

CHAPTER 435*

DOGS AND OTHER COMPANION ANIMALS. KENNELS AND PET SHOPS

*Cited. 36 CS 156.

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Sec. 22-327. Definitions. As used in this chapter:

(1) “Animal” means any brute creature, including, but not limited to, dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;

(2) “Chief Animal Control Officer”, “Assistant Chief Animal Control Officer” and “animal control officer” mean, respectively, the Chief State Animal Control Officer, the Assistant Chief State Animal Control Officer and a state animal control officer appointed under section 22-328;

(3) “Commercial kennel” means a kennel maintained for boarding or grooming dogs or cats, and includes, but is not limited to, any veterinary hospital which boards or grooms dogs or cats for nonmedical purposes;

(4) “Commissioner” means the Commissioner of Agriculture;

(5) “Grooming facility” means any place, other than a commercial kennel, which is maintained as a business where dogs are groomed;

(6) “Keeper” means any person, other than the owner, harboring or having in his possession any dog;

(7) “Kennel” means one pack or collection of dogs which are kept under one ownership at a single location and are bred for show, sport or sale;

(8) “Municipal animal control officer” means any such officer appointed under the provisions of section 22-331;

(9) “Pet shop” means any place at which animals not born and raised on the premises are kept for the purpose of sale to the public;

(10) “Poultry” means all domestic fowl and any pheasants or other game birds securely confined and lawfully owned and possessed by any person under the provisions of section 26-40;

(11) “Regional animal control officer” and “assistant regional animal control officer” means a regional Connecticut animal control officer and an assistant regional Connecticut animal control officer appointed under the provisions of section 22-331a;

(12) “Training facility” means any place, other than a commercial kennel or grooming facility, which is maintained as a business where dogs are trained.

(1949 Rev., S. 3374; 1949, S. 709b; 1953, S. 1812d; 1959, P.A. 637, S. 2; 1961, P.A. 67; 1963, P.A. 613, S. 1; 1969, P.A. 81, S. 1; 423, S. 1; 1971, P.A. 872, S. 446, 448; 1972, P.A. 180, S. 1; P.A. 77-314, S. 1; P.A. 82-91, S. 14, 38; P.A. 91-46, S. 10, 12; 91-59, S. 1; P.A. 93-435, S. 29, 95; P.A. 98-12, S. 3, 22; June 30 Sp. Sess. P.A. 03-6, S. 146(e); P.A. 04-189, S. 1.)

History: 1959 act replaced commissioner of agriculture with commissioner of agriculture, conservation and natural resources; 1961 act replaced commissioner of agriculture, conservation and natural resources with commissioner of agriculture and natural resources; 1963 act defined “regional warden” and “pet shop”; 1969 acts replaced definitions re wardens with definitions re canine control officers, clarified definitions of “commercial kennel” and “pet shop” and defined “grooming facility”; 1971 act replaced commissioner of agriculture and natural resources with commissioner of agriculture; 1972 act substituted “animals” for “dogs” in definition of “pet shop” and defined “animals”; P.A. 77-314 defined “training facility”; P.A. 82-91 expanded definition of commercial kennel to include a veterinarian hospital boarding or grooming dogs for nonmedical purposes; P.A. 91-46 included references to cats in the definition of “commercial kennel”; P.A. 91-59 replaced references to “regional canine control officer”, “assistant regional canine control officer” and “local dog warden” with references to “regional animal control officer”, “assistant regional animal control officer” and “municipal animal control officer”, respectively; P.A. 93-435 made certain technical and grammatical revisions to conform section to Connecticut’s standard statutory style, effective June 28, 1993; P.A. 98-12 changed “canine control officer” to “animal control officer” in Subdiv. (2), effective July 1, 1998; June 30 Sp. Sess. P.A. 03-6 replaced Commissioner of Agriculture with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004; P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004.

“Kennel” defined. 84 C. 640. One who treats dog as living at his home and undertakes to control his actions is the owner, keeper or harbinger. 117 C. 309; 119 C. 650. Both husband and wife within definition of “keeper”. Id. One having temporary custody of dog was not “keeper”. 126 C. 123. Defendants were “keepers” as a matter of law. 138 C. 718. Cited. 139 C. 628; 221 C. 14; 241 C. 319.

Cited. 7 CA 19; 9 CA 495. Exercising control over the actions of a dog as well as feeding, watering, housing or otherwise caring for a dog can be evidence of “keeper” status. 120 CA 324.

What constitutes harboring or having in possession. 5 CS 150. Owners of premises where dog was kept considered “keepers” and held liable for damage done by dog. 36 CS 156.

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Sec. 22-328. Enforcement. Animal control officers. Expenses. Training of animal control officers. Reimbursement. Training program curriculum. Issuance of certificate. Continuing education requirement.

(a) The commissioner is authorized to enforce the provisions of this chapter and chapters 436 and 436a and the regulations adopted thereunder in accordance with the provisions of such chapters and chapter 54.

(b) The commissioner shall appoint, as provided by chapter 67: (1) A Chief State Animal Control Officer; (2) an Assistant Chief State Animal Control Officer, who shall perform all the duties of the Chief State Animal Control Officer in such officer’s absence or inability, or at such officer’s direction; and (3) not more than twelve state animal control officers and as many regional animal control officers and assistants as may be deemed necessary to insure, subject to the commissioner’s direction, the enforcement of the provisions of this chapter and chapters 436 and 436a and the enforcement of regulations adopted by the commissioner. The expenses incurred in the administration of this chapter and chapters 436 and 436a shall be paid from dog funds in the custody of the State Treasurer which have been received from the several municipalities and from the commissioner for the same fiscal year as the expenses are incurred.

(c) No person may begin serving in the position of state, regional or municipal animal control officer on or after July 1, 2012, unless such person (1) has completed a training program that meets the requirements of subsection (d) of this section and received a certificate of such completion from the commissioner pursuant to subsection (e) of this section, or (2) submits an affidavit to the commissioner agreeing to complete such a training program not later than one year after beginning such position. The commissioner shall reimburse each person completing such a training program for the costs of the program, from the animal population control account established in section 22-380g.

(d) Not later than July 1, 2012, the commissioner shall prescribe the standards and curriculum for a training program for persons interested in serving in the position of animal control officer or appointed on or after July 1, 2012, to such position. Such training program shall consist of eighty or more hours of instruction. The curriculum for such program shall include the following topics:

- (1) Animal identification;
- (2) State laws governing animal control and protection and animal cruelty;
- (3) Animal health and disease recognition, control and prevention;
- (4) The humane care and treatment of animals;
- (5) Standards for care and control of animals in an animal shelter;
- (6) Standards and procedures for the transportation of animals;

(7) Principles and procedures for capturing and handling stray domestic animals and wildlife, including principles and procedures to be followed with respect to an instrument used specifically for deterring the bite of an animal;

- (8) First aid for injured animals;
- (9) Documentation of animal cruelty evidence and courtroom procedures;
- (10) Animal shelter operations and administration;
- (11) Spaying and neutering, microchipping and adoption;
- (12) Communications and public relations;

- (13) Search warrants and affidavits;
- (14) Civil liability for the animal control officer;
- (15) Crisis intervention and officer safety; and
- (16) Any other topics pertinent to animal control and animal shelter personnel.

(e) Upon satisfactorily completing such training program, a person shall submit evidence of such completion to the commissioner, and the commissioner shall issue a certificate to such person. The certificate shall contain the person's name, the name of the training program and the date of completion. The commissioner may charge a reasonable fee to cover the cost of issuance of such certificate. The commissioner shall maintain records to document compliance with subsection (c) of this section.

(f) Each animal control officer shall complete a minimum of six hours of continuing education related to the duties of an animal control officer in each calendar year. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, concerning the implementation of such continuing education requirement.

(1949 Rev., S. 3375; 1953, 1955, S. 1813d; 1963, P.A. 613, S. 2; February, 1965, P.A. 143, S. 1; 1969, P.A. 81, S. 2; P.A. 82-119, S. 1; P.A. 93-435, S. 30, 95; P.A. 98-12, S. 4, 22; P.A. 12-108, S. 2.)

History: 1963 act added exception to enforcement power, increased number of deputy dog wardens from five to maximum of eight, allowed appointment of regional wardens and assistants and rephrased provision re payment of expenses; 1965 act substituted "sections 22-332, 22-332a, 22-332b and 22-332c" for "sections 22-332a to 22-332" in exception, gave commissioner power to appoint assistant state dog warden and increased maximum number of deputy dog wardens to twelve; 1969 act replaced references to dog wardens with references to corresponding canine control officers; P.A. 82-119 amended the section by clarifying the commissioners authority to authorize his enforcement of all chapters concerning dogs, pounds and spaying and neutering clinics where before his enforcement authority was restricted to chapter 435 and specific statutory citations; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 98-12 amended Subsec. (b) by changing "canine control officer" to "animal control officer" and adding provision re the same fiscal year as expenses are incurred, effective July 1, 1998; P.A. 12-108 added Subsec. (c) re requirement of training for state, regional or municipal animal control officers and requirement for reimbursement for such training to each person completing such training, Subsec. (d) re requirement that commissioner prescribe training program standards and curriculum, the number of hours for such program and the topics that such curriculum shall include, Subsec. (e) re issuance of a certificate to persons completing such training and Subsec. (f) re requirement for continuing education, effective June 8, 2012.

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Sec. 22-329. Prevention of cruelty to dogs and other animals. The commissioner, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any law enforcement officer may interfere to prevent any act of cruelty upon any dog or other animal, and any person who interferes with or obstructs or resists the commissioner or any such officer in the discharge of such duty shall be guilty of a class D misdemeanor.

(1949 Rev., S. 3376; 1953, S. 1814d; 1969, P.A. 81, S. 4; P.A. 91-59, S. 2; P.A. 93-435, S. 31, 95; P.A. 95-358, S. 1; P.A. 98-12, S. 5, 22; P.A. 12-80, S. 78.)

History: 1969 act replaced references to dog wardens with references to canine control officers of corresponding rank; P.A. 91-59 replaced reference to "warden" with reference to "municipal animal control officer"; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 95-358 added law enforcement officers to list of officials authorized to act under this section; P.A. 98-12 changed "canine control officer" to "animal control officer", effective July 1, 1998; P.A. 12-80 replaced penalty of a fine of not more than \$50 or imprisonment of not more than 30 days with a class D misdemeanor.

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Sec. 22-329a. Seizure and custody of neglected or cruelly treated animals. Vesting of ownership of animal. Animal abuse cost recovery account. (a) The Chief Animal Control Officer, any animal control officer or any municipal or regional animal control officer may take physical custody of any animal when such animal control officer has reasonable cause to believe that such animal is in imminent harm and is neglected or is cruelly treated in violation of section 22-366, 22-415, 53-247, 53-248, 53-249, 53-249a, 53-250, 53-251 or 53-252, and, not later than ninety-six hours after taking physical custody, shall proceed as provided in subsection (c) of this section, except that if, in the opinion of a licensed veterinarian or the State Veterinarian, at any time after physical custody of such animal is taken, such animal is so injured or diseased that it should be destroyed immediately, such officer may humanely destroy or cause such animal to be humanely destroyed.

(b) The Chief Animal Control Officer, any animal control officer or any municipal or regional animal control officer may take physical custody of any animal upon issuance of a warrant finding probable cause that such animal is neglected or is cruelly treated in violation of section 22-366, 22-415, 53-247, 53-248, 53-249, 53-249a, 53-250, 53-251 or 53-252, and shall thereupon proceed as provided in subsection (c) of this section except that if, in the opinion of a licensed veterinarian or the State Veterinarian, at any time after physical custody of such animal is taken, such animal is so injured or diseased that it should be destroyed immediately, such officer may humanely destroy or cause such animal to be humanely destroyed.

(c) Such officer shall file with the superior court which has venue over such matter or with the superior court for the judicial district of Hartford at Hartford a verified petition plainly stating such facts of neglect or cruel treatment as to bring such animal within the jurisdiction of the court and praying for appropriate action by the court in accordance with the provisions of this section. Upon the filing of such petition, the court shall cause a summons to be issued requiring the owner or owners or person having responsibility for the care of the animal, if known, to appear in court at the time and place named.

(d) If physical custody of an animal has been taken pursuant to subsection (a) or (b) of this section and it appears from the allegations of the petition filed pursuant to subsection (c) of this section and other affirmations of fact accompanying the petition, or provided subsequent thereto, that there is reasonable cause to find that the animal's condition or the circumstances surrounding its care require that temporary care and custody be immediately assumed to safeguard its welfare, the court shall either (1) issue an order to show cause why the court should not vest in some suitable state, municipal or other public or private agency or person the animal's temporary care and custody pending a hearing on the petition, or (2) issue an order vesting in some suitable state, municipal or other public or private agency or person the animal's temporary care and custody pending a hearing on the petition. A hearing on the order issued by the court pursuant to subdivision (1) or (2) of this subsection shall be held not later than fourteen days after the issuance of such order. The service of such order may be made by any officer authorized by law to serve process, state police officer or indifferent person and shall be served not less than forty-eight hours prior to the date and time of such hearing. If the owner or owners or person having responsibility for the care of the animal is not known, notice of the time and place of the hearing shall be given by publication in a newspaper having a circulation in the town in which such officer took physical custody of such animal not less than forty-eight hours prior to the date and time of such hearing.

(e) If physical custody of an animal has not been taken pursuant to subsection (a) or (b) of this section, and the Chief Animal Control Officer, any animal control officer or any municipal or regional animal control officer has reasonable cause to believe that an animal is neglected or is cruelly treated in violation of section 22-366, 22-415, 53-247, 53-248, 53-249, 53-249a, 53-250, 53-251 or 53-252, such animal control officer may file a petition with the superior court which has venue over such matter or with the superior court for the judicial district of Hartford at Hartford, plainly stating such facts of neglect or cruel treatment as to bring the animal within the jurisdiction of the court and praying for appropriate action by the court to ensure the welfare of the animal including, but not limited to, physical removal and temporary care and custody of the animal, authorization of an animal control officer or a licensed veterinarian to provide care for the animal on site, vesting of ownership of the animal, the posting of a bond in accordance with subsection (f) of this section and the assessment of costs in accordance with subsection (h) of this section. Upon the filing of such petition, the court shall cause a summons for an order to

show cause to be issued requiring the owner or owners or person having responsibility for the care of the animal, if known, to appear in court at the time and place named. If the owner or owners or person having responsibility for the care of the animal is not known, notice of the time and place of the hearing shall be given by publication in a newspaper having a circulation in the town where the animal is located not less than forty-eight hours prior to the date and time of the hearing. If it appears from the allegations of the petition filed pursuant to this subsection and other affirmations of fact accompanying the petition, or provided subsequent thereto, that there is reasonable cause to find that the animal's condition or the circumstances surrounding its care require the immediate removal of the animal from the owner or owners or person having responsibility for the care of the animal to safeguard its welfare, the court shall issue an order vesting in some suitable state, municipal or other public or private agency or person the animal's temporary care and custody pending a hearing on the petition which hearing shall be held not later than ten days after the issuance of such order for such temporary care and custody. The service of such order may be made by any officer authorized by law to serve process, state police officer or indifferent person and shall be served not less than forty-eight hours prior to the date and time of such hearing.

(f) If the court issues an order vesting the animal's temporary care and custody in some suitable state, municipal or other public or private agency or person, the owner or owners shall either relinquish ownership of the animal or post a surety bond or cash bond with the agency or person in whom the animal's temporary care and custody was vested. The surety bond or cash bond shall be in the amount of five hundred dollars for each animal placed in the temporary care or custody of such agency or person and shall secure payment for the reasonable expenses of the agency or person having temporary care and custody of the animal in caring and providing for such animal until the court makes a finding as to the animal's disposition under subsection (g) of this section. The requirement that a bond be posted may be waived if such owner provides satisfactory evidence that such owner is indigent and unable to pay for such bond.

(g) (1) If, after hearing, the court finds that the animal is neglected or cruelly treated, it shall vest ownership of the animal in any state, municipal or other public or private agency which is permitted by law to care for neglected or cruelly treated animals or with any person found to be suitable or worthy of such responsibility by the court.

(2) If, after hearing, the court finds that the animal is so injured or diseased that it should be destroyed, the court may order that such animal be humanely destroyed.

(3) If, after hearing, the court finds that the animal is not neglected or cruelly treated, it may cause the animal to be returned to its owner or owners or person having responsibility for its care or, if such owner or owners or person is unknown or unwilling to resume caring for such animal, it may vest ownership of the animal in any state, municipal or other public or private agency or person found to be suitable or worthy of such responsibility.

(4) If the court makes a finding under subdivision (1) or (2) of this subsection less than thirty days after the issuance of an order of temporary care and custody and the owner of the animal has posted a bond, the agency or person with whom the bond was posted shall return the balance of such bond, if any, to the owner. The amount of the bond to be returned to the owner shall be calculated at the rate of fifteen dollars per day per animal or twenty-five dollars per day per animal if the animal is a horse or other large livestock for the number of days less than thirty that such agency or person has not had temporary care and custody of the animal less any veterinary costs and expenses incurred for the welfare of the animal.

(5) If the court makes a finding under subdivision (3) of this subsection after the issuance of an order of temporary care and custody and the owner of the animal has posted a bond, the agency or person with whom the bond was posted shall return such bond to such owner.

(h) If the court finds that the animal is neglected or cruelly treated, the expenses incurred by the state or a municipality in providing proper food, shelter and care to an animal it has taken custody of under subsection (a) or (b) of this section and the expenses incurred by any state, municipal or other public or private agency or person in providing temporary care and custody pursuant to an order vesting temporary care and custody, calculated at the rate of fifteen dollars per day per animal or twenty-five dollars per day per animal if the animal is a horse or other large livestock until the date ownership is vested pursuant to subdivision (1) of subsection (g) of this section shall be paid by the owner or owners or person having responsibility for the care of the animal. In addition, all veterinary costs and expenses incurred for the welfare of the animal that are not covered by the per diem rate shall be paid by the owner or owners or person having responsibility for the animal.

(i) If the court vests ownership of the animal in the Commissioner of Agriculture or a municipality, the commissioner or the municipality may conduct or participate in a public auction of the animal under such conditions the commissioner or the municipality deems necessary or the commissioner or the municipality may consign the animal to an auction or sell the animal through an open advertised bid process whereby bid price and demonstration of sufficient knowledge and ability to care for such animal are factors for the commissioner's or municipality's consideration. All moneys collected from the sale of animals sold by the Commissioner of Agriculture through such open advertised bid process shall be deposited in the animal abuse cost recovery account established in subsection (j) of this section. All moneys collected from the sale of animals sold by a municipality through such open advertised bid process shall be deposited by the town treasurer or other fiscal officer in the town's general fund. The commissioner or the municipality may also vest ownership of any such animal in an individual or a public or private nonprofit animal rescue or adoption organization.

(j) There is established a separate, nonlapsing account within the General Fund, to be known as the "animal abuse cost recovery account". All moneys collected from sales at public auction of animals seized by the Department of Agriculture pursuant to this section shall be deposited into the account. Deposits of moneys may be made into the account from public or private sources, including, but not limited to, the federal government or municipal governments.

(k) Notwithstanding any provision of the general statutes, any moneys received by the Department of Agriculture pursuant to subsection (j) of this section shall be deposited in the General Fund and credited to the animal abuse cost recovery account. The account shall be available to the Commissioner of Agriculture for the purpose of the housing, care and welfare of any animal seized by the department, until final disposition of such animal. Additionally, the account may be used for the purpose of providing reimbursement to any municipality for the costs of providing temporary care to such animal if such temporary care exceeded thirty days in duration and such costs exceeded the amount of any surety bond or cash bond posted pursuant to subsection (f) of this section provided the total annual reimbursement to municipalities from said account for such purpose shall not exceed twenty-five thousand dollars. Nothing in this section shall prevent the commissioner from obtaining or using funds from sources other than the account for the housing, care and welfare of any animal seized by the department pursuant to this section.

(P.A. 95-358, S. 2; P.A. 98-12, S. 6, 22; P.A. 04-145, S. 1; P.A. 07-230, S. 1; P.A. 12-20, S. 1; P.A. 14-205, S. 1.)

History: P.A. 98-12 changed "canine control officer" to "animal control officer" in Subsec. (a), effective July 1, 1998; P.A. 04-145 made a technical change in Subsec. (d) and added Subsecs. (g) authorizing commissioner to conduct public auction of animal and vest ownership of animal in public or private nonprofit animal rescue or adoption organization, (h) and (i) re animal abuse cost recovery account and (j) requiring annual report to General Assembly, effective May 21, 2004; P.A. 07-230 substantially revised section, including amending Subsec. (a) to replace authority of animal control officer to "lawfully take charge of any animal found neglected or cruelly treated" with authority to "take physical custody of any animal when such animal control officer has reasonable cause to believe that such animal is in imminent harm and is neglected or cruelly treated", require officer to proceed as provided in Subsec. (c) not later than 96 hours after taking physical custody and authorize State Veterinarian, in addition to licensed veterinarian, to opine that the animal "at any time after physical custody of such animal is taken" is so injured or diseased that it should be destroyed immediately, adding new Subsec. (b) re taking physical custody of animal upon issuance of a warrant, redesignating existing Subsec. (b) as Subsec. (c) and amending same to allow petition to be filed with superior court for the judicial district of Hartford at Hartford, require petition to state such facts "of neglect or cruel treatment" as to bring the animal within jurisdiction of the court and delete provisions re service of summons and notice of hearing, redesignating existing Subsec. (c) as Subsec. (d) and amending same to revise process for assumption of temporary care and custody of the animal, adding new Subsec. (e) re process when animal control officer files a petition praying for court action to ensure the welfare of the animal when physical custody has not been taken pursuant to Subsec. (a) or (b), redesignating existing Subsec. (d) as Subsec. (f) and amending same to increase amount of required bond from \$450 to \$500 and provide that such bond shall secure payment of reasonable expenses until the court makes a finding as to the animal's disposition rather than until the court makes a finding as to the animal's disposition "or for thirty days, whichever occurs first", redesignating existing Subsec. (e) as Subsec. (g) and amending same to provide in Subdiv. (1) that the court "shall", rather than "may", vest ownership in agency if it finds the animal is neglected or cruelly treated, provide in Subdiv. (4) that amount of the bond returned to owner shall be calculated at \$15 per day per animal or \$25 per day per animal if the animal is a horse or other large livestock, less veterinary costs and expenses, rather than \$15 per day, redesignating existing Subsec. (f) as Subsec. (h) and amending same to provide

that amount owner must pay for temporary care and custody of the animal shall be calculated at \$15 per day per animal or \$25 per day per animal if the animal is a horse or other large livestock, rather than \$15 per day, and require owner or person having responsibility for the animal to pay all veterinary costs and expenses not covered by the per diem rate, redesignating existing Subsec. (g) as Subsec. (i) and amending same to authorize municipality in which ownership of an animal has been vested to conduct a public auction of the animal, authorize commissioner or municipality to “participate in” a public auction, authorize commissioner or municipality to sell the animal through an open advertised bid process and provide that moneys collected from sale through such bid process shall be deposited in animal abuse cost recovery account if sold by commissioner and in town’s general fund if sold by municipality, redesignating existing Subsecs. (h) and (i) as Subsecs. (j) and (k), respectively, and amending same to replace “domestic animals” or “domestic animal” with “animals” or “animal”, respectively, and deleting existing Subsec. (j) requiring commissioner to annually report to certain legislative committees re activities and status of animal abuse cost recovery account; P.A. 12-20 amended Subsec. (i) by deleting conditions re commissioner’s or municipality’s authority to vest ownership of animal in an individual or certain animal rescue or adoption organizations; P.A. 14-205 amended Subsec. (f) by adding provision re bond in the amount of \$500 for each animal placed in temporary care or custody of agency or person and amended Subsec. (k) by adding provision allowing account to be used for providing reimbursement to municipality for costs of providing temporary care to animal if temporary care exceeded 30 days and costs exceeded amount of bond posted, effective June 13, 2014.

