

Chapter 6

**ANIMALS\***

- Art. I.**        **In General, §§ 6-1—6-15**  
**Art. II.**       **Dogs, §§ 6-16—6-35**  
**Art. III.**      **Pigeons, § 6-36**

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**\*Charter references**—Authority to regulate and prohibit poultry pens and houses, to regulate removal of dead animals, § 533; authority to regulate driving or leading animals through streets, § 535; authority to regulate dogs and other animals, § 537.

**Cross references**—Health, Ch. 12; protection of wildlife, § 17-40; allowing dogs or pets to run at large within public parks prohibited, § 17-47.

**State law references**—Authority to regulate running at large of animals and to prohibit cruelty to animals, G.S. § 7.148(c)(7)(D)(i); authority to regulate and prohibit keeping of animals, G.S. 7-148(c)(7)(D)(ii).



## ARTICLE I. IN GENERAL

### Sec. 6-1. Director of health to have duty of enforcement.

The director of health shall take such measures as are necessary and proper for the enforcement of the provisions of this chapter.

(Code 1970, § 6-1)

### Sec. 6-2. Keeping animals in a manner detrimental to human health.

No person shall keep any animal in any place or in any manner which is detrimental to human health or which will create a nuisance.

(Code 1970, § 6-2)

### Sec. 6-3. Keeping of swine.

No person shall keep swine or make or maintain any pigpen.

(Code 1970, § 6-4)

### Secs. 6-4—6-15. Reserved.

## ARTICLE II. DOGS\*

### Sec. 6-16. Definitions.

As used in this article:

*At large* shall mean off the premises of the owner or custodian, and not under the immediate control of the owner or custodian, either by leash, cord, chain or otherwise.

*Dog* shall mean any member of the canine species, male or female.

*Keep* shall mean possessing, controlling, exercising or allowing to run at large.

*Owner* shall mean any person possessing, keeping, harboring or having custody of a dog.

(Code 1970, § 6-9)

**Cross reference**—Definitions and rules of construction generally, § 1-2.

\***State law references**—Dogs generally, G.S. § 22-327 et seq.; maintenance of dog pounds, G.S. § 22-336.

### Sec. 6-17. License tag and registration required; exclusion of certain dogs from provisions.

(a) *Tags required.* Each dog kept by his owner in the city shall be licensed and registered if over three (3) months of age. Dog licenses shall be issued by the town clerk upon payment of a license tax to be determined by the common council. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him.

(b) *Exceptions.* The provisions of this section shall not apply to dogs whose owners are nonresidents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor to seeing-eye dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place.

(Code 1970, § 6-10)

**Cross reference**—Licenses, permits, and miscellaneous business regulations, Ch. 14.

### Sec. 6-18. Running or roaming at large prohibited.

(a) No person owning or keeping a dog, shall allow such dog to be in or upon any street, park or other public place, or in or upon any unenclosed lot or other private premises, unless such dog is attached to a secure leash held continuously in the hands of a responsible person capable of controlling it, or is securely leashed upon such unenclosed lot or premises in such manner that the rope or other attachment by which it is held or tethered does not permit it to be or go beyond the boundaries of such lot or premises or unless such dog is securely confined within a motor vehicle which is adequately ventilated. This section shall not apply to any dog while performing or being exhibited in a bench show or other exhibition or any dog park or use approved by the parks and recreation commission and the common council.

(b) Any violation of this section for a spayed or neutered dog shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.

(c) Any owner or keeper of any unaltered or unvaccinated dog who intentionally or unintentionally allows their dog to roam shall be guilty of a city ordinance violation which shall be punishable by a fine of one hundred ninety-nine dollars (\$199.00). (Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-86; Ord. of 5-88, § 1; No. 27484-1, 5-14-03; Res. No. 32686-2, 4-23-14)

**Sec. 6-19. Removal of feces.**

(a) It shall be unlawful for any person owning, keeping, walking or in control of any dog to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements, street, sidewalk, gutter or other public area unless such person shall remove all feces so deposited by such animal before leaving the immediate premises.

(b) The provisions of this section shall not apply to any person walking or in control of a dog who is blind and accompanied by a guide dog or by any person who is physically unable to remove said feces.

(c) Any violation of this section shall be punishable by a fine of fifty dollars (\$50.00) for each occurrence.

(d) For the purposes of enforcing the provisions of this section tickets may be issued by any persons authorized to issue tickets for parking violations pursuant to section 15-75 of this Code. (Code 1970, § 6-11; Ord. of 2-79; Ord. of 5-88, § 2)

**Sec. 6-20. Impoundment.**

(a) The health department shall capture any dog found running at large contrary to the provisions of this chapter and shall impound such dog in the municipal dog pound or other suitable place.

