

**ORDINANCE NO. ___ SUPPLEMENTAL
AMENDING CHAPTER 111, PUBLIC SAFETY AND ANIMAL WELFARE**

WHEREAS, the Stamford animal control ordinance has not been updated since 1994; and

WHEREAS, the practices and policies of municipal animal care and control have evolved significantly since that time to enhance animal welfare and save animal lives; and

WHEREAS, Stamford has grown significantly in human and animal population; and

WHEREAS, Stamford has no existing cat ordinance, and its population of feral and stray cats has been increasing; and

WHEREAS, Stamford's policies and practices regarding dangerous/vicious dogs need clarification; and

WHEREAS, the popularity of rabbits and other small mammals and amphibians as pets has grown and may result in more of these animals ending up at the Stamford municipal shelter; and

WHEREAS, the roles of the Stamford Animal Control and Care Center, veterinarians, animal welfare groups and pet owners/keepers, and the relationship among these entities, need to be better defined.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 111 of the Code of Ordinances of the City of Stamford shall be amended as follows:

CHAPTER 111. –PUBLIC SAFETY AND ANIMAL WELFARE

Sec. 111-1. – Livestock.

- A. It shall be unlawful for any person to trespass upon any of the sidewalks or parkland in the city by willfully riding, driving or leading horses, cattle or other livestock thereon, with the exception of those areas of parkland where the listed activities would not adversely affect other uses of parkland.
- B. No owner/keeper of or person having the charge of any cattle, horses, mules, asses, sheep, goats, swine, llamas, ostriches, emus, or other livestock shall permit the same to go or to be at large in any of the public roads, parks or public spaces of the city, or permit the same to be upon any of these public spaces for the purposes of being pastured thereon, either with or without an owner/keeper. Horses ridden by owners or their authorized riders, may use the public roads in the rural areas of the city where there are no sidewalks or on private property.

Sec. 111-2. - Poultry.

- A. All poultry kept within the city must be penned and not allowed to run at large or onto public property or premises other than those belonging to or occupied by the owner/keeper of such poultry.
- B. No person shall keep any rooster in such location that the crowing thereof shall be annoying to any person occupying premises in the vicinity. Upon complaint of any such person so annoyed, the Director of Health shall have authority to order the owner/keeper of such rooster to remove it so that such annoyance shall cease.

Sec. 111-3. - Maintenance of enclosures.

- A. No person shall own/keep any live poultry or livestock in any building or pen which is less than fifty (50) feet from any dwelling or apartment house in the city.

- B. All stables, pens, yards or other buildings or enclosures in which any animal is kept shall be maintained in a reasonably clean and sanitary condition. It shall be the duty of the Director of Health of the city to order the owner/keeper or other person in charge of any such stable, pen or other building or enclosure to clean the same when in his/her judgment conditions therein are unsanitary, unsafe or detrimental to the health of any animal kept in said enclosure.

Sec. 111-4. - Deposit of animal feces on city property or other property.

- A. Definitions. For the purpose of this section, the following definitions shall apply:

City property. Any property owned, occupied or controlled by the City of Stamford, including but not limited to parks, streets, sidewalks and grassy areas adjacent to city streets and sidewalks.

Property of another. All property within city boundaries which is not owned by the city, including but not limited to all residential and commercial property, private streets and sidewalks and the grassy areas located adjacent to such streets and sidewalks, rights-of-way and any common area of a condominium or cooperative.

- B. Owners/keepers, including dog walkers or sitters, must be responsible. Any person who owns/keeps a leashed pet or has custody of such pet, which has deposited its feces upon any city property or upon the property of another, shall immediately remove such feces or cause it to be removed and shall dispose of it in a sanitary manner. A person will be considered to have disposed of feces in a sanitary manner if such person places such material in a bag or wrapper made of paper, plastic or some similar material and places it in a refuse container which is regularly emptied by the City of Stamford Department of Sanitation or some other refuse collector, or otherwise disposes of such material on their own property.

- C. Exemptions.

- (1) Nothing herein shall be construed to apply to the situation where a pet is on its owner/keeper's property or where the pet owner/keeper has the permission of the property owner.
- (2) Any dog owned by the Stamford Police Department and used for law enforcement purposes shall be exempt from the provisions of this section, in performance of its duties.
- (3) Any dog which serves as a guide dog shall be exempt from the provisions of this section while such dog is accompanying a blind person.
- (4) Any person who violates this section shall be subject to a fine of \$100.00.