Trial court properly found defendant had neglected 46 cats in a 950 square foot residence because she had deprived them of proper care, food and medical attention. 287 C. 145.

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Sec. 22-329b. Reporting of neglected or cruelly treated animals. (a) Any animal control officer appointed pursuant to section 22-328, 22-331 or 22-331a who (1) has reasonable cause to suspect that an animal observed in the course of the officer’s employment is being or has been harmed, neglected or treated cruelly in violation of section 53-247, or (2) files a verified petition with the Superior Court pursuant to section 22-329a shall make a written report to the Commissioner of Agriculture in accordance with subsection (b) of this section.

(b) The written report shall be made by the officer as soon as practicable, but not later than forty-eight hours after the officer has reasonable cause to suspect that an animal has been harmed, neglected or treated cruelly pursuant to subdivision (1) of subsection (a) of this section or has filed a verified petition. Each written report shall contain, if known: (1) The address where the animal was observed and the name and address of the owner or other person responsible for care of the animal; (2) the name and a description of the animal; (3) the nature and extent of the harm to, neglect of or cruelty to the animal; (4) the approximate date and time such harm, neglect or cruelty occurred; (5) any information concerning any previous harm to, neglect of or cruelty to the animal; (6) the circumstances under which such harm, neglect or cruelty came to be known by the officer; and (7) the name and address of every person the officer reasonably suspects to be responsible for such harm, neglect or cruelty.

(c) Not later than November 1, 2014, and monthly thereafter, the Commissioner of Agriculture shall send a report to the Commissioner of Children and Families containing all of the information received pursuant to subsection (b) of this section during the preceding month.

(P.A. 11-194, S. 1; P.A. 14-70, S. 1; 14-122, S. 37.)

History: P.A. 14-70 amended Subsec. (a) by replacing “and (2)” with “or (2)”, amended Subsec. (b) by adding “written” re report and adding provision re reasonable cause to suspect animal has been harmed, neglected or treated cruelly, and amended Subsec. (c) by replacing “2011” with “2014”; P.A. 14-122 made technical changes in Subsec. (b).

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Sec. 22-330. Authority of officers issuing summons. The commissioner, the Chief Animal Control Officer and any animal control officer in any part of the state, any regional animal control officer in the territory to which he is assigned and any municipal animal control officer in the municipality for which he has been appointed may arrest any person and may issue a written complaint and summons in furtherance thereof for any violation of any law relating to dogs or to any domestic animal in the same manner police officers or constables may exercise in their respective jurisdictions.

(1949 Rev., S. 3377; 1953, S. 1815d; 1963, P.A. 613, S. 3; 1969, P.A. 81, S. 4; P.A. 76-381, S. 35; P.A. 91-59, S. 3; P.A. 93-435, S. 32, 95; P.A. 98-12, S. 7, 22; P.A. 00-99, S. 63, 154.)

History: 1963 act included regional and municipal wardens in arrest power and allowed arrests “without warrants”; 1969 act replaced references to dog wardens with references to canine control officers of corresponding rank; P.A. 76-381 deleted “without warrant” and allowed arresting officer to issue complaints and summonses; P.A. 91-59 replaced references to “regional canine control officer” and “local dog warden” with references to “regional animal control officer” and “municipal animal control officer”, respectively; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 98-12 changed “canine control officer” to “animal control officer”, effective July 1, 1998; P.A. 00-99 deleted reference to sheriffs, effective December 1, 2000.

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Sec. 22-331. Municipal animal control officers. Assistants. (a) In each municipality of the state having a population of more than twenty-five thousand which has adopted the provisions of chapter 113, or otherwise provided for a merit system for its employees, the chief of police, or such other appointing authority as the charter may designate, shall, appoint a full-time municipal animal control officer and such assistants as are deemed necessary, subject to the provisions of said chapter 113 or other merit system, to administer and enforce the laws relating to dogs or other domestic animals. Any person so appointed may be or become a member of the police department and for such purpose the legislative body of such municipality may waive any requirements as to age, sex, physical condition, education and training applicable to other members of the police department. Any person so appointed as a member of the police department shall be fully eligible to participate in the retirement system of such department.

(b) Except as provided in section 22-331a, the chief or superintendent of police in each other city or town having a police department and the selectmen or chief executive officer in each town which has no police department, or such other appointing authority as the charter of such town may designate, in their respective jurisdictions, shall appoint a municipal animal control officer and such assistants as are deemed necessary to administer and enforce the laws relating to dogs. Such officer and assistants shall have such qualifications as the commissioner may prescribe and shall serve for a term of at least one year.

(c) Each appointment made under the provisions of this section shall be reported promptly to the commissioner. Each person appointed under the provisions of subsection (a) of this section shall, and any person appointed under the provisions of subsection (b) of this section may, be paid a salary and expenses in lieu of the fees provided in section 22-334 and the amount thereof shall be transferred from the dog fund account to the appropriation of the proper department.

(d) The municipal animal control officer so appointed in any city the limits of which are not coterminous with those of the town in which it is located shall have authority as such municipal animal control officer throughout such town, and the town treasurer or other fiscal officer shall annually reimburse the city, from the dog fund account, for the salaries and expenses of such officer or his assistants. The municipal animal control officer so appointed in any town having a borough within its limits shall have authority as such municipal animal control officer throughout the limits of such town. If, in any city or town, the officer or officers charged with such duty fail to report such appointment, the commissioner shall notify such officer or officers to make and report such appointment within ten days of receipt of such notification, and, if such appointment is not made within such time, the commissioner shall appoint a municipal animal control officer for such city or town.

(1949 Rev., S. 3378; 1953, 1955, S. 1816d; 1963, P.A. 613, S. 4; February, 1965, P.A. 144, S.1; P.A. 91-59, S. 4; P.A. 93-435, S. 33, 95.)

History: 1963 act made previous provisions Subsecs. (b) and (d), added provisions re appointment of wardens in towns of more than 25,000 population as Subsec. (a), restated provisions in Subsec. (b) re other towns and cities, added Subsec. (c) re report to commissioner of appointments made and allocations for appointees' salaries, revised Subsec. (d) to require town treasurer to reimburse city for wardens' salaries and expenses where town and city boundaries not coterminous and deleted previous provision re warden's power to employ assistants and his duty to report their appointment to commissioner; 1965 act added references to merit system for employees in Subsec. (a); P.A. 91-59 replaced references to "local dog warden" with references to "municipal animal control officer"; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

Cited. 13 CA 124. City's acts or omissions in appointing and supervising animal control officer under section were discretionary and not ministerial. 150 CA 769.

Subsec. (a):

Legislature did not intend that there be a private cause of action. 284 C. 772.

Private remedy implied in statute because plaintiff was a member of the class benefited by statute, a private remedy was consistent with statute's underlying purposes and legislature's intent, and for public policy considerations. 98 CA 271.

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Sec. 22-331a. Regional animal control officers. Pounds. Any two or more contiguous towns each of which has a population of less than twenty-five thousand, and which have or will provide a dog pound facility within their region, by action of their legislative bodies, may agree to be served by a regional animal control officer. Upon certification of such agreement to the commissioner with assurances from the towns so certifying that they will provide and continue to provide adequate facilities and compensation for such officer, the commissioner may, after giving due regard to the regional aspects of the proposed facilities and whether the proposed region would be in the best interests of the towns so certifying, establish such region. Each person so appointed shall have the same powers and duties within the region to which he is assigned as a municipal animal control officer in each town therein. All costs of maintaining and operating such pounds and administering and enforcing the laws relating to dogs within such regions shall be paid in accordance with the provisions of the agreement certified to the commissioner under this section.

(1963, P.A. 613, S. 5; 1967, P.A. 162, S. 1; 1969, P.A. 81, S. 3; P.A. 82-440, S. 1, 3; P.A. 91-59, S. 5; 91-131, S. 1, 4; P.A. 92-147, S. 3, 4.)

History: 1967 act combined Subsecs. (a) and (b), relettering (c) accordingly, rephrased provisions and emphasized necessity for facilities for use as pound in order for regional program to exist; 1969 act replaced references to regional wardens with references to regional canine control officers; P.A. 82-440 amended Subsec. (a) by deleting provisions which made state via its dog fund account responsible for cost of canine control officers' salaries and of maintaining pounds and by making regional canine control officers subject to chapter 67 and amended Subsec. (b) by establishing a procedure for towns participating in regional dog pounds to pay the complete pro rata cost of such pounds; P.A. 91-59 replaced references to "regional canine control officer" and "local dog warden" with references to "regional animal control officer" and "municipal animal control officer", respectively; P.A. 91-131 added interest and penalty provisions, effective July 1, 1991, and applicable to any assessment due on or after said date; P.A. 92-147 deleted former Subsec. (b) and rewrote section to remove state involvement in the appointment or payment of regional animal control officers.

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Sec. 22-332. Impoundment and disposition of roaming, injured or mistreated animals. Authority to spay or neuter unclaimed dog. Liability for provision of veterinary care to injured, sick or diseased impounded animal. (a) The Chief Animal Control Officer, any animal control officer or any municipal animal control officer shall be responsible for the enforcement of this chapter and shall make diligent search and inquiry for any violation of any of its provisions. Any such officer may take into custody (1) any dog found roaming in violation of the provisions of section 22-364, (2) any dog not having a tag or plate on a collar about its neck or on a harness on its body as provided by law or which is not confined or controlled in accordance with the provisions of any order or regulation relating to rabies issued by the commissioner in accordance with the provisions of this chapter, or (3) any dog found injured on any highway, neglected, abandoned or cruelly treated. The officer shall impound such dog at the pound serving the town where the dog is taken unless, in the opinion of a licensed veterinarian, the dog is so injured or diseased that it should be destroyed immediately, in which case the municipal animal control officer of such town may cause the dog to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. The municipal animal control officer shall immediately notify the owner or keeper of any dog so taken, if known, of its impoundment. Such officer shall immediately notify the owner or keeper of any other animal which is taken into custody, if such owner or keeper is known. If the owner or keeper of any such dog or other animal is unknown, the officer shall immediately tag or employ such other suitable means of identification of the dog or other animal as may be approved by the Chief Animal Control Officer and shall promptly cause (A) a description of such dog or other animal to be published once in the lost and found column of a newspaper having a circulation in such town or that has a state-wide circulation, and (B) a photograph or description of such animal and the date on which such animal is no longer legally required to be impounded to be posted on a national pet adoption Internet web site or an Internet web site that is maintained or accessed by the animal control officer and that is accessible to the public through an Internet search, except such posting shall not be required if: (i) The animal is held pending the resolution of civil or criminal litigation involving such animal, (ii) the officer has a good faith belief that the animal would be adopted by or transferred to a public or private nonprofit rescue organization for the purpose of placing such animal in an adoptive home even in the absence of such posting, (iii) the animal's safety will be placed at risk, or (iv) such animal control officer determines that such animal is feral and not adoptable. If any animal control officer does not have the technological resources to post such information on an Internet web site as required by subparagraph (B) of this subdivision, such officer may contact a public or private animal rescue organization and request that such organization post such information, at such organization's expense, on a web site that is accessible to the public through an Internet search. To the extent practicable, any such posting by an animal control officer or a public or private animal rescue organization shall remain posted for the duration of such animal's impoundment in the municipal or regional dog pound.

(b) If such dog or other animal is not claimed by and released to the owner within seven days after the date of publication, the municipal animal control officer, upon finding such dog or other animal to be in satisfactory health, may have a licensed veterinarian spay or neuter such dog and sell such dog or other animal to any person who satisfies such officer that he is purchasing it as a pet and that he can give it a good home and proper care. The municipal animal control officer may retain possession of such dog or other animal for such additional period of time as he may deem advisable in order to place such dog or other animal as a pet and may have a licensed veterinarian spay or neuter such dog. If, within such period, any dog or other animal is not claimed by and released to the owner or keeper or purchased as a pet, the officer shall cause such dog or other animal to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. Any veterinarian who so destroys a dog shall be paid from the dog fund account. No person who so destroys a dog or other animal shall be held criminally or civilly liable therefor nor shall any licensed veterinarian who spays or neuters a dog pursuant to this section be held civilly liable, including, but not limited to, liability for reconstructive neutical implantation surgery.

(c) The town treasurer or other fiscal officer shall pay from the dog fund account the advertising expense incurred under the provisions of this section upon receipt of an itemized statement together with a copy of the advertisement as published. Any person who purchases a dog as a pet shall pay a fee of five dollars and procure a license and tag for such dog from the town clerk, in accordance with the provisions of section 22-338. In addition to the five-dollar fee, any person who purchases a dog as a pet may be charged the cost the municipality incurred, if any, to spay or neuter and vaccinate the dog, provided such charge shall not exceed one hundred fifty dollars.

(d) No regional or municipal dog pound facility, municipality, regional or municipal animal control officer or public or private nonprofit animal rescue organization that arranges for the provision of treatment by a licensed veterinarian to an injured, sick or diseased animal pursuant to a contract described in section 22-332e shall be held civilly liable for such actions unless such actions are performed in a wanton, reckless or malicious manner. No

licensed veterinarian who provides treatment free of charge or for a reduced fee, to an injured, sick or diseased animal as a direct result of a contract described in section 22-332e shall be held civilly liable for the provision of such treatment unless such actions are performed in a wilful, wanton or reckless manner.

(1949 Rev., S. 3379; 1951, S. 710b; 1953, 1955, S. 1817d; 1961, P.A. 517, S. 21; 1963, P.A. 14, S. 3; 613, S. 35; 1969, P.A. 81, S. 4; 1971, P.A. 76; P.A. 74-183, S. 246, 291; P.A. 76-436, S. 212, 681; P.A. 78-280, S. 1, 127; P.A. 80-315, S. 1; P.A. 86-45, S. 1; P.A. 91-59, S. 6; P.A. 93-435, S. 34, 95; P.A. 96-243, S. 15, 16; P.A. 98-12, S. 8, 22; P.A. 03-137, S. 1; P.A. 11-111, S. 2; P.A. 13-105, S. 1; P.A. 14-122, S. 38.)

History: 1961 act substituted “prosecuting attorney for the circuit court of the circuit within which the dog is found” for “local prosecuting attorney”; 1963 acts divided section into Subsecs., allowed immediate destruction of animal if necessary, deleted requirement that dog be kept for 120 hours, required notification of state warden if dog unclaimed after three days from published notice, revised and clarified provisions re disposition of dog if unclaimed after seven days, replaced “dog license fund” with “dog fund account”, specified that hospitals, laboratories, etc. purchasing unclaimed dogs need not procure dog license and raised purchase fee for pets from \$4 to \$5; 1969 act replaced references to wardens with references to canine control officers as appropriate; 1971 act deleted requirement in Subsec. (b) requiring warden to notify chief canine control officer of dog’s capture and dog’s description; P.A. 74-183 replaced circuit court with court of common pleas and “circuit” with “county or judicial district” in Subsec. (a); P.A. 76-436 replaced court of common pleas with superior court and “prosecuting attorney” with “office of the state’s attorney”, effective July 1, 1978; P.A. 78-280 deleted reference to counties; P.A. 80-315 deleted provisions in Subsecs. (b) and (c) which had allowed hospitals, laboratories, etc. to purchase unclaimed dogs; P.A. 86-45 amended Subsec. (a) by deleting provision re reporting of violations to the state’s attorney; P.A. 91-59 replaced references to “local dog warden” with references to “municipal animal control officer”; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 96-243 included “other animals” within the coverage of this section, effective June 6, 1996; P.A. 98-12 changed “canine control officer” to “animal control officer” in Subsec. (a), effective July 1, 1998; P.A. 03-137 amended Subsec. (b) to add provisions re authority to neuter or spay and re civil liability therefor; P.A. 11-111 amended Subsec. (a) by adding authority to publish description of animal in a newspaper with a state-wide circulation, adding requirement that a photograph or description of animal no longer required to be impounded be posted on a national pet adoption Internet web site or other Internet web site maintained or accessed by the animal control officer and adding exceptions to such requirement for animals held pending the resolution of litigation, animals that will otherwise be adopted, animals that will be placed at a safety risk by such a posting and animals that are not adoptable, and added Subsec. (d) re liability of dog pound facilities, municipalities, animal control officers, animal rescue organizations and veterinarians who arrange or provide veterinary treatment to an injured, sick or diseased animal pursuant to Sec. 22-332e; P.A. 13-105 amended Subsec. (c) by adding provision authorizing municipality to charge cost incurred to spay or neuter and vaccinate dog, not to exceed \$150; P.A. 14-122 made a technical change in Subsec. (a).

An unregistered dog is not an outlaw to be killed summarily at a whim of any individual. 18 CS 53.

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Sec. 22-332a. Use of dogs for medical research restricted. (a) No person shall procure or use any living dog for medical or biological teaching, research or study except a hospital, educational institution or laboratory licensed for such purpose in accordance with the provisions of section 22-332b. No such hospital, educational institution or laboratory shall purchase or accept, without fee, any living dog from any municipal animal control officer, pound, kennel or commercial kennel in this state.

(b) No animal control officer or municipal animal control officer shall sell, give or transfer any unclaimed, impounded dog to any animal dealer, whether or not such dealer is licensed by the United States Department of Agriculture.

(1963, P.A. 14, S. 1; P.A. 80-315, S. 2; P.A. 91-59, S. 7; P.A. 98-12, S. 9, 22.)

History: P.A. 80-315 prohibited hospital’s or laboratory’s, etc. acceptance of dog from pound, etc. “without fee” in Subsec. (a), replaced former Subsec. (b), prohibition incorporated into Subsec. (a), with prohibition against sale

of animal to animal dealer by canine control officer or warden and deleted former Subsec. (c) which had exempted officers or agencies of U.S., state or political subdivision from provisions of Subsec. (a); P.A. 91-59 replaced references to “local dog warden” with references to “municipal animal control officer”; P.A. 98-12 changed “canine control officer” to “animal control officer” in Subsec. (b), effective July 1, 1998.

Cited. 218 C. 757.

Cited. 21 CA 629.

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Sec. 22-332b. License for use of dogs. (a) Any hospital, educational institution or laboratory desiring to obtain a license to use living dogs in medical or biological teaching, research or study shall apply to the Commissioner of Public Health, on forms which said commissioner shall provide, giving its name, address, the nature of the activity for which a license is desired and the location at which such activity is to be conducted. Such application shall be accompanied by a fee of three hundred fifteen dollars. Upon receipt of an application and fee, the Commissioner of Public Health shall cause an investigation to be made of the applicant and shall issue a license upon finding that the applicant (1) has adequate land, buildings, equipment and facilities to engage in the activity described in the application, and (2) agrees to comply with all laws and regulations respecting the housing and care of dogs. Each license shall be in lieu of any license required by sections 22-338, 22-339, 22-342 and 22-344 and shall be issued only for the premises and activity described in the application. No license shall be transferable. Each license shall expire on June thirtieth following the date of issue and shall be renewable annually upon application and payment of a fee of three hundred fifteen dollars.

(b) The Commissioner of Public Health shall suspend or revoke a license for wilful or material failure to comply with the provisions of this section or any law or regulation relating to the acquisition, housing and care of dogs. No such suspension or revocation shall be ordered except upon notice and hearing. Such notice shall be in writing and shall inform the licensee of the substance of the violation charged and that an opportunity for hearing will be provided upon written request filed within ten days after receipt of such notice. The Commissioner of Public Health shall file with each order suspending or revoking a license a finding of fact and statement of his conclusions and serve upon the licensee, by registered or certified mail, a copy of such order, finding and statement. Any person whose application for a license is denied or whose license is revoked or suspended under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183.

(c) The Commissioner of Public Health shall adopt regulations in accordance with chapter 54, establishing humane standards for the proper housing, care, treatment, handling and disposition of dogs used by licensees under this section.

(1963, P.A. 14, S. 2; P.A. 76-436, S. 456, 681; P.A. 77-603, S. 98, 125; 77-614, S. 323, 610; June Sp. Sess. P.A. 91-11, S. 13, 25; P.A. 93-381, S. 9, 39; 93-435, S. 35, 95; P.A. 95-257, S. 12, 21, 58; June Sp. Sess. P.A. 09-3, S. 297.)

History: P.A. 76-436 replaced court of common pleas with superior court in Subsec. (b) and added reference to judicial districts, effective July 1, 1978; P.A. 77-603 replaced previous appeal provision with statement requiring appeals to be made in accordance with Sec. 4-183; P.A. 77-614 replaced commissioner and department of health with commissioner and department of health services, effective January 1, 1979; June Sp. Sess. P.A. 91-11 increased license fee from \$50 to \$250 and deleted provision in Subsec. (b) requiring regular inspections of licensees by health services department; P.A. 93-381 replaced commissioner of health services with commissioner of public health and addiction services, effective July 1, 1993; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; June Sp. Sess. P.A. 09-3 amended Subsec. (a) to increase fees from \$250 to \$315 and to make a technical change.

Cited. 21 CA 629.

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Sec. 22-332c. Penalty. Any person who violates any provision of section 22-332, 22-332a or 22-332b shall be guilty of a class D misdemeanor.

