

*Amendments to the Code of General Ordinances, Section 7 (ANIMALS):
Regarding Dangerous or Vicious Dogs, Breeders' Permits,
Parvovirus Vaccinations, and Dog Leashes.*

WHEREAS: in order to improve public safety, the New Haven Board of Alders has, from time to time, considered the enactment of an ordinance concerning dangerous or vicious dogs; and

WHEREAS: in 2016 the Public Safety Committee began working toward a revision of the city animals ordinance, conducting, at the behest of the 29th Ward Alder, a series of meetings and workshops on “best practices for addressing issues related to dog bites, vicious dogs, and the related responsibilities of dog owners;” and

WHEREAS: the Public Safety Committee collaborated with the city’s police and fire chiefs, its animal control officer, and director of public safety communications to produce proposed revisions to the Code of General Ordinances concerning dangerous or vicious dogs, along with breeders’ permits, parvovirus vaccinations, and dog leashes; and

WHEREAS: the Public Safety Committee worked with public-safety managers to produce a new protocol for how personnel from police, fire and public safety communication respond to emergency calls involving animals.

NOW THEREFORE, BE IT ORDAINED by the Board of Alders of the City of New Haven that **Section 7 (ANIMALS)** of the Code of General Ordinances is hereby amended as follows.

BE IT FURTHER ORDAINED that except as herein amended the Code of General Ordinances shall remain in full force and effect.

BE IT FURTHER ORDAINED that these amendments shall take immediate effect upon passage, subject to the requirements of Section 41 of the Charter of the City of New Haven.

Revised New Haven Animal Ordinance

(New language in red)

(Deletions in ~~striketrough~~)

(Remarks in blue)

Chapter 7 – Animals

Sec. 7-1. - Definitions.

For the purposes of this chapter, the following terms shall have the following meanings:

(a) *Animal* means any brute creature including, but not limited to, male and female dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles. It shall also include quadrupeds and amphibians.

(b) *Animal* control officer means any such officer appointed under the provisions of Conn. General Statutes section 22-331, as amended from time to time, and his/her assistants.

(c) At large means off the owner's premises; and not under the control of the owner, a member of his/her immediate family, or the owner's authorized representative by six foot or less leash, ~~cord or chain~~ of sufficient strength to maintain the *animal*. [This is apparently the old leash law but it is not very easy to find. New section 7-4d (below) makes the requirement more apparent and detailed. Should leash be defined?]

(d) Farm *animal* means any *animal* or fowl kept or harbored for the production of food, breeding, transportation or pelts. It shall include, but not be limited to, male and female horses, mules, donkeys, goats, pigs, cattle, sheep, raccoons, mink, chickens, roosters, ducks, geese, pheasants, game hens, turkeys and pigeons.

(e) Owner means any person, firm, association, or corporation owning, keeping or harboring an *animal*.

(f) Wild *animal* means any mammal which is *ferae naturae* or wild by nature. It shall include, but not be limited to, male and female snakes, alligators, raccoons, other large or dangerous reptiles, tigers, lions, monkeys, apes, bears, large or dangerous birds, large or dangerous fish, deer, elk, moose and antelope.

Dangerous or vicious dogs means dogs that have attacked, bitten, or otherwise injured humans without provocation, or dogs that present an unacceptably high risk of causing serious injury, even before causing any such injury. Snarling, showing of teeth, and lunging without provocation can be considered signs of unacceptable high-risk behavior.

(Ord. of 1-3-77; Code of 1985, § 7-1; Ord. of 12-7-87, § 1; Ord. of 7-10-95, § 1; Ord. No. 1400, 1-3-06)

Sec. 7-2. - Unlawful possession of potentially dangerous **wild animals**.

Unless otherwise authorized, no person shall possess a potentially dangerous *animal*, **such as a bear, alligator or monkey**, as defined in Conn. General Statutes section 26-40a as amended from time to time. Any such *animal* illegally possessed may be seized and disposed of as determined by the Commissioner of Environmental Protection, or other lawfully authorized federal, state or municipal authority. Any person who violates this provision shall be fined up to the maximum amount authorized by state statutes or this Code. Each day's continued possession shall be a separate and distinct offense.

(Ord. No. 1400, 1-3-06)

Sec. 7-3. - Cruelty to *animals*.

(a) Pursuant to Conn. General Statutes section 53-247, as amended from time to time, and unless otherwise exempted, any person who overdrives, drives when overloaded, overworks, tortures, deprives of necessary sustenance, mutilates or cruelly beats or kills or unjustifiably injures any *animal*, or who, having impounded or confined any *animal*, fails to give proper care to such *animal*, or neglects to cage or restrain any such *animal* from doing injury to itself or to another *animal*, or fails to supply any such *animal* with wholesome air, food and water, or unjustifiably administers any poisonous or noxious drug or substance to any domestic *animal*, or unjustifiably exposes to any such drug or substance, with intent that the same shall be taken by an *animal*, or causes it to be done, or, having charge or custody of any *animal* inflicts cruelty upon it, or fails to provide it with proper food, drink or protection from the weather, or abandons it, or carries it or causes it to be carried in a cruel manner, or fights with or baits, harasses or worries any *animal* for the purpose of making it perform for amusement, diversion or exhibition, shall be fined up to the maximum amount authorized by state statutes or this Code per day per offense.