Sec. 111-5. - Dead animals.

- A. It shall be unlawful for any person to deposit the body of any dead animal in any street or public place in the city.
- B. It shall be unlawful for any person owning, keeping or having the care or custody of any animal to allow its body to lie exposed or unburied in any place in the city for a period longer than twelve (12) hours after its death.

Sec. 111-6 - Dogs.

- A. Definitions. For the purposes of this section, the following definitions shall apply:

Dwelling unit. Actual living space where a person resides, for example: apartment, condominium, townhouse, single-family house or a room in a rooming house.

Roaming dog. Any owned/kept dog that moves freely outside its owner/keeper's property.

Stray dog. Any roaming dog whose owner/keeper cannot be identified.

Unprovoked attack. An attack where a person is bitten by a dog when such person is conducting himself or herself in a peaceful and lawful manner and has not been teasing, tormenting or abusing the dog.

Public place. Any street, sidewalk, alley or other public way, any public park, square, space or grounds or any publicly owned or leased land or buildings, including but not limited to land and buildings under the jurisdiction of the Stamford Public Schools.

B. Control of dogs.

- (1) No owner/keeper of any dog shall permit such dog on any public street or sidewalk or other public place unless such dog is on a leash held securely by such person.
- (2) No owner/keeper of any dog shall permit such dog on the real property of another without the permission of the property owner or person having a possessory interest in said property.
- (3) Notwithstanding the above, dogs may be unleashed in public places in areas which are securely enclosed by fencing, provided that such enclosed areas are posted that such use is allowed, such as the Stamford Dog Park. Nothing in this section shall require the City of Stamford or the Stamford Public Schools to establish such areas.
- (4) No person shall tether a dog to a stationary object or to a mobile device:
 - a. For an unreasonable amount of time per CGS §22-350a
 - b. Unless the tether allows the dog to walk at least eight feet and has swivels at each end to prevent twisting and tangling
 - c. That is weighted or has chain links thicker than one quarter of an inch
 - d. Unless the tether is not close to a pool, fence, highway or other hazard for the dog
 - e. For more than fifteen minutes when a weather advisory and warning has been issued or extreme conditions will pose a risk to such dog.
 - f. Unless there is shelter and water within reach of the dog tethered.
- (5) No person shall feed and/or keep any stray dog unless he/she has notified the Stamford Animal Control and Care Center (SACCC) within twenty-four (24) hours from the time such dog came into his/her possession. Upon receiving such notice, an animal control officer may take such dog and place it in the animal shelter for the purpose of advertising in an effort to reunite it with its owner.
- (6) It shall be unlawful for any person to refuse to surrender any such stray dog to an authorized representative of the SACCC upon demand of such representative.
- (7) Nothing contained in this section shall be construed as abrogating or limiting the provisions of § 111-4 of the Code of Ordinances.