(1963, P.A. 14, S. 4; P.A. 12-80, S. 79.)

History: P.A. 12-80 replaced penalty of a fine of not more than \$100 or imprisonment of not more than 30 days or both with a class D misdemeanor.

Cited. 21 CA 629.

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Sec. 22-332d. Impoundment and disposition of certain cats. Authority to spay or neuter unclaimed cat.

(a) Any animal control officer for a municipality which has adopted an ordinance under subsection (b) of section 22-339d may take into custody any cat found to be damaging property other than property of its owner or keeper or causing an unsanitary, dangerous or unreasonably offensive condition unless such cat can be identified as under the care of its owner or a registered keeper of feral cats. The officer shall impound such cat at the pound serving the town where the cat is taken unless, in the opinion of a licensed veterinarian, the cat is so injured or diseased that it should be destroyed immediately, in which case the municipal animal control officer of such town may cause the cat to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. The municipal animal control officer shall immediately notify the owner or keeper of any cat so taken, if known, of its impoundment. If the owner or keeper of any such cat is unknown, the officer shall immediately tag or employ such other suitable means of identification of the cat as may be approved by the Chief Animal Control Officer and shall promptly cause a description of such cat to be published once in the lost and found column of a newspaper having a circulation in such town.

(b) If such cat is not claimed by and released to the owner within seven days after the date of publication, the municipal animal control officer, upon finding such cat to be in satisfactory health, may have a licensed veterinarian spay or neuter any such cat and sell such cat to any person who satisfies such officer that he is purchasing it as a pet and that he can give it a good home and proper care. The municipal animal control officer may retain possession of such cat for such additional period of time as he may deem advisable in order to place such cat as a pet and may have a licensed veterinarian spay or neuter such cat. If, within such period, any cat is not claimed by and released to the owner or keeper or purchased as a pet, the officer shall cause such cat to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. No person who so destroys a cat shall be held criminally or civilly liable therefor nor shall any licensed veterinarian who spays or neuters a cat pursuant to this section be held civilly liable, including, but not limited to, liability for reconstructive neuteal implantation surgery.

(c) Any cat captured or impounded under the provisions of subsection (a) of this section shall be redeemed by the owner or keeper thereof, or the agent of such owner or keeper, upon proper identification, and presentation to the municipal animal control officer of a license, tag or other means of identification for such cat, and upon the payment by such owner or keeper or his agent of (1) the redemption fee established by the municipality, which shall not exceed fifteen dollars, and (2) the cost of advertising incurred under the provisions of subsection (a) of this section. When the owner or keeper of any such impounded cat fails to redeem such cat within twenty-four hours after receiving notification to do so, or, where the owner was unknown, within twenty-four hours after notification was effected by means of publication in a newspaper, such owner or keeper shall pay, in addition to such redemption fee and the cost of advertising, the amount determined by the municipality to be the full cost of detention and care of such impounded cat. In addition, any owner or keeper of any such impounded cat who fails to redeem such cat within one hundred twenty hours after receiving notification to do so shall have committed an infraction. The legislative body of the municipality shall set any fees imposed by the municipality under this section.

(P.A. 96-243, S. 2; P.A. 98-12, S. 10, 22; P.A. 03-137, S. 2.)

History: P.A. 98-12 changed “canine control officer” to “animal control officer” in Subsec. (a), effective July 1, 1998; P.A. 03-137 amended Subsec. (b) to add provisions re authority to neuter or spay and re civil liability therefor.

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Sec. 22-332e. Regional or municipal dog pound contract with animal rescue organization for veterinary treatment of injured, sick or diseased animal. Contract requirements. Department of Agriculture complaint. Maintenance of list of animal rescue organizations. (a) Any regional or municipal dog pound facility may enter into a contract with one or more public or private nonprofit animal rescue organizations for the payment by such animal rescue organization of the costs for providing treatment by a licensed veterinarian to an injured, sick or diseased animal that is impounded at such regional or municipal dog pound facility. Such contract shall provide that: (1) No costs associated with the provision of such treatment shall accrue to the municipality as a result of such contract, (2) the selection of the licensed veterinarian to provide such treatment shall be made by the public or private nonprofit animal rescue organization that will be responsible for the remittance of payment to such licensed veterinarian who provides such treatment, (3) the determination of whether an animal is injured, sick or diseased and in need of veterinary treatment shall be made by a regional or municipal animal control officer who has custody of such animal, provided if any employee or volunteer of such regional or municipal dog pound facility notifies such animal control officer that an animal is injured, sick or diseased and in need of such veterinary treatment such animal control officer shall contact such public or private nonprofit animal rescue organization to arrange for the treatment of such animal by a licensed veterinarian, and (4) not later than twenty-four hours after receipt of a request from such municipal or regional dog pound facility that such public or private nonprofit animal rescue organization arrange for the provision of such treatment to an injured, sick or diseased animal impounded at such facility, such animal rescue organization shall select a licensed veterinarian to provide such treatment and take custody or control of such animal, as applicable, for the purpose of having such licensed veterinarian provide immediate treatment to such injured, sick or diseased animal. Nothing in this section shall be construed to affect any protection provided to any animal pursuant to any statute, regulation or ordinance.

(b) Notwithstanding subsection (a) of this section, if any person observes or reasonably believes that a municipal or regional animal control officer failed to provide any animal that is under the custody and control of such animal control officer with proper care, including, but not limited to, veterinary care, such person may file a complaint with the Department of Agriculture’s State Animal Control Division. Not later than twenty-four hours after receipt of any such complaint, such division shall take action as the division deems necessary to secure proper care for such animal, except if such complaint is received on a Saturday or Sunday, such action shall be taken on the next business day.

(c) Each municipal and regional dog pound facility shall maintain a list of any public or private nonprofit animal rescue organization that notifies such dog pound facility of such animal rescue organization’s interest in entering into a contract described in subsection (a) of this section.

(P.A. 11-111, S. 1.)

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Sec. 22-333. Redemption of impounded dog, cat or other animal. Any dog, cat or other animal captured or impounded under the provisions of this chapter shall be redeemed by the owner or keeper thereof, or the agent of such owner or keeper, upon proper identification, and, if the animal in question is a dog, upon presentation to the municipal animal control officer of a license and tag for such dog, and upon the payment by such owner or keeper or his agent of (1) the redemption fee established by the municipality, which shall not exceed fifteen dollars, and (2) the cost of advertising incurred under the provisions of section 22-332; provided no dog, cat or other animal seized for doing damage under the provisions of section 22-355 shall be released except upon written order of the commissioner, the Chief Animal Control Officer or an animal control officer. When the owner or keeper of any such impounded dog, cat or other animal fails to redeem such dog, cat or other animal within twenty-four hours after receiving notification to do so, or, where the owner was unknown, within twenty-four hours after notification

was effected by means of publication in a newspaper, such owner or keeper shall pay, in addition to such redemption fee and the cost of advertising, the amount determined by the municipality to be the full cost of detention and care of such impounded dog, cat or other animal. The owner or keeper of any dog, cat or other animal impounded for the purposes of quarantine, as set forth in sections 22-358 and 22-359, shall pay the amount determined by the municipality to be the full cost of detention and care of such quarantined animal. In addition, any owner or keeper of any such impounded dog, cat or other animal who fails to redeem such dog, cat or other animal within one hundred twenty hours after receiving notification to do so shall have committed an infraction. The legislative body of the municipality shall set any fees imposed by the municipality under this section.

(1949 Rev., S. 3380; 1951, S. 711b; 1953, 1955, S. 1818d; 1963, P.A. 613, S. 6; 1969, P.A. 36; 81, S. 4; 1971, P.A. 14; P.A. 75-401, S. 1, 2; P.A. 79-290, S. 1; P.A. 82-323, S. 2; P.A. 86-284; P.A. 91-59, S. 8; P.A. 93-435, S. 36, 95; P.A. 98-12, S. 11, 22; P.A. 02-14, S. 1; P.A. 03-123, S. 2; P.A. 04-257, S. 41.)

History: 1963 act replaced references to redeeming of dogs by owners with references to release of dogs to owners, required proper identification as condition of release and raised fee to be paid for release from \$4 to \$5; 1969 acts replaced references to release of dogs with references to redemption of dogs and replaced references to wardens with references to canine control officers where necessary; 1971 act added provision allowing additional charge of \$2 per day when owner fails to redeem dog within 24 hours of notification or publication of newspaper notice; P.A. 75-401 increased redemption fee to \$10 and additional fee for failure to claim dog within 24 hours to \$3 per day; P.A. 79-290 raised additional charge to \$5 per day and made failure to redeem dog within 120 hours of notification an infraction; P.A. 82-323 inserted an ascending scale of redemption fees, i.e. \$15 for second redemption and \$20 for third and succeeding redemptions; P.A. 86-284 replaced sliding scale of fees for redemption of impounded dogs based on the number of times the dog has been impounded with a fee established by the municipality and authorized municipalities to charge for the full cost of the dog's care where previously a maximum charge of \$5 per day was allowed; P.A. 91-59 replaced reference to "local dog warden" with reference to "municipal animal control officer"; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 98-12 changed "canine control officer" to "animal control officer", effective July 1, 1998; P.A. 02-14 added "cat or other animal" and requirement that the owner pay municipality for costs of quarantined animal, effective July 1, 2002; P.A. 03-123 made technical changes, effective June 26, 2003; P.A. 04-257 made a technical change, effective June 14, 2004.

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Sec. 22-334. Municipal animal control officer's fees. On or before the tenth day of each month, each municipal animal control officer shall present to the chief administrative officer of the town a sworn statement of the services rendered by the municipal animal control officer in the performance of official duties during the previous month. The commissioner shall provide the forms for such statements and a copy of each such statement shall be forwarded to the commissioner by the chief administrative officer promptly upon receipt. Upon presentation of such statement, each municipal animal control officer, other than an officer employed on a salary basis, shall be paid by such city or town from the dog fund account (1) five dollars for each dog returned to its owner or sold as a pet and four dollars for each dog captured, impounded and killed, or otherwise disposed of as provided in this chapter, (2) such expenses as the appointing authority may approve and (3) such other remuneration as the officers having jurisdiction thereof direct. Each municipal animal control officer employed on a salary basis shall be paid, in addition to a regular salary, a bonus of one dollar for each dog returned to its owner or sold as a pet. Each municipal animal control officer shall pay to the town treasurer or other fiscal officer for deposit in the dog fund account all moneys received by the officer in the performance of official duties. Each regional animal control officer shall pay to the commissioner for deposit with the State Treasurer all such moneys received by the officer. Such moneys shall be deposited in the dog fund account and credited to the town from which it was collected for purposes of payment of the amount due under subsection (b) of section 22-331a.

(1949 Rev., S. 3381; 1951, S. 712b; 1953, S. 1819d; 1957, P.A. 440, S. 1; 1963, P.A. 613, S. 7; 1969, P.A. 81, S. 4; P.A. 79-290, S. 2, 5; P.A. 82-101, S. 1, 3; P.A. 87-231, S. 1, 2; P.A. 91-59, S. 9; P.A. 93-435, S. 37, 95.)

History: 1963 act rephrased and clarified provisions generally, distinguished between wardens employed on salary basis and those not so employed in terms of payments for dogs returned to owners, sold as pets, etc., differentiated between amounts paid for dogs returned or adopted and those otherwise disposed of, raising

payments for those adopted or returned from \$4 to \$5, required regional warden to pay moneys received by him to state treasurer and added other references to regional wardens and substituted “dog fund account” for “dog fund license account”; 1969 act replaced references to wardens with references to canine control officers where appropriate; P.A. 79-290 changed date for conducting special surveys re unlicensed dogs from “after August first” to “after July first”; P.A. 82-101 amended the section to make technical revisions and to delete the requirement for an annual survey for unlicensed dogs; P.A. 87-231 required that towns pay dog wardens \$1 for dogs licensed after being found unlicensed in a survey and added provision requiring that moneys deposited in dog fund account be credited to town from which collected; P.A. 91-59 replaced references to “local dog warden” with references to “municipal animal control officer”; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

See Sec. 22-349 re impoundment of unlicensed dogs and penalty for owning or keeping unlicensed or impounded dog.

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Sec. 22-335. Removal of municipal animal control officer. Complaint against municipal animal control officer. Any municipal animal control officer may be removed by the authority which appointed him or by the commissioner, and a successor may be appointed by such authority or commissioner. Any owner of a dog or cat aggrieved by the taking of such dog or cat by a municipal animal control officer may make complaint to the appointing authority of such municipal animal control officer or to the commissioner; and if, upon investigation of the complaint, the authority or the commissioner finds that the municipal animal control officer took the dog or cat otherwise than in accordance with the provisions of this chapter, or abused or cruelly treated the dog or cat, the authority or the commissioner may remove the officer and appoint his successor.

(1949 Rev., S. 3382; 1953, S. 1820d; P.A. 91-59, S. 10; P.A. 93-435, S. 38, 95; P.A. 96-243, S. 4.)

History: P.A. 91-59 replaced reference to “local dog warden” with reference to “municipal animal control officer”; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 96-243 added cats to coverage of this section.

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Sec. 22-336. Towns to provide pounds or other suitable facilities. Regulations. Enforcement. Each city or town, other than towns participating in a regional dog pound, shall (1) provide and maintain for use as a dog pound a suitable building, which shall be made comfortable for the detention and care of dogs and kept in a sanitary condition, or (2) provide, through written agreement, for the detention and care of impounded dogs by a licensed veterinarian, or in a licensed veterinary hospital, licensed commercial kennel, a dog pound maintained by another city or town, or other suitable facility approved by the commissioner. Any city or town may provide for the use of such building or facility to shelter other animals which are found injured, mistreated or roaming in a manner which endangers the animal or the public. The commissioner may adopt regulations, in accordance with the provisions of chapter 54, concerning the construction and maintenance of dog pounds or other facilities where impounded dogs are kept, and the care, handling and transportation of dogs by municipal animal control officers. The commissioner may inspect any dog pound or other facility where impounded dogs are kept and may issue such orders as he deems necessary to correct any improper conditions found to exist. If such orders are not complied with, the commissioner may request the Attorney General to bring an action for their enforcement, including suit for an injunction in the judicial district in which the dog pound or facility is located.

(1949 Rev., S. 3383; 1953, 1955, S. 1821d; 1963, P.A. 613, S. 8; P.A. 80-211, S. 1; P.A. 82-119, S. 2; P.A. 91-59, S. 11; P.A. 93-162; 93-435, S. 39, 95.)

History: 1963 act excepted towns participating in regional dog pounds from compliance with provisions and empowered commissioner to make regulations re dog pounds, etc.; P.A. 80-211 added provisions re alternate arrangements for detention and care of impounded dogs, i.e. through veterinarian, commercial kennel, etc; P.A.

82-119 authorized the commissioner to request the attorney general to bring enforcement actions under the statute; P.A. 91-59 replaced reference to “local dog warden” with reference to “municipal animal control officer”; P.A. 93-162 authorized use of facilities established under this section to shelter animals other than dogs; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

Cited. 218 C. 757.

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Sec. 22-337. Notice of licensing requirements. The selectmen of each town shall, annually, at least thirty days before June thirtieth, post a notice on the signpost in their town, if any, or at some other exterior place near the office of the town clerk, which shall warn that dogs must be licensed during the month of June.

(1949 Rev., S. 3400; 1953, S. 1838d; 1963, P.A. 613, S. 10; P.A. 84-146, S. 13.)

History: 1963 act required that notice contain warning that dogs must be licensed during June rather than requirements re licensing, wearing of collar and tag, etc.; P.A. 84-146 included a reference to posting of notice on a place other than a signpost.

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Sec. 22-338. Licensing of dogs. Fees. Rabies certificate. Exemptions. (a) Each owner or keeper of a dog of the age of six months or older, except dogs kept under a kennel license as provided in section 22-342, shall cause such dog to be licensed in the town clerk’s office in the town where such dog is kept, on or before June thirtieth, annually, or at such time as such dog becomes six months old, and annually thereafter, on or before June thirtieth. The owner or keeper shall pay to such town clerk for such license the sum of seven dollars for each neutered male or spayed female dog and the sum of twelve dollars for each unneutered male dog and each unspayed female dog, and one additional dollar in each case as the town clerk’s fee for issuing a tag and license as provided in section 22-340. Two dollars from each license fee collected for a neutered or spayed dog shall be deposited into the animal population control account, established under section 22-380g. If an owner or keeper of a dog fails to procure a license as required by this section, such owner or keeper shall pay the appropriate license fee specified in this section, the town clerk’s fee and a penalty of one dollar for each month or fraction thereof the dog remains unlicensed.

(b) Any owner or keeper applying for a license for a dog under subsection (a) of this section, except for those owners or keepers possessing a rabies vaccination exemption certificate, or a copy thereof, issued pursuant to section 22-339b, shall submit to the town clerk a rabies certificate signed by a licensed veterinarian, or a copy thereof, stating that such dog has been vaccinated against rabies, the date of the vaccination and the duration of the immunity provided by the vaccine. No license shall be issued unless the certificate indicates that the immunity provided by the vaccine is effective at the time of licensing.

(c) Any owner or keeper applying for a license for a dog pursuant to subsection (a) of this section that has been exempted from vaccination against rabies pursuant to section 22-339b shall submit to the town clerk a rabies vaccination exemption certificate issued by the department, or a copy thereof, in lieu of a rabies certificate.

(d) This section shall not apply to any dog which is imported into this state for exhibition purposes and which does not remain in this state for more than thirty days. Any person may import, from another state, any licensed dog with collar, tag and rabies vaccination certificate, and keep the same in this state for not more than thirty days, without complying with the provisions of this section.

(1949 Rev., S. 3384; 1953, 1955, S. 1822d; 1957, P.A. 440, S. 2; 1963, P.A. 613, S. 9; February, 1965, P.A. 49, S. 1; P.A. 76-361, S. 1; P.A. 82-323, S. 3; P.A. 85-167, S. 1; P.A. 89-161, S. 1; P.A. 91-46, S. 1, 12; P.A. 93-435, S. 40, 95; P.A. 02-61, S. 1; P.A. 03-103, S. 1; P.A. 06-105, S. 1; P.A. 07-105, S. 1.)

History: 1963 act made provisions generally applicable deleting references to period between May 1, 1958, and June 30, 1959, and revised fee provisions; 1965 act raised license fee for male or spayed female dog from \$2.10 to \$3 and for unspayed dog from \$5.90 to \$7, added reference to charges for fractions of months and changed last date for acquiring license without penalty from July first to June thirtieth; P.A. 76-361 distinguished between neutered and unneutered male dogs in fee provisions as between spayed and unspayed female dogs; P.A. 82-323 doubled various town clerk's fees and penalty applicable until July thirty-first; P.A. 85-167 added Subsec. (b) requiring a rabies certificate for licensing on and after June 1, 1986; P.A. 89-161 amended Subsec. (a) to increase the fees, to remove language on the prorating of fees and to change the method for computing penalties and amended Subsec. (b) to remove outdated language; P.A. 91-46 added Subsec. (c) to provide for an exemption for certain dogs imported into the state; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 02-61 amended Subsec. (a) to increase license fee for neutered or spayed dog from \$5 to \$7 and allocate \$2 from each license fee for a neutered or spayed dog to the Animal Population Control Fund; P.A. 03-103 amended Subsec. (a) to increase license fee for unneutered and unspayed dogs from \$9 to \$12 and made a technical change in Subsec. (b); P.A. 06-105 amended Subsec. (b) to add exclusion for owners or keepers possessing rabies vaccination exemption certificate and insert "licensed" re veterinarian, added new Subsec. (c) re submittal to town clerk of such certificate and redesignated existing Subsec. (c) as Subsec. (d); P.A. 07-105 amended Subsec. (a) to change Animal Population Control Fund to animal population control account, effective June 11, 2007.

See [Sec. 22-339b re rabies vaccination exemption](#).

Former statute cited. 139 C. 624.

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Sec. 22-339. Licensing of dogs which are six months of age or older by new owners. Fees. Any person upon becoming the owner or keeper of any unlicensed dog of the age of six months or older shall cause such dog to be licensed within thirty days thereof until the thirtieth day of the ensuing June in the manner and subject to the terms and conditions provided in section 22-338. If the new owner has written proof of purchase or transfer and the license is obtained within thirty days, he shall not be required to pay any penalties as provided by said section for failure to secure a license for a dog over six months of age. Any person becoming the owner of a licensed dog shall present the license and tag of such dog to the town clerk of the town in which he resides and, for a fee of one dollar, such town clerk shall issue, in lieu thereof, a new license and tag, which shall be recorded in the name of the new owner. Such town clerk shall retain the old license and tag in his possession.

(1949 Rev., S. 3385; 1953, S. 1823d; 1957, P.A. 440, S. 3; 1963, P.A. 613, S. 11; P.A. 76-361, S. 2; P.A. 78-297, S. 2, 3; P.A. 82-323, S. 4; P.A. 89-161, S. 2; P.A. 91-215, S. 1; P.A. 93-435, S. 41, 95.)

History: 1963 act imposed \$0.25 per month fee for male or spayed female and \$0.60 per month fee for unspayed female when dog newly imported into state or obtained from kennel, etc. plus \$0.50 town clerk's fee and where ownership of dog already licensed is transferred increased license transfer fee from \$0.35 to \$0.50; P.A. 76-361 distinguished between fees for neutered and unneutered male dogs as between spayed and unspayed females; P.A. 78-297 deleted reference to dogs obtained from dog pound in fee provision; P.A. 82-323 doubled town clerk's fees; P.A. 89-161 removed language on the prorating of fees; P.A. 91-215 added language requiring new dog owners to license their dogs within 30 days and to exempt a new owner from paying any penalty for late registration if he has proof of transfer of ownership and obtains a license within 30 days thereof; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

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Sec. 22-339a. Town clerks may deputize agents for the issuance of licenses. Licensing of dogs acquired from dog pounds. Fees. Rabies certificate. (a) The town clerk of any town may deputize employees of any dog pound in such town as agents for the issuance of dog licenses and tags, provided the town clerk shall be solely

responsible for compliance with the provisions of the statutes relating to the duties of the town clerk in connection with such licenses and tags and the moneys received therefor.

