

ORDINANCE NO. _____
AMENIDNG CHAPTER 111, PUBLIC SAFETY AND ANIMAL WELFARE
SECTION 111-6, DOGS, REGARDING THE TETHERING OF DOGS

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 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 Connecticut General Statutes, Section 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; and

~~(f)~~ Unless there is shelter and water within reach of the dog tethered.

(5) No provision of Section 4 shall be construed to permit the tying, chaining, or otherwise tethering of any dog outdoors as a means of confinement for a time period exceeding 30 minutes unless the owner or keeper is outside with the dog and the dog is in the owner's or keeper's view.

~~(56)~~ 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.

~~(67)~~ 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.

~~(78)~~ Nothing contained in this section shall be construed as abrogating or limiting the provisions of section 111-4 of the Code of Ordinances.

(9) For the avoidance of doubt, nothing herein shall prohibit an owner/keeper from permitting a dog to be unrestrained or restrained by a dog runner system in an outdoor space which is owned or controlled by such owner/keeper, provided that such space is completely restricted by an enclosure, fence, or electronic restraining system

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 Connecticut General Statutes, Section 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 Connecticut General Statutes, Section 22-363, any dog which has previously committed any unprovoked attack or any dog which has been trained to be a guard or attack 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; or

(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;
or
 - (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.