**Sec.6-18. Owner to Pay Costs of Impounding.<sup>5</sup>**

(a) <sup>5</sup>State law reference: As to redemption of dogs, see Gen. Stats., Sec. 22-1f, when an animal is impounded and the owner is known, the Canine Control Officer shall immediately make a complaint against the owner and there-upon a warrant shall be issued. If the defendant-owner shall be found guilty of violating any of the provisions of this Chapter, judgment shall be rendered against him for any prescribed penalty, impounding fee, the costs of sustenance, and the costs of suit. An order shall be entered that the animal is to be sold to satisfy the judgment in case it is not paid within seven (7) days. In case such fine and costs are not paid, the animal shall be sold upon the same notice as is required upon the sale or execution. The owner shall be entitled to any excess of sale proceeds.

(b) When the proceeds of the sale are insufficient to satisfy the costs, fees and penalties incurred, the balance of the debt owned may be collected by the Town.

**Sec. 6-19. Record of Impounding Animals.**

(a) Any officer or agent authorized to impound an animal under this Chapter who impounds an animal shall make a record of the breed, color and sex of the animal and whether or not it is licensed.

(b) If the animal is licensed, the officer shall enter the name and address of the owner and number of the license tag. The officer shall also enter in the record the disposition made of such animal.

**Sec. 6-20. Interference with Impounding of Animals.**

No person shall willfully prevent or obstruct the impounding of any animal in violation of any of the provisions of this Chapter or shall take any animal out of any pound without the consent of the person in charge of the pound, or shall knowingly impound or attempt to impound any animal not legally liable to impoundment.

**Sec. 6-21. Testing of Dogs for Rabies.**

Whenever in the judgment of the Canine Control Officer or the Director of Health, it becomes necessary to test a dog or the remains of a dog suspected of being rabid, the dog shall be sent to a veterinarian and/or State laboratory for rabies-hydrophobia testing and disposition. The fees, costs and expenses of such tests shall be paid by the owner of the dog except as otherwise provided by the law.

**Sec. 6-22. Dogs Running At Large.<sup>6</sup>**

- (a) No person owning, keeping, possessing, harboring or maintaining a dog shall permit the dog to run at large within the Town at any time. Each owner of a dog is required to confine the dog within the limits of his premises unless the dog is securely confined upon a suitable leash not more than six (6) feet in length, held continuously in the hands of a responsible person capable of controlling the dog.
- (b) A dog shall not be at large if it is:
  - (1) Securely confined in an auto which is adequately ventilated;
  - (2) Being used for hunting purposes;
  - (3) Being exhibited at a show; or
  - (4) Engaged in any activity approved by the State.
- (c) If the dog is found at large, in violation of this Section, it shall be impounded.

<sup>6</sup>State law reference: As to roaming dogs, see Gen. Stats., Sec. 22-364.

**Sec. 6-23. Stray Dogs.**

Anyone who picks up any stray dog shall immediately notify and turn the dog over to the Canine Control Officer.

**Sec. 6-24. Harboring, Holding for Reward, or Licensing of Stray or Stolen Dogs.**

No person shall harbor or hold for reward or procure a license for a dog which has strayed upon his premises or which has been picked up on a public street, highway or other public place unaccompanied by its owner or other person, or which has been stolen from its owner.

**Sec. 6-25. Vicious Dogs.**

- (a) Any dog which habitually bites, or injures any human being or habitually attacks, bites or injures other dogs or animals, or which has a known propensity to attack or bite human beings or animals is hereby defined to be a vicious dog for the purpose of this Chapter.
- (b) It shall be the duty of the Canine Control Officer or his designee to receive and investigate complaints against dogs. Whenever any dog complained against shall be deemed by the above officers to be a possibly vicious dog, the officer shall report the facts to the Judge of the Superior Court.
- (c) The Judge of Superior Court shall cause the owner or person harboring the dog, deemed to be possibly vicious, to be issued a summons. The summons shall state the time and place of the hearing before the Judge.
- (d) No dog which has been determined to be a vicious dog shall be permitted

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to run at large or be upon any street or public place except while securely confined by an adequate leash and humanely muzzled so that it shall be impossible for it to tear or otherwise wound with its teeth any human being or animal, and shall be in the charge of a responsible person.

(e) The Police and Canine Control Officer shall keep a record of all vicious dogs.

**Sec. 6-26. Dangerous Dog May Be Slain.**

If any dangerous, fierce or vicious dog shall be found running at large and cannot be taken up or tranquilized and impounded, such dog may be slain by any police officer or agent authorized to perform any duty under this Chapter.

**Sec. 6-27. Harboring Dog Believed to be Rabid.<sup>7</sup>**

(a) No person knowing or suspecting that a dog has rabies shall allow the dog to be taken off his premises or beyond the Town limits without the written permission of the Director of Health and Canine Control Officer.

(b) Any person, upon ascertaining that a dog is rabid, shall immediately notify the Canine Control Officer who shall either remove the dog to the pound, or if required under the circumstances, summarily destroy the dog.