(b) Any person acquiring an unlicensed dog from a dog pound shall be issued a temporary license by the town clerk, or his agent deputized pursuant to subsection (a) of this section, which shall expire thirty days after the issuance thereof. Prior to the expiration of a temporary license, the person holding the license shall apply for a license for the remainder of the license year, pay the appropriate license fee specified in section 22-338, and submit a certificate signed by a veterinarian, or a copy thereof, stating (1) that the dog has been vaccinated against rabies, (2) the date of the vaccination and (3) the duration of the immunity provided by the vaccine. No license shall be issued unless the certificate indicates that the immunity provided by the vaccine is effective at the time of licensing.

(P.A. 78-297, S. 1, 3; P.A. 82-323, S. 5; P.A. 85-167, S. 2; P.A. 89-161, S. 3; P.A. 93-435, S. 42, 95.)

History: P.A. 82-323 doubled town clerk's fees in Subsec. (b); P.A. 85-167 amended Subsec. (b) to include provisions re issuance of temporary 30-day license and to require a rabies certificate as condition for issuance of license on and after June 30, 1986; P.A. 89-161 added the reference to the fee specified in Sec. 22-338 and removed language on the pro rating of fees and outdated language; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

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Sec. 22-339b. Rabies vaccination required for dogs and cats. Exemption from rabies vaccination. Rabies vaccination exemption certificate. Veterinarian appeal. Penalty. (a) Any owner or keeper of a dog or cat of the age of three months or older shall have such dog or cat vaccinated against rabies. Any animal vaccinated prior to one year of age or receiving a primary rabies vaccine at any age shall be considered protected for only one year and shall be given a booster vaccination one year after the initial vaccination and shall be vaccinated at least every three years thereafter. Those animals revaccinated after one year of age shall be given booster vaccinations at least every three years thereafter. Proof of vaccination shall be a certificate issued by a licensed veterinarian in accordance with subsection (a) of section 22-339c. A licensed veterinarian, upon request of the Chief Animal Control Officer, any animal control officer, municipal animal control officer or regional animal control officer shall submit to such officer a copy of such certificate and any associated rabies vaccination records for such dog or cat that has bitten a person or another animal.

(b) The State Veterinarian or the Commissioner of Agriculture, or the commissioner's designee, may grant an exemption from vaccination against rabies for a dog or cat if a licensed veterinarian has examined such animal and determined that a rabies vaccination would endanger the animal's life due to disease or other medical considerations. Such exemption may be granted for an individual animal only after the veterinarian has consulted with the State Veterinarian, the Commissioner of Agriculture, or the commissioner's designee, and completed and submitted to the department an application for exemption from rabies vaccination on a form approved by the Department of Agriculture. After approval of such exemption, the department shall issue a rabies vaccination exemption certificate, copies of which shall be provided to the veterinarian, the owner of the dog or cat exempted from rabies vaccination and the animal control officer of the municipality in which the owner of the dog or cat resides. Certification that a dog or cat is exempt from rabies vaccination shall be valid for one year, after which time the animal shall be vaccinated against rabies or the application for exemption shall be renewed.

(c) Any veterinarian aggrieved by a denial of a request for an exemption from rabies vaccination by the State Veterinarian, the Commissioner of Agriculture or the commissioner's designee may appeal such denial as provided in the Uniform Administrative Procedure Act, sections 4-166 to 4-189, inclusive.

(d) Any violation of this section shall be an infraction.

(P.A. 85-167, S. 3, 9; P.A. 91-46, S. 2, 12; P.A. 93-435, S. 43, 95; P.A. 96-243, S. 13, 16; P.A. 06-105, S. 2; P.A. 09-228, S. 1.)

History: P.A. 91-46 entirely replaced previous provisions with new language re rabies vaccinations for dogs and cats; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 96-243 added provision making violations of section an infraction, effective June 6, 1996; P.A. 06-105 designated existing provisions as Subsec. (a), moved penalty provision from said Subsec. to new Subsec. (d) and added new Subsecs. (b) re exemption from vaccination against rabies for dog or cat and issuance of rabies vaccination exemption certificate and (c) re veterinarian appeal of denial of request for such exemption; P.A. 09-228 amended Subsec. (a) by adding provision re submission by veterinarian to animal control officer of copy of certificate and rabies vaccination records for dog or cat that has bitten a person or another animal, effective July 1, 2009.

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Sec. 22-339c. Certificate of rabies vaccination. (a) A certificate of rabies vaccination shall be (1) a form approved by the National Association of Public Health Veterinarians, (2) any form approved by the State Veterinarian, or (3) any form that has the following information regarding the vaccinated animal: (A) The name and address of its owner; (B) a description of the animal which specifies its species, breed, age, color or markings and sex; (C) the date of the vaccination, the duration of the immunity provided by the vaccination, the producer of the vaccine and the vaccine serial number; (D) the rabies tag number; and (E) the signature and license number of the veterinarian administering the vaccination. Such certificate shall be the official proof of rabies vaccination submitted to a town clerk in accordance with the provisions of section 22-338 or 22-339a.

(b) The owner or keeper of a dog or cat shall keep a certificate, or copy thereof, stating that such dog or cat has been vaccinated against rabies and shall make such certificate or copy available to any animal control officer, regional animal control officer or municipal animal control officer of any municipality for inspection.

(c) An antirabies clinic, upon request of any municipal animal control officer or animal control officer, shall submit to such officer a copy of any such certificate issued. Such copy shall be used by the officer to search for unlicensed dogs in accordance with the provisions of section 22-349.

(P.A. 85-167, S. 4; P.A. 86-45, S. 2, 3; P.A. 91-46, S. 3, 12; 91-59, S. 11; P.A. 93-435, S. 44, 95; P.A. 98-12, S. 12, 22; P.A. 06-105, S. 3.)

History: P.A. 86-45 added Subsec. (a)(3) specifying information required on form to qualify for rabies certificate; P.A. 91-46 amended Subsec. (a) to change “dog” to “animal” and to provide for official proof of rabies vaccination, amended Subsec. (b) to include vaccinations for cats and added Subsec. (c) concerning provision of rabies certificates by antirabies clinics; P.A. 91-59 replaced references to “warden” and “regional canine control officer” with references to “municipal animal control officer” and “regional animal control officer”, respectively; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 98-12 changed “canine control officer” to “animal control officer”, effective July 1, 1998; P.A. 06-105 deleted reference to “Form 50” and made technical changes in Subsec. (a).

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Sec. 22-339d. Municipal control of feral cats. (a) A municipality may adopt an ordinance requiring the registration, within one year of the adoption of such ordinance, of keepers of feral cats in residential or commercial areas. Such ordinance shall require that any such keeper shall register with the animal control officer for such municipality who shall provide information to the registrant regarding the proper care and management of feral cats. For purposes of this section, “feral cat” means a free-roaming domestic cat which is not owned and “keeper” means any person or organization, harboring, regularly feeding or having in his or its possession any feral cat. Refusal to permit any animal control officer to impound a feral cat shall be deemed evidence of keeping. Such ordinance shall require that such keepers shall provide for the vaccination of such cats against rabies and the sterilization of such cats. Such keeper shall be considered an eligible owner for purposes of the animal population control program established under sections 22-380e to 22-380m, inclusive, provided such cats are adopted from a municipal pound.

(b) A municipality may adopt an ordinance providing that no person owning or keeping any cat shall permit such animal to (1) substantially damage property other than the property of the owner or keeper or (2) cause an unsanitary, dangerous or unreasonably offensive condition. Violation of such provision shall be an infraction.

(P.A. 96-243, S. 1.)

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Sec. 22-340. Town clerk to provide licenses and tags. (a) Each person complying with the provisions of section 22-338, 22-339 or 22-342 shall receive from the town clerk a license on a form prescribed by the commissioner, which license shall contain a description of the dog and the number under which such dog is licensed. The town clerk shall issue to such person a tag or plate of material prescribed by the commissioner, upon which shall be distinctly marked the name of the town in which such dog is licensed, the license number and the year of license. No town clerk shall issue such license or tag to any person for any neutered male or spayed female dog not previously licensed as such unless the person causing the dog to be licensed exhibits to the town clerk a certificate from a licensed veterinarian stating that such veterinarian has neutered or spayed the dog or that, after examining the dog, he finds that the dog has been neutered or spayed.

(b) The town clerk shall provide for the issuance and renewal through the mail of licenses issued under sections 22-338 and 22-339. The town clerk may make applications for such licenses available at such facilities as kennels, pet stores, veterinarian offices, humane society offices and pet grooming establishments.

(1949 Rev., S. 3386; 1953, S. 1824d; 1963, P.A. 613, S. 12; P.A. 77-420, S. 2, 3; 77-604, S. 19, 84; P.A. 89-161, S. 4; P.A. 93-435, S. 45, 95.)

History: 1963 act rephrased provision re veterinarian's statement that dog has been spayed; P.A. 77-420 and 77-604 made provisions previously applicable to spayed dogs applicable to neutered dogs as well; P.A. 89-161 made the existing section Subsec. (a), added Subsec. (b) and amended Subsec. (a) to remove a requirement that the town clerk record on the license form the name of the veterinarian who neutered or spayed the dog; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

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Sec. 22-341. Tag or plate to be attached to dog collar or harness. Cost. (a) Each owner or keeper of a licensed dog shall keep around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag or plate issued to such person by the town clerk. If any such tag or plate is lost, the owner or keeper of such dog shall forthwith secure a substitute tag or plate from the town clerk, at a cost of fifty cents.

(b) The town clerk of each town shall order a sufficient number of such tags or plates from the commissioner, who shall furnish the same at a cost of five cents each, which cost shall be paid by the town on the approval of the town clerk. Any balance of the moneys received by the commissioner after deducting the cost of the tags, the expenses incidental to their distribution to the town clerks and the expenses incidental to the enforcement of the provisions of this chapter, shall be accounted for by the commissioner to the Comptroller. The design and the shape of such tags or plates shall be changed each year, and such tags or plates for each year shall be of uniform design and material throughout the state. Any dog found roaming at large upon any public highway or common or upon the premises of any person other than its owner, without a tag as provided in this section, shall be presumed to be an unlicensed dog.

(1949 Rev., S. 3387; 1953, S. 1825d; P.A. 83-382, S. 1, 3; P.A. 93-435, S. 46, 95; P.A. 01-62, S. 2.)

History: P.A. 83-382 amended Subsec. (a) to raise the fee for replacement tags from \$0.10 to \$0.50, for consistency with Sec. 22-347; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 01-62 amended Subsec. (b) to eliminate provision re payment of dog license fees to the State Treasurer.

Sec. 22-342. Kennel licenses. Certain breeders to be licensed. Inspection of kennel facilities. Penalties. (a)

Any owner or keeper of a kennel who breeds more than two litters of dogs annually shall apply to the town clerk in the town in which such kennel is located for a kennel license. Any owner or keeper of a kennel who breeds not more than two litters of dogs annually may apply to the town clerk of the town in which such kennel is located for a kennel license. For the purposes of this section, annually shall refer to the kennel license year which begins July first. Such town clerk shall issue to such applicant a kennel license on a form prescribed by the commissioner for a period from the date of such application until the thirtieth day of the ensuing June. The license shall specify the name and number of the kennel, the name of the owner and the name of the keeper and shall be in lieu of any other license required for any dog of either sex which may be kept in such kennel during the period for which the license is issued. Each license may be renewed from year to year by the town clerk upon application of such owner or keeper. Each such owner or keeper shall cause to be kept, upon each dog in such kennel, while it is at large, a collar or harness of leather or other suitable material, to which collar or harness shall be securely attached a tag or plate upon which shall appear the number of the kennel license, the name of the town issuing the license and the year of license. Such plates or tags shall be furnished by the town clerk of the town in which such kennel is licensed, at a cost of ten cents each, in such numbers, not fewer than the number of dogs kept in such kennel, and at such time as the licensee may request. The fee for each kennel license, when no more than ten dogs are kept in the kennel, shall be fifty dollars, and for a license for a kennel containing more than ten dogs, the fee shall be one hundred dollars, except that in the case of a kennel started after the first day of July, the license fee for the remainder of the year shall be a proportional part of the fee charged for one year. If the owner or keeper of any established kennel fails to obtain the kennel license on or before June thirtieth, he shall pay one dollar for each dog kept therein, in addition to the regular kennel fee.

(b) The commissioner, the Chief Animal Control Officer or any state animal control officer may at any time inspect any kennel including all facilities of any kennel in which dogs are bred or housed or cause it to be inspected by a Connecticut licensed veterinarian appointed by the commissioner. If, in the judgment of the commissioner, such kennel is not being maintained in good repair and in a sanitary and humane manner or if the commissioner finds that communicable or infectious disease or other unsatisfactory conditions exist in the kennel, he may issue such orders as he deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such kennel fails to comply with such orders, the commissioner shall revoke or suspend the kennel license of such owner or keeper.

(c) Any person aggrieved by any order issued under the provisions of this section may appeal to the Superior Court in accordance with the provisions of section 4-183.

(d) Any person maintaining a kennel after such license has been revoked or suspended as herein provided shall be guilty of a class B misdemeanor.

(e) Any owner or keeper of a kennel who breeds more than two litters of dogs annually and (1) fails to apply for a kennel license as required in subsection (a) of this section, or (2) fails to allow an inspection of such facility as required in subsection (b) of this section shall be guilty of a class B misdemeanor.

(1949 Rev., S. 3388, 3389; 1953, S. 1826d; 1957, P.A. 440, S. 4; 1963, P.A. 613, S. 13; 1969, P.A. 81, S. 4; P.A. 76-436, S. 457, 681; P.A. 77-260; 77-420, S. 1, 3; 77-603, S. 99, 125; P.A. 93-435, S. 47, 95; P.A. 98-12, S. 13, 22; 98-113, S. 1; P.A. 12-80, S. 128.)

History: 1963 act made provisions of Subsec. (a) generally applicable, deleting references to period between May 1, 1958, and June 30, 1959; 1969 act replaced references to dog wardens with references to canine control officers where necessary; P.A. 76-436 replaced court of common pleas with superior court in Subsec. (c), effective July 1, 1978; P.A. 77-260 replaced maximum \$50 fine in Subsec. (d) with minimum fine of \$50 and maximum fine of \$100; P.A. 77-420 doubled kennel license fees in Subsec. (a) and in Subsec. (b) made suspension or revocation of license for failure to comply with orders of commissioner or canine control officer mandatory rather than optional; P.A. 77-603 revised appeal provision in Subsec. (c) to require appeals from commissioner's orders to be taken in accordance with Sec. 4-183; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 98-12 changed "canine control officer" to "animal control officer", in Subsec. (b),

effective July 1, 1998; P.A. 98-113 amended Subsec. (a) to mandate regulation of breeders of more than two litters of dogs annually and to add definition of “annually”, amended Subsec. (b) to replace “canine control officer” with “animal control officer”, to add provision re inspection of facilities in which dogs are bred or housed, to change “registered” to “Connecticut licensed” veterinarian and to add provision re maintenance of kennel in good repair, amended Subsec. (d) to increase penalties for certain violations of this section and added new Subsec. (e) re penalty for breeders who violate this section; P.A. 12-80 amended Subsecs. (d) and (e) to change penalties from a fine of not more than \$1,000 or imprisonment of not more than 1 year or both to a class B misdemeanor.

“Kennel” defined; defects in license; license may be issued after May 1st; keeping dogs at different places. 84 C. 640. Cited. 127 C. 73; 218 C. 757.

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Sec. 22-343. Temporary placing of dog. The holder of any kennel license may place any dog belonging to such kennel in the possession and keeping of any prospective purchaser for not more than thirty days without such keeper or temporary custodian complying with the provisions of section 22-338, but such dog, during such temporary custody, shall wear around its neck or body a collar or harness of leather or other suitable material, to which shall be attached a tag or plate as specified in section 22-341 or 22-342.

(1949 Rev., S. 3390; 1953, S. 1827d; 1963, P.A. 613, S. 14.)

History: 1963 act allowed possible buyer to have custody of dog belonging to holder of kennel license for 30 days rather than three weeks without obtaining license.

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Sec. 22-344. Licensing of commercial kennel, pet shop, training facility or grooming facility. Advertising by commercial kennels. Registration of animal importer. Fees. Humane treatment of animals. Inspection. Fines. Conformance to zoning regulations. (a)(1) No person shall maintain a commercial kennel until he has obtained from the commissioner a license to maintain such kennel under such regulations as the commissioner provides as to sanitation, disease and humane treatment of dogs or cats and the protection of the public safety. Upon written application and the payment of a fee of two hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (A) that such regulations have been complied with, and (B) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such kennel is to be maintained has certified that the kennel conforms to the municipal zoning regulations. Such license shall be renewed annually, not later than December thirty-first, in accordance with the provisions of this section, and may be transferred by the licensee to another premises upon approval of the commissioner.

(2) Any person who maintains a commercial kennel and who advertises the services of such commercial kennel shall cause the license number for such commercial kennel, as issued pursuant to this section, to clearly appear in such advertisement. The commissioner may adopt regulations, in accordance with chapter 54, to prescribe the requirements for the appearance of the license number of a commercial kennel in any form of advertisement. Such regulation may include, but need not be limited to, the size, font and location of such license number for any given form of advertisement.

(b) No person shall maintain a pet shop until he has obtained from the commissioner a license to maintain such pet shop under such regulations as the commissioner provides as to sanitation, disease and humane treatment of animals and the protection of the public safety. Upon written application and the payment of a fee of two hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such pet shop is to be maintained has certified that the pet shop conforms to the municipal zoning regulations. Such pet shop license may be transferred by the licensee to another premises upon the approval of the commissioner. The commissioner,

after consultation with the Commissioners of Public Health and Energy and Environmental Protection, shall establish and maintain, pursuant to regulations adopted in accordance with chapter 54, a list of animals which are deemed to be injurious to the health and safety of the public or whose maintenance in captivity is detrimental to the health and safety of the animal. The sale or offer of sale of any animal which is on said list is prohibited and any person who violates this provision shall be fined not more than five hundred dollars.

(c) No person shall engage in the business of grooming or maintaining a grooming facility until such person has obtained from the commissioner a license to maintain such facility under such regulations as the commissioner provides as to sanitation, disease and humane treatment of such animals and the protection of the public safety. Upon written application and the payment of a fee of one hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such grooming is to be maintained has certified that the facility conforms to the municipal zoning regulations. Such license shall be renewed annually, not later than December thirty-first, in accordance with the provisions of this section, and may be transferred by the licensee to other premises upon approval of the commissioner.

(d) No person shall maintain a training facility until such person has obtained from the commissioner a license to maintain such facility under such regulations as the commissioner provides as to sanitation, disease and humane treatment of such animals and the protection of public safety. Upon written application and the payment of a fee of one hundred dollars, the commissioner shall issue such license to be effective until the ensuing December thirty-first provided the commissioner finds (1) that such regulations have been complied with, and (2) in the case of each initial application for such license, that the zoning enforcement official of the municipality wherein such training facility is to be maintained has certified that the facility conforms to the municipal zoning regulations. Such license shall be renewed annually upon the terms required for the original license and may be transferred by the licensee to another premises upon approval of the commissioner.

(e) (1) No animal importer shall import any dog or cat into this state until such person registers as an animal importer with the commissioner. Such registration shall be on a form as prescribed by the commissioner. Such registration shall require the submission of the following information: (A) The name, mailing address, business address, telephone number and Internet address of such registrant, (B) if such registrant is domiciled out-of-state, the name, Connecticut address and phone number of a Connecticut-based agent for service of process, and (C) the number of animals brought into the state during the prior year by such animal importer and the state or country of origin for each such animal. Such registration shall be accompanied by payment of a fee of one hundred dollars and shall be valid until the December thirty-first following such registration. Such registration shall be renewed annually, in accordance with the provisions of this subsection, provided the commissioner determines that such registrant complies with any requirements provided by the commissioner as to the health, safety and humane treatment of animals that is applicable to animal importers. Such registration shall not be required for any employee or volunteer of a registered animal importer or other person who is required to be licensed pursuant to the provisions of this chapter, provided such employee, volunteer or other person is not otherwise an animal importer. Any person who violates the provisions of this subdivision shall be fined not more than five hundred dollars.

(2) Any animal importer who intends to offer for sale, adoption or transfer any dog or cat at a venue or location that is open to the public or at an outdoor location, including, but not limited to, a parking lot or shopping center, shall provide notice to the Department of Agriculture and the municipal zoning enforcement officer of the town where any such sale, adoption or transfer will occur, not later than ten days prior to such event. Such notice shall state the date for such sale, adoption or transfer event, the exact location of such event and the anticipated number of animals for sale, adoption or transfer at such event. Any person who fails to provide notice as required pursuant to this subdivision shall be fined not more than one hundred dollars per animal that is offered for sale, adoption or transfer at such event.

(3) For the purpose of this subsection, "animal importer" means a person who brings any dog or cat into this state from any other sovereign entity for the purpose of offering such dog or cat to any person for sale, adoption or transfer in exchange for any fee, sale, voluntary contribution, service or any other consideration. "Animal importer" includes any commercial or nonprofit animal rescue or adoption, humane relocation or delivery organization that is not otherwise required to be licensed under the provisions of this chapter.

(4) The provisions of this subsection shall not be construed to apply to any animal importer who offers a dog or cat for sale to a pet shop that is licensed in accordance with the provisions of subsection (b) of this section, provided such animal is delivered directly to a pet shop.

(5) The Commissioner of Agriculture may inspect any animal imported by an animal importer or any record required to be kept by such animal importer, provided such inspection shall not authorize the entry of the commissioner into the residence of such animal importer.

(6) Not later than December 31, 2013, the Commissioner of Agriculture shall prescribe the conditions that constitute the humane treatment of animals that are applicable to animal importers. Such conditions shall include, but not be limited to, the appropriate shelter, availability of food and water and standard of care to be provided by an animal importer to such animals.

(f) The commissioner may, at any time, inspect or cause to be inspected by the commissioner's agents any such commercial kennel, pet shop, grooming facility or training facility, and if, (1) in the commissioner's judgment such kennel, pet shop, grooming facility or training facility is not being maintained in a sanitary and humane manner or in a manner that protects the public safety, (2) the commissioner finds that contagious, infectious or communicable disease or other unsatisfactory conditions exist, or (3) in the case of a pet shop, the commissioner finds any violation of the provisions of section 22a-381d, the commissioner may issue a fine to such commercial kennel, pet shop, grooming facility or training facility of not more than five hundred dollars for each animal that is the subject of such violation, may issue such orders as the commissioner deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such kennel, pet shop, grooming facility or training facility fails to comply with the regulations or orders of the commissioner, or fails to comply with any provision of the statutes or regulations relating to dogs or other animals, the commissioner may revoke or suspend such license. Any person aggrieved by any order issued under the provisions of this section may appeal therefrom in accordance with the provisions of section 4-183. Any person maintaining any commercial kennel, pet shop, grooming facility or training facility without having obtained a license for the same or after any such license has been revoked or suspended as provided herein shall be fined not more than two hundred dollars. The provisions of this section shall not apply to veterinary hospitals, except those boarding or grooming dogs for nonmedical purposes, and other establishments where all the dogs or animals were born and raised on the premises where they are kept for sale.