(b) The dog warden shall register the capture of each dog upon his records. This register shall include information concerning the breed, color, and sex of each dog, and whether or not it is licensed. If such dog is licensed, he shall enter the

name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs. (Code 1970, § 6-12)

**Sec. 6-21. Pound open to public on Saturdays.**

Each day, except Sunday, between the hours of 8:00 a.m. and 11:00 a.m., the municipal dog pound shall be open to the public for inspection of animals confined therein. The dog warden shall not destroy any dog in his custody until such dog has been displayed at least once to the public. (Code 1970, § 6-13)

**Sec. 6-22. Parvovirus required vaccination for all dogs.**

Effective July 1, 2014, all dogs who are to be licensed within the City of New Britain, per section 22-338 of the Connecticut General Statutes, shall have their dogs vaccinated against the parvovirus in addition to the state-mandated rabies vaccination per section 22-339b of the Connecticut General Statutes. The owner or keeper of such dog shall submit to the town clerk a vaccination record by a licensed veterinarian, or a copy thereof, stating that such dog has been vaccinated against parvovirus and rabies, the date of the vaccination, and the duration of the immunity provided by the vaccine. Failure to have the required vaccination for parvovirus will be a city ordinance violation and shall be punishable by a fine of ninety-nine dollars (\$99.00) which shall be enforced by the New Britain Police Department. (Res. No. 32686-2, 4-23-14)

**Sec. 6-23. Breeders permit required.**

(a) Effective July 1, 2014, anyone wanting to breed their dog(s) within the City of New Britain must obtain a breeding permit from the police department prior to breeding their dogs. No person, as principal, agent, employee or otherwise, shall breed any dog, cat or other animal at any place within the city, without a breeders permit. "Breeding" shall be deemed to have occurred upon the production of offspring, whether such offspring result from sexual activity or artificial

insemination, and whether such sexual activity was intentional or the result of improper confinement.

(b) Each completed application for a breeder's permit must be submitted to the animal control division of the police department in the City of New Britain.

(c) Each application for a breeding permit shall be accompanied by a fee of one hundred dollars (\$100.00) and no breeding permit shall be issued until the application fee is paid.

(d) Each breeding permit is issued to the person, not the dog, and therefore a breeding permit cannot be sold, purchased, traded, or otherwise conveyed from the person to whom the breeding permit was initially granted.

(e) No breeding permit shall be granted to a person until the following conditions are met:

- (1) The applicant has submitted the appropriate forms and fees required by the supervisor of animal control for a breeding permit.
- (2) The applicant has an indoor space and outdoor space in which to breed the dogs and raise the offspring that will contain the dogs as well as provide them with safe, sanitary, and humane conditions, appropriate for breeding a specific breed, and which satisfies all applicable provisions of the Code of Ordinances and all applicable state animal welfare laws.
- (3) The department has evaluated the physical and behavioral characteristics regarding the suitability of the particular dogs to be bred.
- (4) The dog identified in the breeder's permit that will be used for breeding must be micro-chipped.

(f) The department may deny any application for a breeding permit if it finds that one (1) or more of the following has occurred:

- (1) The applicant has failed to appropriately license the pet to be bred.
- (2) The applicant has failed to pay the appropriate application fee.

(3) The applicant has a history of allowing dogs to run loose or escape, or has otherwise been found to be neglectful; has had his/her dog identified as a nuisance; or has previously been determined to have violated the provisions of this chapter.

(4) The applicant has applied for a breeding permit within the last ten (10) months.

(Res. No. 32686-2, 4-23-14)

**Sec. 6-24. Inspection of premises to be used for breeding purposes.**

(a) The animal control officer or his designee may inspect the premises to be used for breeding purposes and conduct the evaluation set forth in the above section. The animal control officer or his designee shall give the applicant 24-hour notice of the inspection and shall conduct such inspection at a reasonable time when the applicant or his/her representative is present.

(b) If the applicant refuses to allow the animal control officer or his designee to conduct such inspection, or cannot be contacted by the animal control officer or his designee to give notice of the inspection within two (2) weeks of its initial attempt, the application shall be denied.

(1) Up to one (1) year after issuing the breeding permit, the animal control officer or his designee shall have the option, on one (1) or more occasions, to inspect the premises being used for breeding purpose to ensure that the conditions required to receive a permit are continuing to be met. The animal control officer or his designee shall give the permit holder 24-hour notice of the inspection and shall conduct such inspection at a reasonable time when the permit holder or his/her representative is present.