<sup>7</sup>State law reference: As to rabies control generally, See C.G.S. Sec. 22-359.

**Sec. 6-28. Seizure or Destruction of Biting or Rabid Dog.<sup>8</sup>**

(a) If any dog or other animal is found to be suffering from rabies, it shall be destroyed forthwith.

(b) If the owner of a dog which has been bitten or mutilated any person refuses to surrender it as provided in Sec. 22-358 of the General Statutes of Connecticut, as amended, the Canine Control Officer or his agent may enter upon any premises where the dog is located and may seize and impound the dog. If refused entry upon the premises where the dog is located, the Canine Control Officer or his agent shall obtain a warrant, unless the Canine Control Officer or his agent determines that the dog presents an immediate danger to persons not on the premises where the dog is located. In such cases, the Canine Control Officer or his agent may lawfully enter the premises, if refused entry.

(Effective May 20, 1981)

<sup>8</sup>State law refer: As to examination and quarantine of biting dog, see C.G.S. Sec. 22-358.

**Sec. 6-29. Report of Person Bitten.**

(a) Every physician shall, after his first professional attendance upon any person bitten by a dog or other animal, report immediately to the Police, or Director of Health, the name, age, sex, race and precise location of the person so bitten.

(b) When a physician is not in attendance of a person bitten by an animal,

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then any person in charge of or in control of or responsible for the person bitten shall report the incident to the Police, or Director of Health and provide the same information as set out in Subsection (a).

**Sec. 6-30. Confinement of Animal Bitten by Another Animal.**

Either the Police or Canine Control Officer shall serve a notice, in writing, upon the owner or person in charge of a dog or other animal known or suspected to have been bitten by an animal known or suspected of being affected by rabies, requiring the owner or person in charge of the animal to confine it for a period of not less than fourteen (14) days.

**Sec. 6-31. Number of Dogs and Cats Restricted; Kennel License Required.**

(a) No person shall keep on any one lot or premises more than five (5) dogs over the age of six (6) months or five (5) cats over the age of four (4) months or any combination of such dogs and cats.

(b) Any person desiring to keep more than five (5) dogs or cats as provided herein, on any lot or premises, shall apply to the Director of Health for a license to operate a kennel in compliance with the rules and regulations of the Department of Health.

(c) Upon any written and signed complaint made to the Police Department by a person specifying a violation of Subsection (a) of this Section, the Police Department shall investigate and if it is determined that a violation of Sub-section (a) exists, the Police Department shall notify the person responsible for keeping such animals to remove such animals within forty-eight (48) hours from the time of notification.

(Effective: May 20, 1981)

**Sec. 6-32. Maintenance of Kennels.<sup>9</sup>**

No person shall maintain any kennel within the Town so as to create or maintain a nuisance. If, upon investigation by the Police or Director of Health, such kennel is found to constitute a nuisance, the nuisance may be abated as provided by law. In the event that the person maintaining the kennel fails to abate the nuisance, the Director of Health may, after a hearing thereon, revoke the kennel's license. (Effective Date: May 20, 1981)

<sup>9</sup>State law reference: As to determining of dogs as a nuisance by Canine Control Officer, see Gen. Stats., Sec. 22-363.

**ARTICLE 4. GUARD DOGS**

**Sec. 6-33. Registration Required; Fee<sup>10</sup>**

(a) No person shall own, keep, use or maintain any guard dog or attack dog



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without first having registered with the Chief of Police, who shall forward such registration statement to the Town Clerk and Canine Control Officer.

(b) The fee for registering a guard dog shall be provided by the Council. (See Fee Schedule)

<sup>10</sup>Editor's note: Required State license may be obtained through the Town Clerk's Office.

***Sec. 6-34. Confinement of Guard Dogs.***

(a) When any guard dog is not being used or employed to guard any premises, such dog shall be confined in such manner as to prevent the public from coming into physical contact with such dog.

(b) When any guard dog is being used or employed to guard any premises, such dog shall be confined to the area being guarded.

***Sec. 6-35. Notification of Location of Guard Dogs.***

Any person required to register under this Article shall provide the Chief of Police, who shall forward to the Town Clerk, Canine Control Officer and the Fire Chief, a list of all premises on which such person keeps or uses a guard dog, how such dog is used, the time such dog is present on the premises and the method used to confine the guard dog to the premises. Any change in this information shall be reported to the appropriate officials within twenty-four (24) hours.

***Sec. 6-36. Posting Notices of Guard Dogs Required.***

No person shall keep, maintain, use or employ any guard dog on any premises unless such premises are posted with conspicuously placed notices stating that guard dogs are present on the premises.

***Sec. 6-37. Removal of Dog Litter.***

(a) It shall be unlawful for any person owning, keeping, walking or in control of any dog to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements, or public property, unless such person shall remove all feces so deposited by such animal before leaving the immediate premises.

(b) The provisions of this Section shall not apply to any person walking or in control of a dog if such person is physically unable to remove said feces.

(c) Any violation of this Section shall be punishable by a fine, as set by the Council in the Fee Schedule.