(g) The provisions of subsections (a) to (d), inclusive, of this section requiring certification by the zoning enforcement official that every commercial kennel, pet shop, grooming facility and training facility conforms to the zoning regulations of the municipality wherein such kennel, pet shop, grooming facility or training facility is maintained shall not apply to any person who is licensed under said subsections and maintained any such kennel, pet shop or grooming facility prior to October 1, 1977, provided such person does not relocate such kennel, pet shop, grooming facility or training facility in a zone in which such kennel, pet shop, grooming facility or training facility is not a permitted use. In addition, the provisions of said subsections requiring certification by the zoning enforcement official that every commercial kennel, pet shop, grooming facility and training facility conforms to the zoning regulations of the municipality wherein such kennel, pet shop, grooming facility or training facility is maintained shall not apply when a zone in which such kennel, pet shop, grooming facility or training facility is maintained is changed to a use which does not permit such kennel, pet shop, grooming facility or training facility in such zone.

(1949 Rev., S. 3327; 1953, S. 1828d; 1959, P.A. 447, S. 1; 1963, P.A. 613, S. 15; February, 1965, P.A. 22, S. 1; 1969, P.A. 81, S. 4; 423, S. 2; 1971, P.A. 70; 1972, P.A. 180, S. 2; P.A. 74-89; P.A. 76-436, S. 458, 681; P.A. 77-314, S. 2; 77-505; 77-603, S. 100, 125; 77-614, S. 323, 610; P.A. 82-91, S. 15, 16, 38; P.A. 83-382, S. 2, 3; P.A. 88-364, S. 30, 123; May Sp. Sess. P.A. 92-6, S. 49, 117; P.A. 93-381, S. 9, 39; 93-435, S. 48, 95; P.A. 95-257, S. 12, 21, 58; P.A. 01-62, S. 3; P.A. 09-52, S. 2; June Sp. Sess. P.A. 09-3, S. 298; P.A. 11-80, S. 1; 11-187, S. 1; P.A. 12-105, S. 2; P.A. 13-23, S. 1; 13-241, S. 8.)

History: 1959 act raised license fee from \$1 to \$10; 1963 act made previous provisions Subsecs. (a) and (c), revising Subsec. (a) to apply only to commercial kennels and inserting new Subsec. (b) with separate provisions applicable to pet shops; 1965 act allowed revocation or suspension of license for failure to comply with statutes or regulations re dogs; 1969 acts inserted new Subsec. (c) containing provisions applicable to grooming businesses, relettering former Subsec. (c) accordingly, replaced references to dog wardens with references to canine control officers where necessary and including references to grooming facilities; 1971 act deleted proviso re prorated

license fees for pet shops starting after January thirty-first in Subsec. (b); 1972 act replaced references to inspections by canine control officers and veterinarians with references to inspections by commissioner's agents and allowed suspension or revocation of license for violations of statutes and regulations re other animals as well as dogs in Subsec. (d); P.A. 74-89 included provisions in Subsec. (b) re list of animals not to be maintained in captivity or injurious to public health and safety; P.A. 76-436 replaced court of common pleas with superior court in Subsec. (d), effective July 1, 1978; P.A. 77-314 inserted new Subsec. (d) containing provisions applicable to training facilities, relettering former Subsec. (d) accordingly and including references to training facilities; P.A. 77-505 required that facilities conform to zoning regulations as condition of licensure and added Subsec. (e) clarifying what constitutes conformity to zoning regulations; P.A. 77-603 replaced previous appeal provision with statement requiring that appeals be made in accordance with Sec. 4-183; P.A. 77-614 substituted commissioner of health services for commissioner of health in Subsec. (b), effective January 1, 1979; P.A. 82-91 increased commercial kennel license fee from \$10 to \$25 and amended Subsec. (e) to extend the application of the provisions of the section to veterinary hospitals boarding or grooming dogs for nonmedical purposes; P.A. 83-382 amended Subsecs. (a), (b), (c) and (d) to authorize the commissioner to adopt regulations that protect the public safety, amended Subsecs. (c) and (d) to raise the license fee for training facilities from \$20 to \$25 and amended Subsec. (d) to require the zoning enforcement officer to certify that a training facility conform to local zoning; P.A. 88-364 made technical changes in Subsecs. (b), (e) and (f); May Sp. Sess. P.A. 92-6 amended Subsecs. (a), (c) and (d) to increase the license fee from \$25 to \$100 and amended Subsec. (b) and (e) to increase the license fee from \$50 to \$200; P.A. 93-381 replaced commissioner of health services with commissioner of public health and addiction services, effective July 1, 1993; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 01-62 amended Subsec. (c) to make a technical change and to require licenses to be renewed annually not later than December thirty-first; P.A. 09-52 amended Subsec. (e) to make technical changes, insert Subdiv. designators (1) and (2) and add Subdiv. (3) re violation of Sec. 22a-381d, effective July 1, 2009; June Sp. Sess. P.A. 09-3 amended Subsec. (a) to increase fee from \$100 to \$200 and to make a technical change; pursuant to P.A. 11-80, "Commissioner of Environmental Protection" was changed editorially by the Revisors to "Commissioner of Energy and Environmental Protection" in Subsec. (b), effective July 1, 2011; P.A. 11-187 added new Subsec. (e) re registration of animal importer with Commissioner of Agriculture prior to the importation of any dog or cat into the state by such animal importer, requirements for such registration, notice requirements prior to the offer for sale, transfer or adoption of any cat or dog by an animal importer at a venue open to the public, definition of "animal importer", exceptions to such requirements and inspection authority of Commissioner of Agriculture re any animal or record of an animal importer, and redesignated existing Subsecs. (e) and (f) as Subsecs. (f) and (g); P.A. 12-105 amended Subsec. (f) to authorize commissioner to fine any commercial kennel, pet shop, grooming facility or training facility not more than \$500 for each animal that is the subject of a violation; P.A. 13-23 amended Subsec. (a) to designate existing provisions as Subdiv. (1), add Subdiv. (2) re requirement for commercial kennels to include license number in advertisements and make technical changes; P.A. 13-241 amended Subsec. (e) by adding Subdiv. (6) re commissioner to prescribe conditions that constitute humane treatment of animals by animal importers, effective July 2, 2013.

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Sec. 22-344a. Euthanasia of animals by pet shops. (a) Euthanasia of any warm-blooded animal which was offered for sale by a pet shop and not sold or transferred to another owner shall be by lethal injection of sodium pentobarbital administered by a veterinarian licensed in this state or a person under his supervision.

(b) The commissioner shall revoke the license issued under section 22-344 of any pet shop that violates subsection (a) of this section.

(P.A. 87-143, S. 1, 2; P.A. 93-435, S. 49, 95.)

History: P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993.

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Sec. 22-344b. Pet shop required to have dogs and cats examined by veterinarian. Replacement or refund. Statement of customer rights. Penalty. (a) A pet shop licensee shall, prior to offering a dog or cat for sale and thereafter at intervals of fifteen days until such dog or cat is sold, provide for examination of such dog or cat by a veterinarian licensed under chapter 384. Such licensee shall maintain a record of the veterinary services rendered for each dog or cat offered for sale.

(b) (1) If, (A) within twenty days of sale, any such dog or cat becomes ill or dies of any illness which existed in such dog or cat at the time of the sale, or (B) within six months of sale, any such dog or cat is diagnosed with a congenital defect that adversely affects or will adversely affect the health of such dog or cat, such licensee shall: (i) Reimburse such consumer for the value of the actual services and medications provided to such dog or cat by any veterinarian licensed pursuant to chapter 384 for the treatment of such illness or congenital defect upon the presentation by such consumer to such licensee of a certificate from such veterinarian that such dog or cat suffers or suffered from such illness or congenital defect, provided such reimbursement shall not exceed (I) the full purchase price of such dog or cat for any dog or cat purchased for five hundred dollars or more, and (II) five hundred dollars for any dog or cat purchased for less than five hundred dollars. No licensee may require the consumer to return such dog or cat to such licensee to receive such reimbursement, or (ii) at the option of such consumer, replace the dog or cat or refund in full the purchase price of such dog or cat: (I) In the case of illness or such congenital defect, upon return of the dog or cat to the pet shop and the receipt of a certificate from a veterinarian licensed under chapter 384 and selected by the consumer, stating that the dog or cat is ill from a condition which existed at the time of sale, or suffers from such congenital defect, and (II) in the case of death, the receipt of a certificate from a veterinarian licensed under chapter 384 and selected by the consumer, stating that the dog or cat died from an illness or a congenital defect which existed at the time of sale. The presentation of such certificate shall be sufficient proof to claim reimbursement or replacement and the return of such deceased dog or cat to the pet shop shall not be required. Any such consumer may seek the assistance of the Commissioner of Agriculture in the event that the licensee fails to reimburse such consumer in accordance with the provisions of this subsection. No such refund or replacement shall be made if such illness or death resulted from maltreatment or neglect by a person other than the licensee or such licensee's agent or employee. A licensee shall not be subject to the obligations imposed by this subsection for the sale of a cat where such cat has been spayed or neutered prior to its sale.

(2) Each pet shop licensee who sells dogs or cats shall post a statement of customer rights pursuant to this section in a location that is readily visible to the public and also provide a copy of such statement to any purchaser of a dog or cat at the time of purchase. The commissioner shall prescribe the content of such statement. Any statement of customer rights posted pursuant to this section shall be printed in black lettering of not less than twenty point size upon a white background. Any licensee who violates the provisions of this subdivision shall be fined two hundred fifty dollars.

(c) Any licensee who violates any provision of subsection (a) or subdivision (1) of subsection (b) of this section shall be fined not more than five hundred dollars. Any fine assessed pursuant to this subsection for a failure to reimburse a consumer, as described in subsection (b) of this section, shall not preclude or be in lieu of any such reimbursement.

(P.A. 88-230, S. 1, 12; 88-325, S. 1; P.A. 90-98, S. 1, 2; P.A. 93-142, S. 4, 7, 8; P.A. 95-220, S. 4-6; P.A. 98-113, S. 2; P.A. 09-228, S. 2; P.A. 12-105, S. 1; P.A. 14-77, S. 2.)

History: P.A. 88-230 replaced "judicial district of Hartford-New Britain at Hartford" with "judicial district of Hartford", effective September 1, 1991; P.A. 90-98 changed the effective date of P.A. 88-230 from September 1, 1991, to September 1, 1993; P.A. 93-142 changed the effective date of P.A. 88-230 from September 1, 1993, to September 1, 1996, effective June 14, 1993; P.A. 95-220 changed the effective date of P.A. 88-230 from September 1, 1996, to September 1, 1998, effective July 1, 1995; P.A. 98-113 amended Subsec. (b) to provide for reimbursement of consumers by pet shops for certain veterinary expenses; P.A. 09-228 made a technical change in Subsec. (a) and amended Subsec. (b) by changing 15-day deadline to 20 days, adding 6-month deadline re dog or cat diagnosed with congenital defect, making conforming and technical changes, raising reimbursement limit from \$200 to \$500 and adding exemption for sale of spayed or neutered cat, effective July 1, 2009; P.A. 12-105 amended Subsec. (b) to designate existing provisions as new Subdiv. (1) and amend same to provide that licensee shall reimburse consumer not more than \$500 for services and medications provided by licensed veterinarian for the treatment of dog's or cat's illness or congenital defect upon presenting such licensee with a certificate from such veterinarian and that licensee may not require consumer to return dog or cat to receive such reimbursement,

add new Subdiv. (2) re posting of a statement of customer rights, and make technical changes; P.A. 14-77 amended Subsec. (b) by replacing reference to not more than \$500 with reference to value of actual services and medications, adding provision re maximum reimbursement when full purchase price of dog or cat is \$500 or more or less than \$500 and adding provision re consumer may seek assistance of Commissioner of Agriculture in Subdiv. (1), and by adding provision re fine of \$250 in Subdiv. (2), deleted former Subsec. (c) re licensee to forfeit sum not to exceed \$500 for each animal, and added new Subsec. (c) re fine of not more than \$500 for violation of Subsec. (a) or Subsec. (b)(1) and fine not to preclude or be in lieu of reimbursement.

Cited. 41 CS 179.

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Sec. 22-344c. Licensure of breeding facilities by towns. Standard of care for breeders of cats or dogs. (a) If a town requires the licensure of persons keeping ten or more unneutered or unspayed dogs capable of breeding, such persons shall apply to the clerk of the town in which such dogs are located for a license. Such town clerk, if the zoning enforcement official has certified that the location where such dogs shall be kept conforms to the zoning regulations of the municipality, shall issue to such applicant a license, for a reasonable fee to be determined by the town, on a form prescribed by the town for a period, from the date of such application until the thirtieth day of the ensuing June which license shall specify the name and number of the dogs, the name of the owner and, if applicable, the name of a keeper. Each such license may be renewed from year to year by the town clerk upon application of such owner or keeper.

(b) The Commissioner of Agriculture, the Chief Animal Control Officer or any animal control officer may at any time inspect or cause to be inspected any location, required by a town to be licensed, keeping ten or more unneutered or unspayed dogs capable of breeding, by a registered veterinarian appointed by the commissioner and if, in the judgment of the commissioner: (1) Such location is not being maintained in a sanitary and humane manner, (2) the owner or keeper of such location does not comply with the standard of care applicable to breeders, as described in subsection (e) of this section, or (3) if the commissioner finds that communicable or infectious disease or other unsatisfactory conditions exist, the commissioner may issue such orders as the commissioner deems necessary for the correction of such conditions and may quarantine the premises and animals. If the owner or keeper of such location fails to comply with such orders, the commissioner may recommend the revocation or suspension of such license to the town which issued such license.

(c) Any person aggrieved by any order issued under the provisions of this section may appeal to the Superior Court in accordance with the provisions of section 4-183.

(d) Any person keeping ten or more unneutered or unspayed dogs capable of breeding, in a location required to be licensed, after such license has been revoked or suspended as herein provided shall be fined not less than fifty dollars or more than one hundred dollars.

(e) Not later than December 31, 2014, the Commissioner of Agriculture shall prescribe the standard of care to be provided to dogs or cats, as applicable, by any person who: (1) Keeps ten or more unneutered or unspayed dogs capable of breeding, or (2) owns or operates a breeding cattery. Such standard of care shall be consistent with the standard of care to be provided by an animal importer, as prescribed pursuant to subdivision (6) of subsection (e) of section 22-344.

(P.A. 91-379; P.A. 98-12, S. 14, 22; June 30 Sp. Sess. P.A. 03-6, S. 146(e); P.A. 04-189, S. 1; P.A. 07-217, S. 99; P.A. 14-77, S. 1.)

History: P.A. 98-12 changed “canine control officer” to “animal control officer” in Subsec. (b), effective July 1, 1998; June 30 Sp. Sess. P.A. 03-6 replaced Commissioner of Agriculture with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004; P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004; P.A. 07-217 made a technical change in Subsec. (d), effective July 12, 2007; P.A. 14-77 amended Subsec. (b) by designating existing provision re location to be maintained in a sanitary and humane manner as Subdiv. (1), adding Subdiv. (2) re compliance by owner or keeper with standard of care applicable to breeders, designating

existing provisions re disease or unsatisfactory conditions as Subdiv. (3) and making technical changes, and added Subsec. (e) re Commissioner of Agriculture to prescribe standard of care to be provided to dogs or cats.

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Sec. 22-344d. Signs required in pet shops selling dogs. Penalty. (a) A sign measuring not less than three inches in height and not less than five inches in width shall be posted on the cage of each dog offered for sale in a pet shop. The sign shall contain information printed in black lettering on a white background listing the breed of such dog, the locality and state in which such dog was born, and any individual identification number of such dog as listed on the official certificate of veterinary inspection from the state of origin.

(b) A sign shall be posted stating the following: “THE FOLLOWING INFORMATION IS ALWAYS AVAILABLE ON ALL OUR PUPPIES: DATE OF BIRTH, THE STATE OF BIRTH, BREED, SEX AND COLOR, THE DATE THE PET SHOP RECEIVED THE PUPPY, THE NAMES AND REGISTRATION NUMBERS OF THE PARENTS (FOR AKC REGISTERABLE PUPPIES), RECORD OF INOCULATIONS AND WORMING TREATMENTS AND ANY RECORD OF ANY VETERINARY TREATMENT OR MEDICATIONS RECEIVED TO DATE.”. Such sign shall include a telephone number at the Department of Agriculture through which information may be obtained regarding complaints about diseased or disabled animals offered for sale. Such sign shall be posted in a place readily visible to the consumer where dogs are offered for sale and printed in black lettering not less than thirty-eight point size upon a white background.

(c) Each licensee shall post the United States Department of Agriculture inspection from the prior two-year period reports for the breeder of any dog offered for sale in a pet shop. Such inspection reports shall be posted next to or near the cage of each dog that was purchased from the breeder that is the subject of such inspection reports and made available to any patron regardless of whether such patron purchases said dog.

(d) Any licensee who violates any provision of this section shall be fined not more than two hundred fifty dollars.

(P.A. 88-230, S. 1, 12; P.A. 90-98, S. 1, 2; P.A. 93-142, S. 4, 7, 8; P.A. 95-220, S. 4-6; P.A. 98-113, S. 3; June 30 Sp. Sess. P.A. 03-6, S. 146(e), (f); P.A. 04-189, S. 1; P.A. 14-77, S. 3.)

History: (Revisor’s note: P.A. 88-230, 90-98, 93-142 and 95-220 authorized substitution of “judicial district of Hartford” for “judicial district of Hartford-New Britain” in public and special acts of the 1998 regular and special sessions of the General Assembly, effective September 1, 1998); June 30 Sp. Sess. P.A. 03-6 replaced Commissioner and Department of Agriculture with Commissioner and Department of Agriculture and Consumer Protection, effective July 1, 2004; P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004; P.A. 14-77 made a technical change in Subsec. (b), replaced former Subsec. (c) re civil penalty and Attorney General action with new Subsec. (c) re posting of United States Department of Agriculture inspection reports from prior 2-year period, and added Subsec. (d) re fine of not more than \$250.

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Sec. 22-344e. License required for procurement of dog or cat for resale. Exception. Penalty. No person shall procure any dog or cat for the purpose of resale unless such person: (1) Holds a pet shop license under section 22-344, or (2) resells such dog to a law enforcement agency or military branch of the federal, state or municipal government for the purpose of the performance of law enforcement or security work by such dog. Any person who violates the provisions of this section shall be guilty of a class B misdemeanor.

(P.A. 98-113, S. 4; P.A. 12-80, S. 129; P.A. 13-39, S. 1.)

History: P.A. 12-80 changed penalty from a fine of not more than \$1,000 or imprisonment of not more than 1 year or both to a class B misdemeanor; P.A. 13-39 designated provision re holding of pet shop license as Subdiv.

(1) and added Subdiv. (2) re exception for reselling of a dog to a law enforcement agency or military branch of the federal, state or municipal government for the purpose of the performance of law enforcement or security work by such dog, effective May 28, 2013.

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Sec. 22-344f. Veterinarian examination of cat or dog imported into state by animal importer. Records of veterinary services rendered to imported cat or dog. Fines. (a) Any animal importer, as defined in section 22-344, shall, not later than forty-eight hours after importing any dog or cat into this state and prior to the sale, adoption or transfer of such dog or cat to any person, provide for the examination of such dog or cat by a veterinarian licensed under chapter 384. Thereafter, such animal importer shall provide for the examination of such dog or cat by a veterinarian licensed under chapter 384 every ninety days until such dog or cat is sold, adopted or transferred, provided no such dog or cat shall be sold, adopted or transferred to another person by an animal importer unless (1) such dog or cat was examined by a veterinarian licensed under chapter 384 not more than fifteen days prior to the sale, adoption or transfer of such dog or cat, and (2) such veterinarian provides such animal importer with a written certificate stating that such dog or cat is free of any symptoms of any illness, infectious, contagious or communicable disease. Such certificate shall list the name, address and contact information of such animal importer. Any animal importer who violates the provisions of this subsection shall be fined not more than five hundred dollars for each animal that is the subject of such violation.

(b) Each animal importer shall maintain a record of the veterinary services rendered to each dog or cat imported into this state by such animal importer. Such record shall be maintained by such animal importer for a period of three years. Any animal importer who violates the provisions of this subsection shall be fined five hundred dollars.

(P.A. 11-187, S. 2.)

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Sec. 22-345. License and tag for guide dogs for blind, deaf or mobility impaired persons. Any blind, deaf or mobility impaired person who is the owner or keeper of a dog which has been trained and educated to guide and assist such person in traveling upon the public streets or highways or otherwise shall receive a license and tag for such dog from the town clerk of the town where such dog is owned or kept. Such license and tag shall be issued in accordance with the provisions of section 22-340, and no fee shall be required of the owner or keeper of any such dog. When any such dog has not been previously licensed by the town clerk to whom application is being made, such town clerk shall not license such dog or issue to the owner a license and tag unless written evidence is exhibited to such clerk that the dog is trained and educated and intended in fact to perform such guide service for such applicant. Any person who has a dog placed with such person temporarily, including for breeding purposes, by a nonprofit organization established for the purpose of training or educating guide dogs to so assist blind, deaf or mobility impaired persons shall receive a license and tag for such dog from the town clerk of the town where such dog is kept. Such license and tag shall be issued in accordance with the provisions of section 22-340, and no fee shall be required for such license and tag, provided such person presents written evidence that such dog was placed with such person by such organization. As used in this section and section 46a-44, “deaf person” means a person who cannot readily understand spoken language through hearing alone and who may also have a speech defect which renders such person’s speech unintelligible to most people with normal hearing.

(1949 Rev., S. 3391; 1953, S. 1829d; 1963, P.A. 613, S. 16; P.A. 76-49, S. 1; P.A. 85-289, S. 5; P.A. 89-161, S. 5; P.A. 93-435, S. 50, 95; P.A. 01-62, S. 6.)