C. Control of dangerous/vicious dogs.

- (1) A dangerous/vicious dog shall be any dog which the City of Stamford Animal Control Manager, i.e., the director of SACCC, or his/her assistants, i.e., Animal Control Officers, have determined to be a nuisance by reason of vicious disposition, as is provided in CGS §22-362, or a threat and annoyance by reason that such dog is accustomed to go out on any public area and growl, snap or otherwise annoy any person or domestic animal as provided in CGS §22-363 , any dog which has previously committed any unprovoked attack or any dog which has been trained to be a guard, attack or fighting dog.
- (2) A dog may be declared to be dangerous/vicious if any one of the following criteria is met:
 - (a) Any dog which has severely injured or killed a domestic animal or pet while off its owner/keeper's property;
 - (b) Any dog which bites, inflicts injury, assaults or otherwise attacks a human being, another dog or domestic animal without provocations on any public or private property;
 - (c) Any dog which has been used primarily or in part for the purpose of dog fighting or any dog trained for dog fighting
- (3) The Animal Control Manager or an Animal Control Officer shall not declare a dog to be vicious if any of the following criteria is met:
 - (a) If any injury or damage is sustained by a person who was committing a willful trespass or other tort upon the premises of the dog's owner/keeper.
 - (b) If the injury or damage was sustained by a domestic animal, which was tormenting, assaulting or invading the premises of the dog's owner/keeper
 - (c) If the dog was protecting or defending the premises occupied by the dog's owner/keeper or was protecting a human being within the immediate vicinity of the dog from an attack or assault.
- (4) The Animal Control Manager or an Animal Control Officer may seek additional outside evaluation of a vicious/dangerous dog by a trained behaviorist as appropriate.
- (5) No person owning/keeping any vicious/dangerous or roaming dog shall permit such dog outside such owner's or keeper's dwelling unit unless such dog is restricted by either a leash, dog run, enclosure, fence, electronic restraining device or other restraint approved by a Stamford Animal Control Officer.
- (6) No person owning/keeping any vicious/dangerous dog shall permit such dog on any street or sidewalk or on the property of any other person other than its owner/keeper unless the dog is wearing a safe and effective muzzle approved by the Animal Control Manager.
- (7) The owner/keeper of a vicious/dangerous dog shall cause a warning sign to be placed in a conspicuous place outside their dwelling unit notifying the general public that a dog is on the premises. The contents and location of said sign shall be approved by a Stamford Animal Control Officer.

- (8) The requirements of this Section shall apply to any dog that enters the city of Stamford, regardless of the residence of the dog or its owner/keeper.
- (9) Penalties.
 - (a) If any dog bites someone in an unprovoked attack, the owner/keeper of such dog shall be fined one hundred dollars (\$100.00).
 - (b) Any person who violates this section shall be fined one hundred dollars (\$100.00) for the first offense and one hundred dollars (\$100.00) for each subsequent offense, unless otherwise specified in this section.
 - (c) Dogs owned by a governmental agency shall be exempt from the provisions of this section.
- (10) If any section, sentence, clause or phrase of this section is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

Sec. 111-7. - Stray and feral/community cats.

A. Definitions

Feral cats. Any free roaming cat that exhibits feral (wild) tendencies and is associated with family groups referred to as “colonies”. These cats may also be called community cats.

Colony. A population of feral cats that live together in a specific location and use a common food source.

Roaming Cat. Any owned cate that moves freely outside its owner’s property.

Stray cat. Any free roaming cat that appears in distress, sick or injured and is determined to be unwanted.

Neuter. To sterilize a male animal by castration so they cannot reproduce.

Spay. To sterilize a female animal by removing the ovaries.

Keeper. Anyone who provides shelter and/or regularly feeds feral cats/colonies.

TNVR. a method of humanely trapping feral cats, to spay or neuter, vaccinate for rabies and then return to their colonies to live out their lives.

B. Roaming Cats

- (1) No cat owner/keeper shall permit such cat(s) to run free outside his/her property unless said cat(s) has been:
 - (a) Neutered or spayed;
 - (b) Immunized against rabies in compliance with CT law; and
 - (c) Appropriately micro-chipped or otherwise identifiable.
- (2) No person shall knowingly desert or abandon a cat that the person owns/keeps.

C. Stray Cats

- (1) No person shall feed and/or keep any stray cat unless he/she has notified SACCC within twenty-four (24) hours from the time such cat came into his/her possession. Upon receiving such notice, an animal control officer may take such

cat and place it in the animal shelter for the purpose of advertising in an effort to reunite it with its owner.

- (2) It shall be unlawful for any person to refuse to surrender any such stray cat to an authorized representative of the SACCC upon demand of such representative.

D. Feral Cats

- (1) No person shall provide food, water, or other forms of sustenance or care to a feral cat or feral cat colony/colonies unless that person is willing to:
 - (a) Provide a clean feeding area for the cats and takes care to avoid leaving their food out at night when raccoons and other wild animals are around.
 - (b) Prevent feeding activities from creating a nuisance or public health issue for neighbors.
- (2) The Animal Control Officer shall investigate any feral cat colony where there is reason to believe that the animals there are in imminent danger.
- (3) No person having the care and control of any feral cats shall abandon said animals anywhere in the city, or introduce animals from outside the city into any existing Feral Cat Colony inside the city. Trap-Neuter-Vaccinate- Release (TNVR) protocol does not constitute abandonment.

