

Draft for Public Hearing

Town of East Haddam

Chapter (Number to be Assigned)

CONTROL OF ANIMALS ORDINANCE

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???-1. Purpose.

The purpose of this chapter is to promote the public health, safety and general welfare of the citizens of the Town of East Haddam by addressing the public nuisance caused by roaming animals and to ensure that all animals receive adequate care. This chapter is intended to supplement and not replace the provisions contained in Connecticut General Statutes § 22-327 et seq., regarding domestic animals. The Animal Control Officer or designee shall have the discretion as to whether to proceed pursuant to state law or under the provisions of this chapter.

???-2. Definitions.

The following terms, words and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the content clearly indicates a different meaning:

ANIMAL CONTROL OFFICER – An employee or agent of the Town authorized to license, inspect and enforce requirements contained within this chapter and State Statute.

AT LARGE – Any animal off the premises of said owner or keeper and not under the control of the owner or keeper capable of restraining the animal, either by fence, chain, leash, or cord.

CAT – Any member of the feline species, either male or female.

DOG – Any member of the canine species, either male or female.

FERAL CAT – Any free roaming domestic cat not owned.

LIVESTOCK – Any animal kept for sale, hobby or raised for food and not a member of the canine or feline species. Livestock shall include, but not be limited to cattle, goats, sheep, hogs, horses, poultry, fowl and rabbits.

OWNER or KEEPER – Any person having permanent or temporary custody of, sheltering or having charge of, exercising control over, or keeping or having property rights to any animal covered by this chapter.

PUBLIC NUISANCE – Any animal that endangers the health or life of persons or other animals, or restricts the rights of citizens, other than the owners or keepers, to enjoyment of property or life. The term “public nuisance” shall include, but not be limited to, any animal that:

A. Is repeatedly seen roaming or running at large;

- B. Not on a leash or otherwise under control of its owner or keeper in any section of any park or open space where animals are not permitted;
- C. Defiles or damages property other than that of the owner, unless the owner or keeper immediately picks up after the animal;
- D. Excessive or continuous barking, howling, whining or any noise natural to said species which would disturb the peace of citizens nearby;
- E. Chases motor vehicles, bicycles or other forms of transportation in a public right-of-way;
- F. Without provocation attacks or unreasonably interferes with the freedom of movement of persons in a public right-of-way or on private property other than that of the animal's owner or keeper;
- G. Attacks another animal off the property of the attacking animal's owner or keeper.

UNDER RESTRAINT – Any animal that is secured by a leash or is otherwise under the control of an owner or keeper who is mentally and physically capable of restraining the animal such that the animal is obedient to that person's commands, or securely enclosed (e.g. appropriate fence, cage, pen) within the real property limits of the owner's or keeper's premises.

VICIOUS ANIMAL – Any animal that has attacked, bitten, or physically injured or has a known propensity to attack human beings or other animals without adequate provocation. No animal shall be declared vicious if damage or injury was a result of teasing, tormenting, abusing or assaulting the animal or attempting to commit a crime. No animal shall be deemed vicious if said animal is protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack, perceived threat or assault.

??-3. Licensing, Roaming and Removal of Animal Waste.

A. License and Registration.

Each dog in the Town that is six (6) months or older must be licensed and registered on or before June 30th annually or when the dog reaches the age of six (6) months. Each owner must present to the Town Clerk proof of a valid rabies certificate signed by a veterinarian and, if applicable, proof that the dog was neutered or spayed.

B. Roaming at Large Prohibited; Exceptions.

No owner or keeper of any animal shall allow it to roam at large. This Article shall not be construed to prohibit or limit the use of dogs used for hunting purposes during open hunting or training season, or any animal being

exhibited in a bench show or performing in said show or exhibition of any dog used as a guide dog for any individual requiring such services.

C. Waste Removal Required.

It shall be unlawful for any person owning, keeping, walking or in control of any dog or other animal to allow or permit the animal to defecate upon any property owned by another person, condominium common elements, or Town-maintained property, including but not limited to Town parks, playgrounds and school grounds, unless such person shall, before leaving the immediate premises, remove all feces so deposited by such animal and dispose of the feces in a proper manner.

??-4. Enforcement.

A. Enforcement Authority.

The Animal Control Officer or his/her designee shall be enforcement official under this Ordinance. Said Officer(s) shall work with the Town's Police Officers and shall have authority to investigate complaints, impound and destroy animals, issue citations, and take other lawful actions as provided herein. Said Animal Control Officer or his/her designee may take sworn statements from keepers or owners of animals in connection with the investigation of complaints. It shall be a violation of this Ordinance, subject to citation and fine of \$100, to interfere with the Animal Control Officer or designee in the performance of his/her duties under this Ordinance. As part of any order, and in addition to any enforcement authority as set out in the Connecticut General Statutes or this chapter, the Animal Control Officer shall have the authority to order measures to eliminate or prevent a violation and/or to protect the health and safety of animals and the public.

??-5. Penalties for Violations.

A. Violation

Any violation of this Section shall be subject to a citation and fine of \$100 for each such violation and the reimbursement for any cost associated with housing, feeding, transportation and veterinary treatment(s).

??-6. Validity

If any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences or phrases of the

Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand, notwithstanding the validity of any part and shall be remain valid and enforceable to the fullest extent permitted by law.

This Ordinance shall be effective the _____ day following the date of its publication.

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