History: 1963 act removed nominal \$0.35 charge for licensing guide dog; P.A. 76-49 defined “deaf person” and made provisions applicable to guide dogs for the deaf; P.A. 85-289 applied provisions of section to mobility impaired persons; P.A. 89-161 added the language pertaining to the placement of dogs between six months and one year by organization which trains guide dogs; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 01-62 deleted provision re dog between the age of six months and one year,

exempted dogs placed for breeding purposes from the license and tag fee and made technical changes for purposes of gender neutrality.

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Secs. 22-345a and 22-345b. Transferred to Chapter 814b, Secs. 46a-42 and 46a-43.

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Sec. 22-346. Guide dogs on trains. Section 22-346 is repealed.

(1949 Rev., S. 3392; 1953, S. 1830d; 1963, P.A. 613, S. 17; 641, S. 2.)

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Sec. 22-346a. Transferred to Chapter 814b, Sec. 46a-44.

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Sec. 22-347. Use of license fees. Within thirty days after receipt of the fees for dog licenses and tags, each town clerk shall deduct one dollar for each dog licensed, two dollars for each kennel license issued and fifty cents for each replacement tag issued and pay the balance to the town treasurer or other proper fiscal officer. Each town treasurer or fiscal officer, as the case may be, shall keep a separate dog fund account of all fees received from the town clerk, and all receipts from the municipal animal control officer and expended by said officer under the provisions of this chapter, and shall pay to the Commissioner of Agriculture, on September first of each year, fifty per cent of all moneys received from the sale of licenses prior to July first, or forty per cent of all such moneys if the town has made a survey of unlicensed dogs in accordance with the provisions of section 22-349, and include with such payment a statement of the number of licenses issued during such year. All moneys received from licenses sold after June thirtieth and all moneys received from the municipal animal control officer and all license fees returned to the town by the State Treasurer, at the request of the commissioner, under the provisions of section 22-348 shall be kept by the town treasurer or other fiscal officer in the separate dog fund account. The town treasurer or other fiscal officer shall, on the ensuing September first, send fifty per cent, or forty per cent as the case may be, of all license fees in such account to the commissioner, including any penalty fees collected pursuant to section 22-338. All payments to the commissioner shall be accompanied by an account thereof in a form prescribed by the commissioner and a copy of such account shall be sent to the commissioner. Upon the failure of any town treasurer or other fiscal officer to pay any amount due pursuant to this section, or any portion thereof, within forty-five days from its due date, the commissioner shall add interest of one and one-fourth per cent per month or fraction thereof on the amount unpaid per month or fraction thereof from the due date of such payment to the date of payment and a penalty in the amount of ten per cent of the amount unpaid or fifty dollars, whichever is greater. All funds in the dog fund account, except such funds as are to be sent to the commissioner, shall be used only for the compensation of municipal animal control officers, license certificates, tags, the construction and maintenance of dog pounds, the detention and care of impounded dogs in accordance with section 22-336, municipal animal control officer's equipment, dog supplies and such veterinary fees as are provided for by law or regulations and shall not be used for any other purpose except upon written approval of the commissioner. No fees paid into the treasury of the town for tags or licenses for dogs shall be paid back to the persons from whom they were collected.

(1949 Rev., S. 3395, 3396; 1953, S. 1833d; 1957, P.A. 440, S. 6; 1963, P.A. 613, S. 18; P.A. 80-211, S. 2; P.A. 82-323, S. 6; 82-440, S. 2, 3; P.A. 85-289, S. 1; P.A. 91-59, S. 13; 91-131, S. 2, 4; P.A. 93-435, S. 51, 95; P.A. 01-62, S. 4; June 30 Sp. Sess. P.A. 03-6, S. 146(e); P.A. 04-189, S. 1.)

History: 1963 act changed amounts to be deducted from receipts by town clerk from \$0.35 to \$0.50 per dog license and imposed \$0.10 deduction for each replacement tag, added references to town “fiscal officer”, replaced “dog fund license account” with “dog fund account”, required payments to state treasurer on September first rather than August first, specified that payment cutoff date is June thirtieth and required statement of number of licenses issued and added provisions re payments to be rendered on moneys received after June thirtieth in each year and specified that funds remaining in local account may be used for warden’s equipment, dog supplies and veterinary fees as well as other uses previously listed; P.A. 80-211 allowed use of funds retained locally for “detention and care of impounded dogs in accordance with section 22-336”; P.A. 82-323 doubled deduction from fees for dogs licensed and kennels licensed and raised deduction for replacement tags from \$0.10 to \$0.50; P.A. 82-440 deleted the provision that towns participating in regional dog pounds submit license fees to the state treasurer; P.A. 85-289 authorized towns to retain 60% of the fees provided a survey was made; P.A. 91-59 replaced reference to “warden” with reference to “municipal animal control officer”; P.A. 91-131 added interest and penalty provisions, effective July 1, 1991, and applicable to any assessment or payment due on or after that date; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 01-62 made a technical change for purposes of gender neutrality and placed control over moneys collected with the Commissioner of Agriculture, deleting or revising provisions re State Treasurer; June 30 Sp. Sess. P.A. 03-6 replaced Commissioner of Agriculture with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004; P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004.

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Sec. 22-348. Allocation of license fees to The University of Connecticut. Balance to towns. The Commissioner of Agriculture, at the end of each fiscal year, shall request that for each dog license issued during the fiscal year, ten cents is transferred, from fees received pursuant to section 22-347, to The University of Connecticut for investigation and research concerning the cause, diagnosis, treatment and prevention of canine diseases. The balance of such fees, if in excess of five thousand dollars, remaining unexpended on August first following shall be returned, pro rata, to the towns that paid the same, upon certification by the commissioner that the town receiving such rebate has complied with the provisions of this chapter and the regulations adopted hereunder. A balance of five thousand dollars or less of such funds shall be carried into the following fiscal year.

(1949 Rev., S. 3397; 1953, S. 1834d; 1957, P.A. 440, S. 7; 1963, P.A. 613, S. 19; P.A. 93-435, S. 52, 95; P.A. 01-62, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 146(e); P.A. 04-189, S. 1.)

History: 1963 act required that \$0.10 per dog license be set aside for canine disease research and required commissioner’s certification of towns compliance with provisions of chapter and related regulations before balance of fees returned to town; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 01-62 changed the method of allocating funds to The University of Connecticut, allowed the fund to carry forward a balance of \$5,000 or less, placed the Commissioner of Agriculture in charge of the fund, deleting reference to State Treasurer, and made technical changes; June 30 Sp. Sess. P.A. 03-6 replaced Commissioner of Agriculture with Commissioner of Agriculture and Consumer Protection, effective July 1, 2004; P.A. 04-189 repealed Sec. 146 of June 30 Sp. Sess. P.A. 03-6, thereby reversing the merger of the Departments of Agriculture and Consumer Protection, effective June 1, 2004.

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Sec. 22-349. Unlicensed dogs. Regulations. Impoundment. The town clerk of each town shall, annually, on or before July first, provide the municipal animal control officer or regional animal control officer with a copy of each dog license issued by such clerk. Such municipal animal control officer or regional animal control officer shall thereupon make diligent search for any unlicensed dog required to be licensed by section 22-338. The commissioner shall adopt regulations in accordance with the provisions of chapter 54 establishing procedures for such search. If the owner of any such unlicensed dog is not known, the municipal animal control officer or regional animal control officer shall impound such dog. The owning or keeping of an unlicensed or impounded

dog and the failure to purchase a license and pay the advertising and redemption fee within one hundred and twenty hours from the time the dog was impounded shall be an infraction.

(1949 Rev., S. 3394; 1953, S. 1832d; 1957, P.A. 440, S. 5; 1963, P.A. 613, S. 20; 1969, P.A. 81, S. 4; P.A. 76-381, S. 12; P.A. 78-48, S. 2; P.A. 79-290, S. 3, 5; P.A. 82-101, S. 2, 3; P.A. 85-289, S. 2; P.A. 91-59, S. 14.)

History: 1963 act required forwarding of list of licensed dogs to regional warden and rewrote provisions re impoundment of unlicensed dogs and prosecution of owners in greater detail; 1969 act replaced references to regional wardens with references to regional canine officers; P.A. 76-381 rephrased provision re prosecution of owner of unlicensed dog to state that owner of unlicensed dog shall be deemed to have committed an infraction; P.A. 78-48 required that warden or canine control officer be furnished with copies of each dog license rather than with list of licensed dogs; P.A. 79-290 changed deadline for furnishing copies of licenses from August first to July first and reduced time within which impounded dog must be redeemed from 168 hours to 120 hours; P.A. 82-101 amended the section to eliminate the five-day grace period during which owners of unlicensed dogs must license them or be guilty of an infraction; P.A. 85-289 added provision re regulations; P.A. 91-59 replaced references to “warden” and “regional canine control officer” with references to “municipal animal control officer” and “regional animal control officer”.

See Sec. 22-334 re animal control officer’s fees.

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Sec. 22-350. Dogs as personal property. Tax exemption. Theft. All dogs are deemed to be personal property. License fees paid under the provisions of this chapter shall be in lieu of any tax on any dog. Any person who steals a dog may be prosecuted under section 22-351 or under sections 53a-118 to 53a-129, inclusive.

(1949 Rev., S. 3393; 1953, S. 1831d; 1957, P.A. 143, S. 1; 1963, P.A. 613, S. 21; 1971, P.A. 871, S. 100; May Sp. Sess. P.A. 92-11, S. 7, 70.)

History: 1963 act provided that license fees are in lieu of any tax on any dog rather than in lieu of tax on dog “of the value of one hundred dollars or less”; 1971 act replaced reference to Sec. 53-63 with reference to Secs. 53a-118 to 53a-129; May Sp. Sess. P.A. 92-11 replaced “declared” with “deemed”, deleted redundant provision that dogs are “subject to larceny” and deleted provision, including a reference to repealed Sec. 53-63, re valuation when more than one dog is stolen.

Action for negligent killing of a dog implicit in statute. 127 C. 692. Right to maintain an action at common law for wilfully, wantonly or negligently injuring or destroying a dog is implicit in section. 139 C. 622.

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Sec. 22-350a. Tethering dog to stationary object or mobile device. Prohibited means. Retention of other protections afforded dogs. Confining or tethering dog for unreasonable period of time. Fines. (a) No person shall tether a dog to a stationary object or to a mobile device, including, but not limited to, a trolley or pulley by means of: (1) A tether that does not allow such dog to walk at least eight feet, excluding the length of such dog as measured from the tip of such dog’s nose to the base of such dog’s tail, in any one direction, (2) a tether that does not have swivels on both ends to prevent twisting and tangling, unless a person is in the presence of such dog, (3) a coat hanger, choke collar, prong-type collar, head halter or any other collar, halter or device that is not specifically designed or properly fitted for the restraint of such dog, (4) a tether that has weights attached or that contains metal chain links more than one-quarter of an inch thick, or (5) a tether that allows such dog to reach an object or hazard, including, but not limited to, a window sill, edge of a pool, fence, public road or highway, porch or terrace railing that poses a risk of injury or strangulation to such dog if such dog walks into or jumps over such object or hazard, unless a person is in the presence of such dog. The provisions of subdivisions (1) and (2) of this subsection shall not be construed to apply to: (A) Any veterinary practice licensed pursuant to section 20-197 that tethers a dog in the course of such veterinary practice, (B) any exhibition, show, contest or other temporary event

in which the skill, breeding or stamina of such dog is judged or examined, (C) any exhibition, class, training session or other temporary event in which such dog is used in a lawful manner to hunt a species of wildlife during the hunting season for such species of wildlife or in which such dog receives training in a lawful manner to hunt such species of wildlife, (D) the temporary tethering of a dog at any camping or recreation area as expressly authorized by the Commissioner of Energy and Environmental Protection, or (E) the temporary tethering of a dog at a grooming facility in the course of grooming such dog.

(b) No person shall tether a dog outdoors to a stationary object or to a mobile device, including, but not limited to, a trolley or a pulley, when a weather advisory or warning is issued by local, state or federal authorities or when outdoor environmental conditions, including, but not limited to, extreme heat, cold, wind, rain, snow or hail, pose an adverse risk to the health or safety of such dog based on such dog's breed, age or physical condition, unless tethering is for a duration of not longer than fifteen minutes.

(c) Nothing in this section shall be construed to affect any protection afforded to any dog pursuant to any other provision of the general statutes, regulations of the Connecticut state agencies, local ordinance or local regulation.

(d) Any person who confines or tethers a dog for an unreasonable period of time or in violation of the provisions of subsection (a) or (b) of this section shall be fined one hundred dollars for the first offense, two hundred dollars for a second offense, and not less than two hundred fifty dollars or more than five hundred dollars for a third or subsequent offense.

(P.A. 03-212, S. 1; P.A. 10-100, S. 1; P.A. 11-80, S. 1; P.A. 13-189, S. 1.)

History: P.A. 10-100 added Subsec. (a) re prohibition on tethering dog to a stationary object or mobile device by specified means, added Subsec. (b) re retention of protections afforded to dogs under other provisions of law, designated existing provisions as Subsec. (c) and amended same to change fine for first offense from not more than \$100 to \$100, change fine for second offense from not less than \$100 or more than \$250 to \$200, add "a third or" re subsequent offense and apply fines to violation of Subsec. (a); pursuant to P.A. 11-80, "Commissioner of Environmental Protection" was changed editorially by the Revisors to "Commissioner of Energy and Environmental Protection" in Subsec. (a), effective July 1, 2011; P.A. 13-189 amended Subsec. (a) by replacing references to owner or keeper of dog being in the presence of such dog with references to a person being in the presence of such dog, adding provisions prohibiting any tether that allows a dog to reach a hazard or public road or highway and deleting reference to porch or terrace railing that poses a substantial risk, added new Subsec. (b) re tethering to a stationary object or mobile device when a weather advisory or warning is issued, redesignated existing Subsecs. (b) and (c) as Subsecs. (c) and (d), and made technical changes, effective July 1, 2013.

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Sec. 22-351. Theft, killing or injuring of companion animal. Penalty. Liability. (a) Any person who steals, confines or conceals any companion animal, as defined in section 22-351a, or who, with the intention of stealing such companion animal or concealing its identity or the identity of its owner or with the intention of concealing the fact that the companion animal is licensed, removes the collar or harness or tag from any licensed companion animal, or who unlawfully kills or injures any companion animal, shall be fined not more than one thousand dollars or imprisoned not more than six months, or both. For a second offense, or for an offense involving more than one companion animal, any such person shall be guilty of a class E felony.

(b) Any person who violates the provisions of subsection (a) of this section shall be liable to the owner in a civil action, except that, if such person intentionally kills or injures any companion animal, such person shall be liable to the owner in a civil action as provided in section 22-351a.

(1949 Rev., S. 3401; 1953, S. 1839d; 1957, P.A. 143, S. 2; 1963, P.A. 613, S. 22; P.A. 93-435, S. 53, 95; P.A. 04-239, S. 2; P.A. 05-288, S. 90; P.A. 13-258, S. 24.)

History: 1963 act made provisions applicable with respect to all dogs where previously applicability was limited to licensed dogs and dogs under six months old; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 04-239 designated existing provisions as Subsec. (a) and amended said

Subsec. to replace “dog” with “companion animal” where appearing, specify that companion animal is defined in Sec. 22-351a, increase the maximum fine from \$200 to \$1,000 for a first offense and from \$500 to \$2,000 for a second offense or an offense involving more than one companion animal and delete provision re liability to the owner in a civil action, and added Subsec. (b) re liability to the owner in a civil action or, if the companion animal was intentionally killed or injured, liability to the owner in a civil action under Sec. 22-351a; P.A. 05-288 made technical changes in Subsec. (a), effective July 13, 2005; P.A. 13-258 amended Subsec. (a) to change penalty from fine of not more than \$2,000 or imprisonment of not less than 1 year or more than 3 years to a class E felony.

See Sec. 14-226 re requirement that operator of vehicle causing injury to or death of dog shall report the injury or death.

Under previous law, no recovery could be had for negligently killing unregistered dog; early legislation reviewed. 79 C. 427. Action is in tort; statute need not be counted on. 80 C. 434. That dog killed did not wear tag is no defense; various matters as to kennel license considered. 84 C. 640. Effect of mistake of town clerk in registering dog in name of wrong person. 100 C. 128. To “unlawfully” kill, etc., means conduct which is wilful or so wanton as to be equivalent thereto. 127 C. 690. Cited. 139 C. 624.

Owner of unregistered dog may recover at common law for its wanton and wilful killing. 18 CS 53.

“Unlawfully” refers to conduct that is wilful or at least so wanton as to be equivalent thereto. 2 Conn. Cir. Ct. 466.

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Sec. 22-351a. Liability for intentionally killing or injuring companion animal. (a) For the purposes of this section, “companion animal” means a domesticated dog or cat that is normally kept in or near the household of its owner or keeper and is dependent on a person for food, shelter and veterinary care, but does not include a dog or cat kept for farming or biomedical research practices.

(b) Any person who intentionally kills or injures a companion animal, except in defense of such person or another person or as otherwise authorized by law, shall be liable to the owner of such companion animal for economic damages sustained by such owner including, but not limited to, expenses of veterinary care, the fair monetary value of the companion animal and burial expenses for the companion animal.

(c) In addition to any economic damages awarded pursuant to subsection (b) of this section, and except as provided in subsection (d) of this section, the court may award punitive damages in an amount not to exceed the jurisdictional monetary limit established by subsection (d) of section 51-15, together with a reasonable attorney’s fee.

(d) The court shall not assess punitive damages and a reasonable attorney’s fee pursuant to subsection (c) of this section against: (1) A veterinarian licensed pursuant to chapter 384 while following accepted standards of practice of the profession, (2) the state or any political subdivision of the state or any employee, officer or agent thereof while acting within the scope of such employee’s, officer’s or agent’s employment or official duties, or (3) an employee of or volunteer for a nonprofit organization or nonprofit corporation organized and operated exclusively for the prevention of cruelty to animals or the protection of stray, abandoned or mistreated animals while acting within the scope of such employee’s or volunteer’s employment or duties.

(P.A. 04-239, S. 1.)

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Sec. 22-352. Change of residence of owner. Any dog licensed as provided in this chapter may be kept in any town in this state under such license until the June thirtieth succeeding the date thereof, if the owner maintains a residence in the town where such license was issued. If any owner discontinues such residence and takes up

residence in another town, he shall present the license and tag to the town clerk of such town and, for a fee of fifty cents, the town clerk shall issue a new license and tag for the town in which the owner now resides. Such town clerk shall retain the old license and tag in his possession.

(1949 Rev., S. 3398; 1953, S. 1835d; 1957, P.A. 440, S. 8; 1963, P.A. 613, S. 23.)

History: 1963 act increased fee for transfer of license to new town of residence from \$0.35 to \$0.50.

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Sec. 22-353. Identifying insignia or tattoo marks. Section 22-353 is repealed, effective October 1, 1997.

(1949 Rev., S. 3406; 1953, S. 1844d; 1963, P.A. 613, S. 24; 1969, P.A. 81, S. 4; P.A. 91-59, S. 15; P.A. 97-234, S. 11.)

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Sec. 22-354. Imported dogs and cats. Certificates of health. Importation from rabies quarantine area. Sale of young puppies and kittens. Sale of dogs by pet shop licensees. Certificate of origin required. Purchase of dog or cat from outside of state. Penalties. (a) Any dog or cat imported into this state shall be accompanied by a certificate of health issued no earlier than thirty days prior to the date of importation by a licensed, graduate veterinarian stating that such dog or cat is free from symptoms of any infectious, contagious or communicable disease, and that such dog or cat, if three months of age or older, is currently vaccinated for rabies by a licensed veterinarian. A copy of such health certificate shall be forwarded promptly to the commissioner from the livestock sanitary official of the state of origin. Any dog or cat originating from a rabies quarantine area shall have permission of the State Veterinarian prior to importation into this state. No person, firm or corporation shall import or export for the purposes of sale, adoption or transfer or offering for sale, adoption or transfer any dog or cat under the age of eight weeks unless such dog or cat is transported with its dam and no person, firm or corporation shall sell or offer for adoption or transfer within the state any dog or cat under the age of eight weeks. Any person, firm or corporation violating the provisions of this subsection or bringing any dog or cat into this state from an area under quarantine for rabies shall be fined not more than one thousand dollars.

(b) Any dog sold or offered for sale by a pet shop licensee in this state shall be accompanied by a certificate of origin identifying the name and address of the person, firm or corporation that bred such dog and of any person, firm or corporation that sold such dog to such pet shop licensee. Such certificate shall be in a form as prescribed by the Commissioner of Agriculture. Such information contained in the certificate of origin shall be posted on the sign described in section 22-344d and such information shall be visible to customers. A copy of such certificate shall be provided to the purchaser of such dog at the time of sale and shall be filed by such licensee with the Department of Agriculture not later than seven days after such sale. No pet shop licensee shall purchase a dog or cat for resale or sell or offer for sale any dog or cat purchased from: (1) Any breeder that (A) is not in possession of a current license issued by the United States Department of Agriculture and any applicable state agency, (B) was found to have committed a direct violation of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase, or (C) was found to have committed three or more indirect violations of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase provided such violations pertained to the health or welfare of an animal and were not administrative in nature; or (2) any other person, firm or corporation that: (A) Is not in possession of a current license issued by the United States Department of Agriculture and any applicable state agency, (B) was found to have committed a direct violation of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase, (C) was found to have committed three or more indirect violations of pet dealer-related regulations of the United States Department of Agriculture during the two-year period prior to such purchase provided such violations pertained to the health or welfare of an animal and were not administrative in nature, or (D) directly or indirectly, has obtained such dog or cat from a breeder described in subdivision (1) of this subsection. Any pet shop licensee violating the provisions of this subsection

shall be fined not more than one thousand dollars for each violation. Each day a pet shop licensee is in violation of this subsection shall constitute a separate offense.

(1951, S. 713b; 1953, S. 1837d; 1957, P.A. 74, S. 2; 1963, P.A. 613, S. 25; P.A. 74-22; P.A. 91-46, S. 5, 12; P.A. 96-243, S. 14, 16; P.A. 04-145, S. 2; P.A. 09-228, S. 3; P.A. 10-100, S. 2; P.A. 11-187, S. 3; P.A. 14-77, S. 4.)