E. Ordinance Enforcement and Trapping Protocol

- (1) Nothing in this Ordinance shall interfere with the right of the Municipality or an Animal Control Officer to investigate any nuisance complaint allegedly caused by a feral or stray cat or feral cat colony.
- (2) If keepers of feral cats have not complied with their assumed responsibilities, the ACO will order the keeper to comply with this ordinance and will provide the keeper with a list of animal welfare organizations that can assist with (TNVR) protocol.
- (3) Animal welfare organizations that carry out the TNVR protocol should maintain records, to all possible extent, of the feral cats that they had neutered and vaccinated.

F. Violation of Article; Fine

- (1) The Stamford Animal Control Manager, or his/her assistants, shall issue a notice of violation to any person in violation of this Section. Persons who violate any provision of this ordinance shall be subject to a fine per violation.
- (2) If the violation is not remedied within thirty (30) days, a fine of \$100.00 shall be collected. After 30 days, each additional day a violation exists shall constitute a separate violation.

Sec. 111-8. - Rabbits, ferrets, and other small pets.

- A. It is unlawful for any person, group of persons, organization, or commercial business to offer a live rabbit, guinea pig, chinchilla, hamster, gerbil, "pocket pet," ferret, bird, or reptile as a prize, giveaway, award, or as an inducement to enter any contest, competition, game, carnival, sport, or contract, or as an incentive to purchase merchandise.

- B. It is unlawful for any person within the City of Stamford to artificially dye or color any rabbit, baby chick, duckling, or other fowl or animal or to display, offer for sale, deliver, barter, auction, give away, transfer, or sell aforesaid animals within the City.
- C. In order to prevent conditions that are unsanitary or unsafe, the slaughtering of rabbits for personal/family consumption must be done not to create a public nuisance.
- D. No person may sell, offer for sale, barter or give away any baby rabbits or fowl under eight weeks of age during the four week period preceding Easter in any quantity less than twenty-five.
- E. The SACCC shall spay/neuter and microchip, where appropriate, before adopting out small mammals and amphibians that are found or turned in.

Sec. 111-9. - Poisonous or dangerous reptiles or arachnids.

- A. It shall be unlawful for any person or organization to own/keep any poisonous or dangerous reptile or arachnid in the City of Stamford.
- B. For the purposes of this section, poisonous or dangerous reptiles and arachnids include any snake, lizard or other reptile or arachnid which, because of its poison, size, vicious nature or other characteristics, would constitute a danger to human life or property if it is not kept or maintained in a safe manner or in secure quarters.
- C. Exceptions to provisions. The provisions of this section shall not apply to the keeping of poisonous or dangerous reptiles or arachnids in the following cases:
 - (1) The keeping of such dangerous or poisonous reptiles or arachnids in bona fide zoos, educational or medical institutions or museums.
 - (2) The keeping of such dangerous or poisonous reptile or arachnid in a bona fide licensed veterinary hospital for treatment.

Sec. 111-10. - Stamford Animal Control and Care Center.

- A. The Stamford Animal Control and Care Center (SACCC), consisting of an Animal Control Manager, Animal Control Officers and staff, shall operate as part of the Stamford Police Department, under the supervision of the police chief and the city's Director of Public Safety and Health.
- B. The SACCC is responsible for executing federal, state and city laws, policies and directives concerning health, welfare and safety of Stamford residents as regards to animals and concerning the health, welfare and humane treatment of animals within its jurisdiction. As part of these responsibilities, the SACCC shall work with the SPD to establish and make available to the public, as appropriate, written policies, regarding the management of shelter volunteers; adoption and fostering procedures for animals in the shelter; management of the surrender of animals to the shelter; efforts to reunite lost pets with their owners; and encouragement of adoptions of the shelter's animals and other such policies and directives as the SPD shall determine.
- C. The SACCC shall assure that every animal leaving the shelter for adoption or transfer to an animal welfare agency for adoption or fostering shall be neutered/spayed, vaccinated, and microchipped. Vaccinations for dogs shall include rabies, distemper, Bordetella and parvovirus. Vaccinations for cats shall include rabies and feline distemper.
- D. The SACCC may use money from the Dog Fund, a local fund generated by dog license fees retained by the City of Stamford, for such neutering and microchipping or to provide sanctuary for healthy animals that are deemed not adoptable.