(2) If the permit holder refuses to allow the animal control officer or his designee to conduct such inspection, or cannot be contacted by the animal control officer or his designee to give notice of the inspection within two (2) weeks of its initial attempt, the animal control officer or his designee will determine that the permit holder is

conducting breeding activities in violation of this chapter, and the breeding permit shall be revoked.

(Res. No. 32686-2, 4-23-14)

**Sec. 6-25. Litter permits.**

(a) Breeding permit holders must apply for and obtain a litter permit for every litter produced by the breeding permit dogs. Breeding permit holders should apply to the animal control division for a litter permit before the dogs are bred. A litter permit application should be accompanied by a litter permit fee in the amount of twenty-five dollars (\$25.00). A litter permit should be applied for and granted for every litter to be produced by any animal owned, held, or maintained by the permit holder.

(b) In the event that a permit holder or an individual breeder fails to apply for a permit before the female dog enters its gestation period, the department may issue the litter permit without penalty if it determines that the failure to acquire a permit was not in bad faith.

(c) No more than two (2) litter permits will be issued to breeding permit holders within one years' time unless the permit holder also holds a kennel license under section 22-342 of the Connecticut General Statutes.

(d) All puppies from each litter shall be micro-chipped.

(Res. No. 32686-2, 4-23-14)

**Sec. 6-26. Enforcement of breeding and litter permit requirements.**

(a) Any person found breeding dogs without the required breeding and/or litter permits shall be in violation of this chapter and shall be subject to the following penalties:

- (1) Each dog involved in illegal breeding activities in violation of section 6-23 shall be impounded and held at the New Britain Animal Control facility or another suitable boarding facility until any applicable licenses are issued or the applicable fines have been paid. The owner/keeper of the involved dog shall be subject to a fine of two hundred fifty dollars (\$250.00) and

shall be responsible for all boarding fees while the dog is impounded at the New Britain Animal Control.

- (2) Each person who breeds a litter of puppies without a litter permit in violation of section 6-25 shall be fined in the amount of twenty dollars (\$20.00) for each puppy in the litter.
- (3) The fines imposed under this ordinance are in addition to any other fines that may be levied against the person under other ordinances pertaining to the illegal breeding of dogs.

(b) No dogs will be returned to any premises which are in violation of the zoning ordinances.

(Res. No. 32686-2, 4-23-14)

**Sec. 6-27. Vicious or dangerous dogs.**

(a) Dangerous and vicious dogs are defined as dogs that have attacked, bitten, or injured human beings without provocation, or dogs that present an unacceptably high risk of serious injury, even before causing harm. Snarling, showing of teeth, and lunging without provocation can be considered signs of unacceptable high risk behavior. Any dog that has bitten or attacked a human being or has behaved so as to impose a threat of imminent bodily harm by high risk behavior towards a human being who is conducting him/herself peacefully and lawfully shall be prima facie presumed vicious or dangerous. No dog shall be declared vicious if any injury or damage is sustained by a person who, at the time the injury was sustained, was found to be committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog or was teasing, tormenting, abusing, or assaulting the dog or was committing or attempting to commit a crime. No dog shall be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack.

(b) The animal control officer or his designee may declare a dog as vicious or dangerous as set forth in the above definition with supporting evidence from witnesses, police, or other municipal or government employees, repeated police reports of vicious or dangerous acts or behavior, or one-on-one observation of the dog in question.

Once a dog has been declared as vicious, the animal control officer shall place one (1) or more of the following restrictions on the dog and its owner:

- (1) The dog will have to be registered with the animal control division of the police department as a vicious or dangerous dog.
  - (2) The dog must be micro-chipped and the microchip must be activated with the microchip company and registered to the dog's licensed owner.
  - (3) Beware of dog signs shall be posted up on the residence where the dog resides. Signs shall be posted in a manner as to be highly visible to the public from a street side view at all angles.
  - (4) The dog must be muzzled at all times when not inside the residence.
  - (5) The dog will not be left outside unattended, whether tethered or in a fenced-in backyard.
  - (6) The dog will be confined in a manner where it will not have access to children.
- (Res. No. 32686-2, 4-23-14)

**Secs. 6-28—6-35. Reserved.**

### **ARTICLE III. PIGEONS**

**Sec. 6-36. Control; trapping permits; disposition.**

(a) The health department is authorized to approve permits for the purpose of trapping pigeons as a control and public health measure.