History: 1963 act changed maximum amount of time dog may remain in state without health certificate and/or state license from 21 to 30 days; P.A. 74-22 added provisions re import or export of dogs less than 8 weeks old; P.A. 91-46 added cats to coverage under this section, added requirement that any importation of dogs or cats from a rabies quarantine area be approved by the state veterinarian, deleting provision which had allowed certificate issued by livestock sanitary official of state of origin as proof of animals' health, changed maximum time lapse since vaccination from 6 to 12 months and deleted provision excepting show animals not kept in-state for more than 30 days from provisions of section; P.A. 96-243 modified the vaccination requirement for importation of dogs and cats, deleting former provisions re exposure to rabies and vaccination within certain timeframe, effective June 6, 1996; P.A. 04-145 added 30-day certificate of health issuance restriction, effective May 21, 2004; P.A. 09-228 designated existing provisions as Subsec. (a) and made technical changes therein, and added Subsec. (b) re certificates of origin for dogs sold or offered for sale by pet shop licensees and purchase by pet shop licensees of dogs and cats from outside of state, effective July 1, 2009; P.A. 10-100 amended Subsec. (b) by adding requirement that certificate be in form prescribed by commissioner, by replacing requirement that information be posted in conspicuous manner not more than 10 feet from location where dog is displayed for sale with requirement that information be posted on sign described in Sec. 22-344d and be visible to customers and by changing requirement for filing of certificate with department from not later than 2 days after sale to not later than 7 days after sale; P.A. 11-187 amended Subsec. (a) by adding provisions re sale or offer for adoption or transfer and increasing fine from \$100 to \$500; P.A. 14-77 amended Subsec. (a) by increasing fine from not more than \$500 to not more than \$1,000 and deleting provision re imprisonment of not more than 30 days, and amended Subsec. (b) by adding Subdiv. (1) prohibiting pet shop licensee from purchasing a dog or cat from a breeder not in possession of current license or found to have committed direct or indirect violations of regulations, by designating existing provision re possession of current license as Subdiv. (2) and amending same to add Subparas. (B) to (D) re direct or indirect violations of regulations or obtaining dog or cat from a breeder described in Subdiv. (1), by increasing fine from not more than \$100 to not more than \$1,000 and deleting provision re imprisonment of not more than 30 days, and by making conforming changes.

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Sec. 22-355. Damage by dog to domestic animals or poultry. (a) When any person sustains damage by dogs to such person's sheep, goats, horses, hogs, cattle, poultry or domestic rabbits kept in enclosures as described in subsection (f) of this section, such person shall report such damage to the chief administrative officer of the town in which such damage was sustained, or the chief administrative officer's agent, or, if such damage was sustained on land located in two or more towns, such person shall report such damage to such authority of either of such towns. Upon receiving such report, the authority, with the person claiming to have sustained such damage, shall estimate the amount of such damage, including expenses of veterinary care, the fair monetary value of the animals or poultry killed, injured or damaged by such dogs and burial expenses for the animals or poultry killed by such dogs. If such authority and the person claiming to have sustained such damage are unable to agree as to the amount thereof, they shall choose some disinterested third person to assist in estimating the damage. Information required by this subsection shall be given within twenty-four hours after the person claiming under this section has or should have had knowledge of the same or, if the intervention of a Sunday or holiday prevents the reporting thereof, on the next succeeding business day. No claim for such damages shall be allowed to any person (1) who owns, keeps or has in possession any unlicensed dog, (2) whose employee, living on the premises, keeps an unlicensed dog which is six months of age or over, or (3) who fails to report such damage within the time limited by this section. The burden of proving the allegations of any claim under this section shall be on the person claiming under this section.

(b) The amount of damage agreed upon or estimated by any two of such three persons shall be paid by such town, and the town may recover such amount, when paid, with the compensation of such disinterested third person, from the owners, keepers or harborers of such dogs, if such persons are the residents of the town. If the owners, keepers or harborers of such dogs are not residents of the town in which the damage has been done, the

town paying the damage may recover such damage and compensation from the town or towns where such owners, keepers or harborers reside, unless such owners, keepers or harborers, or such town or towns, on notice, pay to the treasurer of the town which paid such damage the amount of such damage and compensation. Any town which is obliged to pay any such damage may recover the amount thereof from the owners, keepers or harborers of the dogs doing such damage.

(c) When additional or increased damages are claimed to sheep, goats, horses, hogs, cattle, poultry or domestic rabbits, which damages were not apparent at, and accrued subsequent to, the first appraisal of damage, a supplemental notice of such claim for additional damage may be given to such authority at any time within thirty days from the discovery of the original damage. The supplemental notice of claim shall set forth the facts upon which such claim is based. The claim shall be made to such authority and shall be acted upon in the manner provided in subsections (a) and (b) of this section.

(d) Any authority who has received notice pursuant to the provisions of this section and within a period of fifteen days after receiving such notice, fails to estimate the amount of such damage, or if such authority is unable, within a period of five days, to agree with the person claiming to have sustained such damage as to the amount thereof, or fails to agree with such person on a disinterested third person to assist in estimating such damage, or if such authority and such person agree on such disinterested third person and two of such three persons fail to agree as to the amount of such damage, the person who claims to have sustained damage may institute a civil action against the town in which the damage was sustained for the recovery of such damage. No such action shall be maintained unless brought within one year from the date the damage was sustained.

(e) When the selectmen, town manager or other chief executive officer of the town receives notice from any person claiming to have sustained damage by dogs to his sheep, goats, horses, hogs, cattle, poultry or domestic rabbits in excess of one hundred dollars, such authority shall, within twenty-four hours, report the same to the commissioner for investigation and shall call upon the commissioner or his agent to act for the town in appraising the damage as provided in subsections (a), (b), (c) and (d) of this section. The fact that said commissioner or his agent has acted for such authority shall not bar an action for the recovery of the damage as provided in subsection (d) of this section.

(f) Sheep, goats, horses, hogs, cattle, poultry and domestic rabbits shall be confined or shall be enclosed by a fence or wall of material and height sufficient to restrain them from roaming. In any case in which any town has paid an amount in excess of one hundred dollars for such damage to the owner of any such animal or poultry, and the amount of such damage cannot be collected from the owners, keepers or harborers of such dogs, the selectmen, town manager or other chief executive officer of such town, city or borough shall forward to the commissioner a statement of the facts, showing the amount so paid, and the State Treasurer, at the request of the commissioner, shall reimburse such town, city or borough for the amount of such damage, from the funds received by the state under the provisions of this chapter.

(1949 Rev., S. 3402; 1953, S. 1840d; 1963, P.A. 613, S. 26; 1971, P.A. 74, S. 1, 2; P.A. 85-145, S. 1; June Sp. Sess. P.A. 91-10, S. 11, 20; P.A. 93-435, S. 54, 95; P.A. 01-62, S. 5; P.A. 05-288, S. 91, 92; P.A. 13-223, S. 2.)

History: 1963 act replaced references to selectmen with references to chief administrative officer or authority, clarified when report must be made if Sunday or holiday prevents meeting of 24-hour limit and specifically disallowed claims by persons whose employee lives on premises and keeps unlicensed dog or by those not meeting time limit allowed for claims, included damages to poultry and domestic rabbits in Subsec. (c), deleted Subsec. (d) which had allowed issuance of order to kill dog if established damage claim not paid within 10 days of notice to dog owner, relettering remaining Subsecs. accordingly, changed time limit for reports to commissioner in new Subsec. (e) to within 48 hours rather than 5 days and made commissioner's appraisal mandatory rather than optional; 1971 act stated that burden of proof is on claimant in Subsec. (a) and in Subsec. (e) made basis for report to commissioner any damage to sheep, goats, horses, etc. rather than a claim for more than \$50 and reduced time for report from 48 to 24 hours; P.A. 85-145 amended Subsec. (f) by deleting obsolete references to the payment of expenses for Pasteur treatment; June Sp. Sess. P.A. 91-10 amended Subsecs. (e) and (f) to limit the state's responsibility under this section to those matters involving damage in excess of \$100; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 01-62 amended Subsec. (f) to give the Commissioner of Agriculture control over reimbursements to towns for damage, deleting or revising provisions re State Treasurer; P.A. 05-288 made technical changes in Subsecs. (a) and (c), effective July 13, 2005; P.A. 13-223

amended Subsec. (a) to add provisions re expenses of veterinary care and burial expenses and add “fair monetary” re value of animals or poultry killed, injured or damaged by dogs, and to make technical changes.

What is sufficient notice to selectmen. 37 C. 467. Only actual damage not to exceed the amount paid may be recovered by a town. 48 C. 335. Provision for recovery from town held valid as a police regulation. Id., 335–337. Nature of obligation on the part of the town created by the statute. 59 C. 531; 62 C. 107. The bona fide estimate of damages is conclusive against the resident sustaining the damage. 62 C. 106. “Owner” defined. 74 C. 85. All steps in statute must be strictly followed. 86 C. 568; 108 C. 156; 133 C. 289. Estimate made by sheep owner and selectman inoperative under former statute. 108 C. 158. No right to recover regardless of commissioner’s approval, where such appraisal is a condition precedent to recovery. 133 C. 288.

Section is applicable only to damage caused by dogs and cannot be read to require that horses be fenced in. 85 CA 627.

A claimant who is not satisfied with the award need not accept it but may seek his remedy against the persons owning or keeping the dogs. 14 CS 98.

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Sec. 22-356. Damage by two or more dogs. If any person has been damaged in person or property by two or more dogs at the same time, kept by two or more persons, the owners or keepers of such dogs shall be jointly and severally liable for such damage.

(1949 Rev., S. 3403; 1953, S. 1841d; 1963, P.A. 613, S. 27.)

History: 1963 act substituted damage to “any person ... in person or property” for damage to “any animal or poultry”.

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Sec. 22-357. Damage by dogs to person or property. If any dog does any damage to either the body or property of any person, the owner or keeper, or, if the owner or keeper is a minor, the parent or guardian of such minor, shall be liable for the amount of such damage, except when such damage has been occasioned to the body or property of a person who, at the time such damage was sustained, was committing a trespass or other tort, or was teasing, tormenting or abusing such dog. If a minor, on whose behalf an action under this section is brought, was under seven years of age at the time such damage was done, it shall be presumed that such minor was not committing a trespass or other tort, or teasing, tormenting or abusing such dog, and the burden of proof thereof shall be upon the defendant in such action. For the purposes of this section, “property” includes, but is not limited to, a companion animal, as defined in section 22-351a, and “the amount of such damage”, with respect to a companion animal, includes expenses of veterinary care, the fair monetary value of the companion animal and burial expenses for the companion animal.

(1949 Rev., S. 3404; 1953, S. 1842d; 1969, P.A. 439, S. 1; P.A. 13-223, S. 1.)

History: 1969 act added provision re actions brought on behalf of minors; P.A. 13-223 added provision defining “property” and “the amount of such damage” re a companion animal, and made conforming changes.

Administrator as “owner”. 74 C 85. Necessity of counting on statute. 77 C. 570. That person injured provoked dog as a defense under former statute. 81 C. 321. Action is one in tort. 86 C. 710. Cited. 91 C. 492; 102 C. 480. Statute held constitutional; elements of damage. 105 C. 89. Scope of exception. 106 C. 202. Negligence in operation of automobile not a “tort” within exception; owner of dog held liable where dog jumped in front of automobile causing it to swerve into ditch and overturn. 107 C. 626. Complaint should negative the existence of circumstances which would bring plaintiff within exception. 117 C. 107. Defendant who pleaded an affirmation of exception assumed burden of proof thereof. Id., 103. “Trespass or tort” construed; conduct not within exceptions,

although it might be held contributorily negligent, is not a defense under statute. Id., 310. Cited. 119 C. 648. Wife, co-owner, liable with husband who thrust dog toward plaintiff's face. 129 C. 210. "Trespass or tort" means more than mere entry; statute bars recovery where plaintiff is committing or intends to commit an injurious act. 133 C. 509; 140 C. 358. Plaintiff may recover where menacing attitude of dog frightened him and caused him to fall. 138 C. 718. Friendly playing with a dog is not "teasing, tormenting or abusing". 142 C. 516. Plaintiff must bring himself clearly within provisions because it creates a cause of action that did not exist at common law. Id., 719. Phrase "trespass or other tort" interpreted; that plaintiff was on a public highway did not eliminate the possibility that she was committing a trespass within the meaning of statute. 148 C. 125. Plaintiff restrained dog with a leash from attacking another dog and from leaving the premises of its master, all in accordance with the wishes of its master; held that this did not come within exceptions from liability under statute; history of statute reviewed. Id., 557. Cited. 221 C. 14; 231 C. 920. Doctrine of parental immunity bars action by unemancipated minor against parent alleging strict liability pursuant to statute; doctrine of parental immunity discussed. 234 C. 259. Cited. 235 C. 360; 241 C. 319. Defendant, a church, who imposed some restrictions on where dog could be at certain times of the day but who otherwise bore no responsibility for the care, maintenance or control of the dog not considered a "keeper" of the dog and subject to strict liability under statute. 286 C. 152.

Cited. 7 CA 19; 9 CA 495. Action under section barred by parental immunity doctrine. 34 CA 866. Cited. 42 CA 239. Absent specific language in Sec. 52-557n modifying common law rule of governmental immunity for claims of strict liability, section should not be so construed. 58 CA 702. Because defendant did not exercise dominion and control over the dog in any manner other than by placing a limit on when and where the dog could be let outside, defendant was not a "keeper" of the dog as provided in section. 94 CA 617. In action where plaintiff claimed damages as a result of potential exposure to rabies, strict liability under section does not extend to damage caused by a dog's merely passive, and, thus, innocent or involuntary, behavior. 135 CA 76.

Owner and keeper of dog liable in the alternative and not jointly. 5 CS 150. Trespass does not include technical or casual trespass. Id., 426; 18 CS 156. Controlled by 3-year tort statute of limitations. 14 CS 428. Assumption of risk has no place in an action brought under section; plaintiff must prove either that her own conduct was not such as would naturally incite the dog to retaliation or that it was, under the circumstances, justified. 22 CS 332. Cited. 25 CS 341. When a cause of action arises in a child for personal injuries under section, an independent cause of action arises in his parent for consequential damages as a result of the injury, but parent's right may be barred by conduct of his own which in whole or in part caused the damage. 26 CS 274. Applicable statute of limitation is Sec. 52-577. Id., 294. Statute of limitation under the dog bite law is 3 years. 29 CS 71. Owners of premises where dog was kept considered "keepers" and held to be liable. 36 CS 156.

Where plaintiff alleged, in her complaint, negligence and scienter on the part of the dog's owners, held that, notwithstanding plaintiff's claim of defendants' statutory liability, the action was one in negligence at common law and not under statute. 2 Conn. Cir. Ct. 539. History discussed. Id., 541. Petting of dog does not constitute teasing, tormenting or abusing dog. Id., 694.

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Sec. 22-358. Killing of dogs doing damage. Quarantine of biting dogs, cats or other animals. Notice. Seizure. Euthanasia and examination of potentially rabid animals. Complaints by persons sustaining damage by dog to poultry, ratite, domestic rabbit, companion animal or livestock. Orders. Appeals. (a) Any owner or the agent of any owner of any domestic animal or poultry, or the Chief Animal Control Officer, any animal control officer, any municipal animal control officer, any regional animal control officer or any police officer or state policeman, may kill any dog which he observes pursuing or worrying any such domestic animal or poultry.

(b) Any person who is bitten, or who shows visible evidence of attack by a dog, cat or other animal when such person is not upon the premises of the owner or keeper of such dog, cat or other animal may kill such dog, cat or other animal during such attack. Such person shall make complaint concerning the circumstances of the attack to the Chief Animal Control Officer, any animal control officer or the municipal animal control officer or regional animal control officer of the town wherein such dog, cat or other animal is owned or kept. Any such officer to whom such complaint is made shall immediately make an investigation of such complaint.

(c) If such officer finds that the complainant has been bitten or attacked by such dog, cat or other animal when the complainant was not upon the premises of the owner or keeper of such dog, cat or other animal the officer shall quarantine such dog, cat or other animal in a public pound or order the owner or keeper to quarantine it in a veterinary hospital, kennel or other building or enclosure approved by the commissioner for such purpose. When any dog, cat or other animal has bitten a person on the premises of the owner or keeper of such dog, cat or other animal, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may quarantine such dog, cat or other animal on the premises of the owner or keeper of such dog, cat or other animal. The commissioner, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may make any order concerning the restraint or disposal of any biting dog, cat or other animal as the commissioner or such officer deems necessary. Notice of any such order shall be given to the person bitten by such dog, cat or other animal within twenty-four hours. The owner of such animal shall pay all fees as set forth in section 22-333. On the fourteenth day of such quarantine the dog, cat or other animal shall be examined by the commissioner or someone designated by the commissioner to determine whether such quarantine shall be continued or removed. Whenever any quarantine is ordered under the provisions of this section, notice thereof shall be given to the commissioner and to the person bitten or attacked by such dog, cat or other animal within twenty-four hours. Any owner or keeper of such dog, cat or other animal who fails to comply with such order shall be guilty of a class D misdemeanor. If an owner or keeper fails to comply with a quarantine or restraining order made pursuant to this subsection, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may seize the dog, cat or other animal to ensure such compliance and the owner or keeper shall be responsible for any expenses resulting from such seizure. Any person aggrieved by an order of any municipal animal control officer, the Chief Animal Control Officer, any animal control officer or any regional animal control officer may request a hearing before the commissioner within fourteen days of the issuance of such order. Any order issued pursuant to this section that requires the restraint of an animal shall be effective upon its issuance and shall remain in effect during any appeal of such order to the commissioner. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper. Any dog owned by a police agency of the state or any of its political subdivisions is exempt from the provisions of this subsection when such dog is under the direct supervision, care and control of an assigned police officer, is currently vaccinated and is subject to routine veterinary care. Any guide dog owned or in the custody and control of a blind person or a person with a mobility impairment is exempt from the provisions of this subsection when such guide dog is under the direct supervision, care and control of such person, is currently vaccinated and is subject to routine veterinary care.

(d) Any dog, while actually worrying or pursuing deer, may be killed by the Chief Animal Control Officer or an animal control officer or by a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection, or by any police officer or state policeman. The owner or keeper of any dog found worrying or pursuing a deer shall be guilty of a class D misdemeanor.

(e) Any person who kills any dog, cat or other animal in accordance with the provisions of this section shall not be held criminally or civilly liable therefor.

(f) The owner of any dog, cat or other animal which has bitten or attacked a person and has been quarantined pursuant to subsection (c) of this section may authorize the humane euthanization of such dog, cat or other animal by a licensed veterinarian at any time before the end of the fourteenth day of such quarantine. Any such dog, cat or other animal so euthanized before the end of the fourteenth day of quarantine shall be examined for rabies by the Connecticut Department of Public Health virology laboratory or any other laboratory authorized by the Department of Public Health to perform rabies examinations. The veterinarian performing the euthanasia shall be responsible for ensuring that the head of the euthanized animal is delivered by him or his designated agent within forty-eight hours to an appropriate laboratory designated by said department for rabies examination.

(g) Repealed by P.A. 05-175, S. 24.

(h) A person who sustains damage by a dog to such person's poultry, ratite, domestic rabbit, companion animal or livestock as defined in section 22-278 shall make complaint concerning circumstances of the attack by such dog on any such animal or livestock to the Chief Animal Control Officer, any animal control officer or the municipal animal control officer or regional animal control officer of the town in which such dog is owned or kept. An officer to whom such complaint is made shall immediately investigate such complaint. If such officer finds that the complainant's animal has been bitten or attacked by a dog when the attacked animal was not on the premises

of the owner or keeper of the attacking dog and provided the complainant's animal was under the control of the complainant or on the complainant's property, such officer, the commissioner, the Chief Animal Control Officer or any animal control officer may make any order concerning the restraint or disposal of such attacking dog as the commissioner or such officer deems necessary. An owner or keeper of such dog who fails to comply with such order shall be guilty of a class D misdemeanor. If the owner or keeper of such dog fails to comply with an order made pursuant to this subsection, the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer may seize the dog to ensure such compliance, and the owner or keeper of such dog shall be responsible for any expenses resulting from such seizure. A person aggrieved by an order of the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer made pursuant to this subsection may request a hearing before the commissioner not later than fourteen days after the issuance of such order. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper. A dog owned by a police agency of the state or any of its political subdivisions is exempt from the provisions of this section when such dog is under the direct supervision, care and control of an assigned police officer, has been vaccinated annually and is subject to routine veterinary care.

(1949 Rev., S. 3405; 1953, S. 1843d; 1963, P.A. 613, S. 28; February, 1965, P.A. 23, S. 1; 1969, P.A. 35; 81, S. 4; 1971, P.A. 725; P.A. 73-28; P.A. 79-290, S. 4; P.A. 83-71, S. 1; P.A. 84-546, S. 67, 173; P.A. 85-57, S. 1, 2; P.A. 89-161, S. 6, 7; P.A. 91-46, S. 6, 12; 91-59, S. 16; 91-215, S. 2; P.A. 92-77, S. 1, 5; P.A. 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58; P.A. 98-12, S. 15, 22; P.A. 00-88, S. 1; P.A. 02-14, S. 2; P.A. 04-145, S. 3; P.A. 05-175, S. 24; P.A. 07-59, S. 1; P.A. 08-124, S. 8; P.A. 11-80, S. 1; 11-182, S. 1; P.A. 12-21, S. 1; 12-80, S. 130.)