- E. As directed by the city's Director of Public Safety, Health, and Welfare, the SACCC shall participate in periodic consultations with the animal welfare community and animal owner groups.
- F. The SACCC must annually submit to the Board of Representatives a report of its activities, practices and policies.

Sec. 111-11. - Responsibilities of pet owners/keepers.

- A. Licensing. Dog owners are required to obtain a dog license through the Office of the Town and City Clerk, by providing identification, presenting proof of rabies vaccination, and paying the appropriate fee.
- B. Cat owners are required to vaccinate their pets for rabies.
- C. Animals in vehicles.
 - (1) Owners/keepers shall not leave their pets or other animals in a closed vehicle in a manner that will threaten the animal's health in terms of heat, cold, or ventilation.
 - (2) Owners/keepers shall be responsible for the safe transport of animals in moving vehicles for the protection of the animal and occupants of the vehicle. Animals may not be tethered in an open flatbed truck or pickup truck. Such animals may be kept in a secured crate in such trucks. Animals inside the vehicle should be properly restrained and not allowed to sit on the driver's side or on the driver.
- D. Nuisance. Owners/keepers are responsible for preventing their pets' nuisance behavior. No person shall own or harbor any animal which is a nuisance by reason of vicious disposition or which produces excessive noise, or other disturbance, or by such excessive noise or other disturbance, is a source of annoyance to any person residing in the neighborhood. The Animal Control Officer may respond to a complaint, however, the Animal Control Officer may require complaints from at least two neighboring properties before commencing an investigation into whether an animal is a nuisance under this section.
- E. Sale of animals on public property.
 - (1) It is unlawful for any person to display, sell, offer for sale, deliver, barter, auction, give away or transfer, upon any street, sidewalk, parking lot or other public place in the city of Stamford, dogs, cats, rabbits, fowl or their offspring.
 - (2) Animal welfare groups that display such animals for adoption are exempt from this restriction.

Sec. 111-12 - Breeding of dogs.

- A. Breeding Permits.
 - (1) Any resident of Stamford who wishes to breed a dog must obtain a breeding permit, before any female animal is bred, from the SACCC.
 - (2) The breeding permit is issued to the owner/keeper and cannot be sold, traded or otherwise conveyed from the person who obtained the permit from SACCC.
 - (3) The fee for a breeding permit shall be \$50.00 per year and applied for before the gestation period of any female dog in question.

- (4) Dogs shall not have more than two litters a year to protect the health of the mother and offspring.
 - (5) The resultant offspring shall not be sold to commercial outlets or for the purposes of research.
 - (6) Breeders who have a kennel license from the Stamford Town and City Clerk do not need a breeding permit.
- B. No breeding permit shall be granted to a person unless:
- (1) The permit form is completed and fees paid.
 - (2) The applicant has adequate indoor and outdoor space in which to care for the dogs and their offspring
 - (3) The conditions are safe, sanitary, humane and appropriate for a specific breed or species and meet all local and state animal welfare laws.
 - (4) The dog to be bred is appropriately licensed.
 - (5) The applicant does not have a documented history of allowing the dogs or other animals to run loose or be a nuisance or otherwise violating the provisions of this ordinance.
 - (6) The applicant does not have a documented history of cruelty to animals, domestic violence, child abuse or hoarding.
- C. The Animal Control Manager or his/her designee may inspect the breeding premises and conduct an evaluation based on the above section.
- (1) The inspection should be done at a reasonable time when the applicant or his/her representative shall be present.
 - (2) If an applicant or breeder shall refuse to allow an inspection of the breeding facility or, upon inspection, is found to have violated the condition of the permit, it shall be cancelled.
- D. Each person who breeds a litter without a litter permit shall be fined \$100.00 in addition to paying the \$50.00 permit fee.

Sec. 111-13. - Violations and penalties.

Unless otherwise provided herein, every person violating any provision of this chapter or refusing to comply with any order made hereunder by the Director of Public Safety, Health and Welfare within ten (10) days after notice of such order shall be punished as provided in § 1-18 of the Code of Ordinances of the City of Stamford. In addition to other available methods of enforcement, this chapter may be enforced through the civil citation process. The recipient of a civil citation shall have a right of appeal as set forth in Chapter 97 of the Code of Ordinances of the City of Stamford.