

Sec. 111-6. - Dogs.

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

Adequate shelter: Adequate shelter means provision of and access to shelter that is suitable for the breed, age, condition, size, and type of each dog; provides adequate space for each dog; is safe and protects each dog from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; is properly lighted; is properly cleaned; enables each dog to be clean and dry, ~~except when detrimental to the breed~~; during hot weather, is properly shaded and does not readily conduct heat; during cold weather, has a windbreak at its entrance and provides a quantity of bedding material consisting of hay, straw, cedar shavings, or a dog safe equivalent that is sufficient to protect the dog from cold and promote the retention of body heat. Blankets, towels or any material that readily absorbs water shall not be used as adequate bedding material. The dog or dogs must be provided with a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the dog to lie on in a normal manner and can be maintained in a sanitary manner. Under this chapter, shelters whose wire, grid, or slat floors (i) permit the dog's feet to pass through the openings, (ii) sag under the dog's weight, or (iii) otherwise do not protect the dog's feet or toes from injury are not adequate shelter. This section shall apply to dogs that are loose on the property, in a pen or tethered on the property. ~~The outdoor tethering of a dog shall not constitute the provision of adequate shelter (a) unless the dog is safe from predators and well suited and well equipped to tolerate its environment; (b) during the effective period for a hurricane warning or tropical storm warning issued for the area by the National Weather Service; or (c)(1) during a heat advisory issued by a local or state authority, (2) when the actual or effective outdoor temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower, or (3) during the effective period for a severe weather warning issued for the area by the National Weather Service, including but not limited to a winter storm, tornado, or severe thunderstorm warning, unless an animal control officer, having inspected an dog's individual circumstances in clause (c)(1), (2), or (3), has determined the dog to be safe from predators and well suited and well equipped to tolerate its environment.~~

Adequate space: Adequate space means sufficient space to allow each dog to (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the dog according to its age, size, health and breed and (ii) interact safely with other animals in the enclosure. ~~When a dog is tethered, "adequate space" means that the tether to which the dog is attached permits the above actions and is appropriate to the age, size, and breed of the dog; is attached to the dog by a properly applied collar, halter, or harness that is~~

~~configured so as to protect the dog from injury and prevent the dog or tether from becoming entangled with other objects or animals, or from extending over an object or edge that could result in the strangulation or injury of the dog; is at least 15 feet in length or four times the length of the dog, as measured from the tip of its nose to the base of its tail, whichever is greater, except when the dog is being walked on a leash or is attached by a tether to a lead line or when an animal control officer, having inspected the dog's individual circumstances, has determined that in such an individual case, a tether of at least 10 feet or three times the length of the dog, but shorter than 15 feet or four times the length of the a dog, makes the dog more safe, more suited, and better equipped to tolerate its environment than a longer tether; does not, by its material, size, or weight or any other characteristic, cause injury or pain to the dog; does not weigh more than one tenth of the dog body weight; and does not have weights or other heavy objects attached to it. The walking of a dog on a leash by its owner shall not constitute the tethering of the dog for the purpose of this definition. When freedom of movement would endanger the dog, temporarily and appropriately restricting movement of the dog according to professionally accepted standards for the species is considered provision of adequate space.~~

*I agree with the wording of this section with the changes that I have highlighted. I agree that the definition of adequate shelter for tethered dogs does not belong in this section. I think that adding another section for tethered dogs would be a good idea; with that section using state statute 22-350a as a guideline. The problem that I have with 350a is that it does not define unreasonable time and the use of the word "unless" confuses matters; this becomes a problem when it comes to enforcing. I think that this section should also include the definition and guidelines of adequate shelter. I feel that by including it in this section it makes it confusing where it would be clear under its own section. I also feel that by including a set temperature would cause more harm than help.

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~~ provides the dog with adequate space.

*I feel that this line should be included but may also be a good idea to reference State Statute 22-350a. I do like the inclusion of adequate space as I feel that it is important to emphasize that a dog should not be tethered on a short lead. One thing I do not like is the language under 4B “Unless” my interpretation here is that a dog cannot be tethered for an unreasonable amount of time unless it has a tether that is acceptable so I am in agree to remove this language. And to add adequate space.

(c) That is **weighted** or has chain links thicker than one-quarter of an inch;

*I think a reference to the weight of the chain or weight attached to the chain should be included.

(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 without adequate shelter.**

*I feel that Section 4E should not be omitted. I have removed dogs that were tied out in severe weather and I feel that its important to include this.

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

*I feel that this is also very important as the animal that is left without water and shelter is in more danger. This should not be omitted.

(f) Without his/her owner/keeper in attendance on the property (inserted by HSUS comment with “keeper” added by AKC)

*I feel that this submission is very important!

*The wording of this section is concerning to me. The use of the word “unless” I feel should be removed.

(g) Per Connecticut General Statutes, Section 22-350a, the provisions 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 work, perform a service or hunt a species of wildlife during the hunting season or in which such dog receives training in a lawful manner to work, perform a service or 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 in the course of grooming such dog.

*I’m not sure that we should reference 22-350a rather than creating our own language because of the gray areas within this statute.

(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 section 111-4 of the Code of Ordinances.

(8) No owner/keeper of any dog shall leave it without adequate shelter, adequate space or in conditions where the health and safety of the dog is at risk.

*I like this submission its clear and includes both tethered or untethered dogs.

C. Control of dangerous/~~vicious~~ / **aggressive** 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.

*The problem here is the reference to CT Section 22-362 which states that "any dog which habitually goes out on any highway". The language causes conflict when it is the first incident. It does not take more than one incident for a dog to be a danger to public safety. I feel that this section needs to be reworded. I also find the word vicious as a problem. A dog may not be vicious but may show aggression. I think the inclusion of aggressive may clear this up.

(2) A dog may be declared to be dangerous/~~vicious~~/ aggressive 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; *I think the word "severely" causes confusion.

(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. *That displays aggression towards people or domestic animals.

(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. * A dangerous dog should never be left out on an electronic device.

(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.