History: 1963 act included references to regional wardens, substituted quarantine in veterinary hospital or kennel for quarantine "in close confinement" in Subsec. (b) and doubled boarding fee and in Subsec. (c) empowered conservation officers to kill dogs worrying or pursuing deer and added provision re penalty to be imposed on the owner or keeper of such a dog; 1965 act revised Subsec. (b) so that quarantine provisions apply to attacks not on dog owner's premises and provisions re commissioner's orders for restraint or disposal of dog apply to attacks on owner's premises, reversing previous applications of provisions; 1969 acts replaced references to dog wardens with references to canine control officers where necessary and in Subsec. (b) allowed quarantine of dog on owner's premises when attack occurred on those premises; 1971 act amended Subsec. (c) to allow resident state policemen to kill dog worrying or pursuing deer; P.A. 73-28 doubled boarding fee in Subsec. (b); P.A. 79-290 required notification of person bitten when order given re restraint, disposal or quarantine of dog and raised boarding fee from \$2 to \$5 per day; P.A. 83-71 amended Subsec. (b) to add provision specifying criteria for exemption of police dogs from quarantine requirements; P.A. 84-546 made technical changes to section; P.A. 85-57 added Subsecs. (c) and (d) to restore language inadvertently omitted from the 1985 revision; P.A. 89-161 amended Subsec. (b) to add the language concerning the seizure of dogs whose owners fail to comply with quarantine or restraining orders; P.A. 91-46 added Subsec. (e) concerning euthanasia and examination of potentially rabid dogs; P.A. 91-59 replaced references to "warden" and "regional canine control officer" with references to "municipal animal control officer" and "regional animal control officer"; P.A. 91-215 rephrased Subsec. (b) to require that dog attacks be reported and divided Subsec. (b) into Subsecs. (b) and (c) and changed subsequent Subsec. designators accordingly; P.A. 92-77 amended section to apply to cats and other animals, amended Subsecs. (a) and (d) to authorize police officers and state police to kill dogs observed pursuing certain animals and made technical changes; P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 98-12 changed "canine control officer" to "animal control officer", effective July 1, 1998; P.A. 00-88 amended Subsec. (c) by increasing the fine from \$25 to \$250 and making technical changes for the purposes of gender neutrality; P.A. 02-14 amended Subsec. (c) by requiring owner to pay all fees set forth in Sec. 22-333 rather than \$5 per day plus other legal fees due, effective July 1, 2002; P.A. 04-145 added Subsec. (g) requiring commissioner to adopt regulations re expedited appeal and hearing process re restraint or disposal of dogs, effective May 21, 2004; P.A. 05-175 repealed Subsec. (g), effective July 1, 2005; P.A. 07-59 added Subsec. (h) re complaint and appeal process for person who sustains damage by dog to poultry, ratite, domestic rabbit, companion animal or livestock; P.A. 08-124 made technical changes in Subsec. (d), effective June 2, 2008; pursuant to P.A. 11-80, "Commissioner of Environmental Protection" was changed editorially by the Revisors to "Commissioner of Energy and Environmental Protection" in Subsec. (d), effective July 1, 2011; P.A. 11-182 amended Subsec. (c) by changing exemption requirement for dog owned by a police agency from being vaccinated annually to being currently vaccinated and added exemption for guide dog in the custody and control

of a blind person or a person with a mobility impairment; P.A. 12-21 amended Subsec. (c) to provide that any order requiring restraint of an animal shall be effective upon its issuance and shall remain in effect during any appeal of such order to commissioner; P.A. 12-80 amended Subsec. (c) to change penalty from a fine of not more than \$250 or imprisonment of not more than 30 days or both to a class D misdemeanor, amended Subsec. (d) to change penalty from a fine of not less than \$25 or more than \$200 or imprisonment of not more than 60 days or both to a class D misdemeanor, amended Subsec. (h) to change penalty from a fine of not more than \$250 or imprisonment of not more than 30 days or both to a class D misdemeanor and made technical changes in Subsecs. (a) and (c).

Previous statutes discussed. 74 C. 8. Whether dog is worrying sheep is a question of fact. 84 C. 640. Killing held unjustified. 139 C. 622. When a dog released by a municipality before the end of a 14-day quarantine period bites another person, the municipality may be sued for liability in nuisance. 167 C. 464.

Cited. 17 CA 326. Animal control officer's acts or omissions in issuing and enforcing a restraint order under facts of case were discretionary and not ministerial. 150 CA 769.

Dog must be pursuing or worrying fowl at the time he is killed; it is not enough that he has done so in the past. 18 CS 53.

The fact that defendant, a dog warden, was prosecuted for cruelly beating or unjustifiably injuring dog, not for killing it, does not preclude him from claiming the benefit of section. 3 Conn. Cir. Ct. 62.

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Sec. 22-359. Control of rabies. Regulations. (a) The commissioner may make such orders for the adequate confinement, control or destruction of any dog, cat or other animal as he deems necessary to prevent the spread of rabies and to protect the public therefrom provided, notwithstanding the provisions of section 22-358, a local director of health may order the destruction of any unowned animal which is not currently vaccinated for rabies for the purpose of rabies testing if the director finds that the animal has bitten a person and the health or life of such person may be threatened. Any person who fails to comply with any order made under the provisions of this section shall be fined not more than one hundred dollars. The commissioner, the Chief Animal Control Officer, any animal control officer or any municipal animal control officer may quarantine any animal in a public pound, veterinary hospital, kennel or other building or enclosure approved by the commissioner for such purpose, if in the determination of the commissioner or such officer, such animal is rabid or is suspected of being rabid, or has been bitten by, or may have been bitten by, or has been in contact with or exposed to, a rabid animal or an animal suspected of carrying rabies or any wild animal as defined in subsection (d) of this section. The length of such quarantine period shall be determined by the commissioner or the State Veterinarian who shall take into account the age, general health and vaccination history of the animal as well as current accepted veterinary practices. Any suspected or confirmed case of rabies shall be reported to the commissioner by a local director of health or board of health or any veterinarian within twenty-four hours of receipt of such information.

(b) Any dog, cat or other animal held in quarantine which is clinically diagnosed as rabid by two licensed veterinarians, at least one of whom shall be engaged in private practice, shall be humanely euthanized immediately without prior notice to the owner or keeper of same. No person who kills any animal in accordance with this subsection shall be held criminally or civilly liable therefor.

(c) Any animal, other than a dog, which is quarantined pursuant to this section which is not claimed by its owner or keeper within the period of such quarantine may be sold by the municipal animal control officer, if he finds that the animal is in good health. The animal may only be sold as a pet to a person who satisfies the officer that the animal will be given a good home and proper care. The municipal animal control officer may retain possession of such animal for such additional period of time as he may deem advisable in order to place such animal. Any animal, other than a dog, which is quarantined pursuant to this section which is not claimed by its owner or keeper within the period of such quarantine and which is not sold by the municipal animal control officer within five days of the expiration of such quarantine, may be disposed of at the direction of the State Veterinarian. No person who disposes of any animal in accordance with this subsection shall be held criminally or civilly liable therefor.

(d) The commissioner, any animal control officer or any state or municipal police officer may immediately kill any wild animal which is displaying behavior which causes the commissioner or such officer to reasonably conclude that such animal is rabid. For purposes of this subsection, “wild animal” means any mammal which is *ferae naturae* or wild by nature.

(e) The commissioner shall institute such measures as the commissioner deems necessary to prevent the transmission of rabies associated with animals in public settings, including, but not limited to, fairs, shows, exhibitions, petting zoos, riding stables, farm tours, pet shops and educational exhibits.

(f) The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of subsection (e) of this section. Such regulations may include requirements for the vaccination of animals against rabies, identification of animals, identification of owners or keepers of such animals, animal enclosures, posting of public advisories, reporting of rabies exposure incidents, records deemed necessary and proper relating to the vaccination of animals against rabies, and any other methods determined by the commissioner to prevent the transmission of rabies. Such regulations may consider the species of animal, the characteristics of the public settings and the nature and type of contact the public may have with animals.

(1949 Rev., S. 3407; 1953, S. 1845d; 1963, P.A. 613, S. 29; 1969, P.A. 81, S. 4; P.A. 91-46, S. 7, 12; P.A. 92-77, S. 2, 5; P.A. 97-187, S. 2, 4; P.A. 98-12, S. 16, 22; P.A. 06-105, S. 4.)

History: 1963 act added provision empowering commissioner to order vaccination of all dogs in a municipality and dividing cost between dog owners and state and rephrased provision re quarantine of rabid animals and those suspected of being rabid or of having contact with other rabid animals; 1969 act replaced references to dog wardens with references to canine control officers where necessary; P.A. 91-46 deleted requirement that the commissioner immediately investigate certain reports of rabies, changed “dog” to “animal”, included reference to vaccinations of cats and added provision requiring that suspected or confirmed cases of rabies be reported within 24 hours; P.A. 92-77 amended Subsec. (a) to authorize orders by the commissioner for control of rabies in cats and to expand circumstances under which the commissioner may quarantine animals suspected of being rabid, deleting prior provisions re specific circumstances and procedures for general vaccination orders, added new Subsecs. (b) to (d), inclusive, re euthanization of quarantined rabid animals, re procedures for disposition of animals abandoned while in quarantine and re killing of wild animals suspected of being rabid; P.A. 97-187 amended Subsec. (a) to authorize local directors of health to order destruction of certain animals for purposes of controlling rabies, effective July 1, 1997; P.A. 98-12 changed “canine control officer” to “animal control officer”, effective July 1, 1998; P.A. 06-105 made a technical change in Subsec. (c) and added Subsecs. (e) re measures to prevent transmission of rabies associated with animals in public settings and (f) re adoption of regulations to implement provisions of Subsec. (e).

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Sec. 22-359a. Clinic for vaccination against rabies. (a) On or before June first, annually, the town clerk and the director of health of any municipality or health district, in consultation with the municipal animal control officer of the municipality or the regional animal control officer, may arrange for a low-cost clinic for the vaccination of dogs and cats against rabies. Such clinic shall be conducted with the cooperation and participation of a licensed veterinarian. The owner or keeper of a dog or cat vaccinated at such clinic shall pay the cost of vaccination.

(b) The town clerk, municipal animal control officer of the municipality or regional animal control officer may make provisions for the licensing of dogs vaccinated at an antirabies clinic at the time of vaccination.

(P.A. 85-167, S. 5; P.A. 91-59, S. 17.)

History: P.A. 91-59 replaced references to “warden” and “regional canine control officer” with references to “municipal animal control officer” and “regional animal control officer”.

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Sec. 22-359b. Rabies vaccine. A rabies vaccine used at an antirabies clinic shall be administered in accordance with the recommendations of the United States Department of Agriculture.

(P.A. 85-167, S. 6; P.A. 91-59, S. 18; 91-407, S. 7, 42.)

History: P.A. 91-59 replaced references to “warden” and “regional canine control officer” with references to “municipal animal control officer” and “regional animal control officer” in Subsec. (b); P.A. 91-407 deleted former Subsec. (b) re tag for collar of vaccinated dog.

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Secs. 22-359c and 22-359d. Certificate of rabies vaccination. Licensing and vaccination of cats not required. Sections 22-359c and 22-359d are repealed.

(P.A. 85-167, S. 7, 8; P.A. 91-46, S. 11, 12; 91-59, S. 19.)

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Sec. 22-359e. Tags and certificates indicating rabies vaccination. Any veterinarian who administers rabies vaccines to dogs and cats shall supply rabies vaccination tags and certificates of vaccination as required by section 22-339c and shall issue such tags and certificates to all dogs and cats vaccinated for rabies. Sponsors of rabies vaccination clinics shall also supply and issue rabies tags and vaccination certificates for all dogs and cats vaccinated at such clinics. The tag shall be of metal and embossed with the year of issue, name and address of the issuing veterinarian or sponsor of the vaccination clinic, and be serially numbered. The serial number shall be recorded on the vaccination certificate. The tag shall be of a size, color and shape that is plainly visible at a reasonable distance for the purposes of inspection by a canine control officer, regional canine control officer or warden of a municipality. The tag shall be distinguishable from a dog license tag and shall be securely attached to the collar or harness of the dog in the same manner as provided for license tags or plates under section 22-343. The veterinarian or sponsor of the vaccination clinic that has vaccinated such animals shall maintain a sequential record of the rabies tag serial numbers and corresponding owners’ names for all vaccinated dogs and cats for a period of three years.

(P.A. 91-46, S. 4, 12.)

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Secs. 22-360 and 22-361. Pasteur treatment. Examination of dog for rabies. Sections 22-360 and 22-361 are repealed.

(1949 Rev., S. 3408, 3409; 1953, S. 1846d, 1847d; 1963, P.A. 613, S. 30, 34; P.A. 85-145, S. 2.)

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Sec. 22-362. Annoyance by dogs on highway. Any person owning or having the custody of any dog which habitually goes out on any highway and growls, bites, or snaps at, or otherwise annoys, any person or domestic animal lawfully using such highway or chases or interferes with any motor vehicle so using such highway, shall be guilty of a class D misdemeanor.

(1949 Rev., S. 3410; 1953, S. 1848d; 1963, P.A. 613, S. 31; 1969, P.A. 81, S. 4; P.A. 77-63, S. 1; P.A. 92-77, S. 3, 5; P.A. 07-217, S. 100; P.A. 12-80, S. 148.)

History: 1963 act deleted references to “commons”, substituted “domestic animal” for “horse”, made provisions applicable to owners of animals which chase or interfere with motor vehicles, replaced reference to “penalties imposed by section 22-367” with specific penalty and required that notice be given by wardens and filed with town officers rather than that notice be given by prosecuting grand juror, trial justice or prosecuting attorney; 1969 act replaced references to dog wardens with references to canine control officers where necessary; P.A. 77-63 deleted notice provision and deleted reference to dogs accustomed to go on portions of highways adjacent to their owners’ premises; P.A. 92-77 reworded some language but made no substantive changes; P.A. 07-217 made technical changes, effective July 12, 2007; P.A. 12-80 replaced penalty of a fine of not less than \$25 or more than \$50 or imprisonment of not more than 30 days or both for first offense and a fine of not less than \$50 or more than \$100 or imprisonment of not more than 60 days or both for subsequent offense with penalty of a class D misdemeanor.

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Sec. 22-363. Nuisance. No person shall own or harbor a dog or dogs which is or are a nuisance by reason of vicious disposition or excessive barking or other disturbance, or, by such barking or other disturbance, is or are a source of annoyance to any sick person residing in the immediate vicinity. Violation of any provision of this section shall be an infraction for the first offense and a class D misdemeanor for each subsequent offense and the court or judge may make such order concerning the restraint or disposal of such dog or dogs as may be deemed necessary.

(1949 Rev., S. 3411; 1953, S. 1849d; 1957, P.A. 75; 1969, P.A. 116; P.A. 76-381, S. 36; P.A. 12-80, S. 80.)

History: 1969 act rephrased provisions, deleting necessity for formal complaint, investigation, etc.; P.A. 76-381 rephrased provisions, specified that violation is an infraction re first offense and that for subsequent offenses fine and/or imprisonment is the penalty, raising maximum fine from \$25 to \$100; P.A. 12-80 replaced penalty for subsequent offense of a fine of not more than \$100 or imprisonment of not more than 30 days or both with a class D misdemeanor.

The “order” concerning restraint of dog must concern a specific dog or dogs. 127 C. 74.

Cited. 8 CA 188. State not required to prove identity of the specific dog or dogs causing the nuisance. 81 CA 141.

Selectmen may not make orders affecting all owners of dogs; they are limited to specific dogs. 7 CS 418.

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Sec. 22-364. Dogs roaming at large. Intentional or reckless subsequent violation. (a) No owner or keeper of any dog shall allow such dog to roam at large upon the land of another and not under control of the owner or keeper or the agent of the owner or keeper, nor allow such dog to roam at large on any portion of any public highway and not attended or under control of such owner or keeper or his agent, provided nothing in this subsection shall be construed to limit or prohibit the use of hunting dogs during the open hunting or training season. The unauthorized presence of any dog on the land of any person other than the owner or keeper of such dog or on any portion of a public highway when such dog is not attended by or under the control of such owner or keeper, shall be prima facie evidence of a violation of the provisions of this subsection. Violation of any provision of this subsection shall be an infraction.

(b) Any owner or keeper of any dog who, knowing of the vicious propensities of such dog and having violated the provisions of subsection (a) of this section within the preceding year, intentionally or recklessly violates the provisions of subsection (a) of this section shall be fined not more than one thousand dollars or imprisoned not more than six months, or both, if such dog, while roaming at large, causes physical injury to another person and such other person was not teasing, tormenting or abusing such dog.

(1949 Rev., S. 3412; 1953, S. 1850d; 1963, P.A. 613, S. 32; P.A. 76-381, S. 11; P.A. 77-63, S. 2; P.A. 96-243, S. 11, 16.)

History: 1963 act specified what constitutes prima facie evidence of violation and distinguished between penalties for first and subsequent offenses, imposing twenty-five-dollar minimum and one-hundred-dollar maximum fine for subsequent offenses, and making imprisonment an optional penalty only for subsequent offenses where previously applicable to first offenses as well; P.A. 76-381 made violation an infraction, deleting previous penalty provisions; P.A. 77-63 prohibited dogs from roaming on any portion of highway, deleting language which had limited applicability of prohibition to those portions of highway “not adjacent to the premises of the owner or keeper”; P.A. 96-243 added Subsec. (b) re subsequent intentional or reckless violations, effective June 6, 1996.

See Sec. 22-332 re impoundment and disposition of roaming, injured or mistreated dogs.

Cited. 9 CA 686.

Cited. 33 CS 660.

Subsec. (a):

The fact that an owner allows a dog to roam does not exonerate a keeper who also allows the dog to roam; either an owner or a keeper or both can be held liable for a violation of statute regardless of whether the owner was present and known to authorities at the time of the incident. 120 CA 324. Defendant who allowed dog to wander out of sight 20 to 30 yards away while on property of another violated Subsec., which is not unconstitutionally void for vagueness as applied, and which gives fair notice that Subsec. prohibits a dog owner from, inter alia, allowing a dog freely to move around another’s property, unrestrained and unhindered, and not under the direct influence of owner; dog’s subsequent response to owner’s verbal command did not demonstrate “control” required by Subsec. 139 CA 107.

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Sec. 22-364a. Intentional or reckless release of domestic animal which causes damage. Any person who intentionally or recklessly releases a domestic animal that enters upon the real property of another person and causes damage to such real property in an amount in excess of one hundred dollars shall have committed an infraction.

(P.A. 96-243, S. 10, 16.)

History: P.A. 96-243 effective June 6, 1996.

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Sec. 22-364b. Control of dogs in proximity to guide dogs. The owner or keeper of a dog shall restrain and control such dog on a leash when such dog is not on the property of its owner or keeper and is in proximity to a blind, deaf or mobility impaired person accompanied by his guide dog, provided the guide dog is in the direct custody of such blind, deaf or mobility impaired person, is wearing a harness or an orange-colored leash and collar which makes it readily-identifiable as a guide dog and is licensed in accordance with section 22-345. Any person who violates the provisions of this section shall have committed an infraction. If an owner or keeper of a dog violates the provisions of this section and, as a result of such violation, such dog attacks and injures the guide dog, such owner or keeper shall be liable, as provided in section 22-357, for any damage done to such guide dog, and such liability shall include liability for any costs incurred by such blind, deaf or mobility-impaired person for the veterinary care, rehabilitation or replacement of the injured guide dog and for reasonable attorney’s fees.

(P.A. 96-243, S. 9, 16; P.A. 98-61, S. 1.)

History: P.A. 96-243 effective June 6, 1996; P.A. 98-61 added provision re the liability of the owner or keeper of a dog that attacks and injures a guide dog and the extent of such liability.

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Sec. 22-365. Obstruction of commissioner or any animal control officer. Penalty. Any person who obstructs or attempts to obstruct the commissioner, the Chief Animal Control Officer, any animal control officer or any municipal animal control officer engaged in the discharge of any duty imposed by this chapter shall be guilty of a class C misdemeanor.

(1949 Rev., S. 3413; 1953, S. 1851d; 1969, P.A. 81, S. 4; P.A. 92-77, S. 4, 5; P.A. 98-12, S. 17, 22; P.A. 12-80, S. 81.)

History: 1969 act replaced references to dog wardens with references to canine control officers where necessary; P.A. 92-77 replaced “warden” with “municipal animal control officer”; P.A. 98-12 changed “canine control officer” to “animal control officer”, effective July 1, 1998; P.A. 12-80 replaced penalty of a fine of not more than \$100 or imprisonment of not more than 3 months or both with a class C misdemeanor.

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Sec. 22-366. Cropping of dog’s ears. Any person who crops or cuts or causes to be cropped or cut off the whole or any part of the ear of a dog, unless such person is a registered veterinary surgeon and unless such operation is performed when the dog is under an anesthetic, shall be fined not more than fifty dollars for the first offense and be guilty of a class D misdemeanor for each subsequent offense. The possession of a dog with an ear cropped or cut off and with the wound resulting therefrom unhealed, confined upon the premises of or in the charge or custody of any person, shall be prima facie evidence of a violation of the provisions of this section by the person in control of such premises or the person having charge or custody, unless such person has in his possession a certificate of cropping from a veterinarian registered in this state certifying that he performed the operation and giving the date of the operation, the name of the owner of the dog and a description of the dog.

(1949 Rev., S. 8576; 1953, S. 1853d; P.A. 12-80, S. 82.)

History: P.A. 12-80 replaced penalty for subsequent offense of a fine of not more than \$50 or imprisonment of not more than 30 days or both with a class D misdemeanor.

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Sec. 22-367. General penalty. Enforcement. Any person owning, keeping or harboring a dog or cat or maintaining a kennel or commercial kennel who violates any provision of this chapter for the violation of which no other penalty is provided, or any regulation legally made and published for restraining or destroying dogs or cats, shall be fined not less than two hundred fifty dollars or imprisoned not more than thirty days or both. No commercial kennel shall board any dog or cat unless the owner of the dog or cat presents a certificate of vaccination as required by this chapter. Constables, municipal animal control officers, regional animal control officers, the Chief Animal Control Officer, the animal control officers, and all prosecuting officers shall diligently inquire after, and prosecute for, any violation of any provision of this chapter, and the commissioner shall, upon the complaint of any person that such officer is dilatory or negligent in the performance of the officer’s duties concerning the enforcement of any such provision, take such action as the officer deems necessary to secure such enforcement.

(1949 Rev., S. 3414; 1953, S. 1852d; 1961, P.A. 517, S. 22; 1963, P.A. 613, S. 33; 1969, P.A. 81, S. 4; P.A. 91-46, S. 8, 12; 91-59, S. 20; 91-131, S. 3, 4; P.A. 98-12, S. 18, 22; P.A. 00-88, S. 2.)

History: 1961 act deleted prosecuting grand jurors from list of those who prosecute violations; 1963 act imposed minimum fine of \$25 and raised maximum fine from \$25 to \$50 and included state warden, deputy state and regional wardens among those who prosecute violations; 1969 act replaced references to wardens with references to canine control officers as necessary; P.A. 91-46 included reference to vaccinations of cats and added a requirement that commercial kennels insure that boarded cats have certificates of vaccination; P.A. 91-59 replaced references to “warden” and “regional canine control officer” with references to “municipal animal control officer” and “regional animal control officer”; P.A. 91-131 added commercial kennels to the scope of violators liable under this section and added a requirement that a certificate of vaccination be presented for the boarding of a dog at a commercial kennel; P.A. 98-12 changed “canine control officer” to “animal control officer”, effective July 1, 1998; P.A. 00-88 increased the fine from a minimum of \$25 and a maximum of \$50 to a fine of \$250 and made technical changes for the purposes of gender neutrality.

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Sec. 22-367a. Regulations. The commissioner may adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this chapter.

(P.A. 91-46, S. 9, 12.)

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