(b) Any person who knowingly (1) owns, possesses, keeps or trains an *animal* engaged in an exhibition of fighting for amusement or gain, (2) possesses, keeps or trains an *animal* with the intent that it be so engaged, (3) permits an act described in subdivision (1) or (2) of this subsection to take place on premises under his/her control, (4) acts as judge or spectator at an exhibition of *animal* fighting for amusement or gain, or (5) bets or wagers on the outcome of an exhibition of *animal* fighting for amusement or gain, shall be fined up to the maximum amount authorized by state statutes or this Code per offense.

(c) No person shall commit any other action of cruelty against an *animal* as proscribed by Conn. General Statutes section 53-247, as amended from time to time, or other federal, state or local law or regulation. Failure to comply with this subsection shall result in a fine up to the maximum amount authorized by state statutes or this Code per day per offense.

(Code of 1985, § 7-2.2; Ord. of 7-10-95, § 3; Ord. No. 1400, 1-3-06)

Sec. 7-4. - *Animals* not to be permitted at large; **leashes required for dogs**; fouling of public places; removal of feces.

(a) No person shall allow any *animal* under his/her control to deposit feces on any public place, including, but not limited to, a sidewalk, street, gutter, park, playground, beach or footpath of the city.

(b) Any person having control of an *animal* shall not appear with it at any public place, including, but not limited to, a sidewalk, street, gutter, park, playground, beach or footpath of the city without the means of removal of any feces left by such *animal*. For the purposes of this section, the means of removal shall be any tool, implement, or other device carried for the purpose of picking up and containing such unexposed feces.

(c) If any *animal* deposits feces, the person having control of such *animal* shall remove the feces immediately from any public place including, but not limited to, a sidewalk, street, gutter, park, playground, beach or footpath of the city, and dispose of said feces in the manner prescribed by health department regulations.

(d) **It shall be unlawful for the owner or keeper of any dog to fail to keep that dog under restraint with a leash or to permit any dog to run at large upon the streets and public ways of the city or upon property other than that of the owner or keeper and designated dog parks. Leashes may be no longer than six feet, including extendable leashes. Dogs being used by public safety personnel for official purposes shall not be required to be on a leash. [Should designated dog parks be defined? Is this clear enough, so the leash law would not be applied to when people have their dogs inside dog parks?]**

(d) The provisions of this section shall not apply to a trained and educated, **duly certified service dog guiding the blind or guiding other physically disabled persons.** ~~or guide dog accompanying any blind or mobility impaired person.~~

(e) Any person violating this section shall be subject to a fine up to the maximum amount authorized by state statutes or this Code per offense.

(Ord. of 1-3-77; Code of 1985, § 7-3; Ord. of 2-17-87; Ord. No. 1400, 1-3-06)

Sec. 7-5. - Keeping nuisance *animals*; *animals* roaming at large; penalty for violations.

(a) No person shall keep, harbor, or cause to be kept or harbored, any *animal* in any place or manner within the city so as to cause a nuisance by reason of such *animal's* vicious disposition or other disturbance. Any *animal* that disturbs the peace and quiet of neighbors or the public in any way is deemed to be a nuisance.

(b) No person having custody of any *animal* shall permit it to roam at large. Such action is deemed to be a nuisance, and a danger to the public health and safety.

(c) Any person who violates this section shall be guilty of an offense, and on conviction shall be punished by a fine up to the maximum amount authorized by state statutes or this Code.

(Code of 1985, § 7-2.1; Ord. of 12-7-87, § 2; Ord. of 7-10-95, § 2; Ord. No. 1400, 1-3-06)

Sec. 7-6. - Dog licenses, fees.

(a) Pursuant to Conn. General Statutes section 22-338, as amended from time to time, and unless otherwise exempted, each owner or keeper of a dog that is kept in the city must obtain a license for it at the city clerk's office if the dog is six (6) months or older. Such license must be obtained on or before June 30, annually, or at such time as such dog becomes six (6) months old, and annually thereafter, on or before June 30. The owner or keeper shall pay a license fee for each dog as required under state or local laws. Additionally, the owner or keeper of said dog must pay a fee for the city clerk's issuance of a tag and license as provided in Conn. General Statutes section 22-340, as amended from time to time, or other amount required by state or local law. A certain sum from each license fee collected for a neutered or spayed dog shall be deposited into the *animal* population control fund. 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, the city clerk's fee, and a penalty for each month or fraction thereof that the dog remains unlicensed.

(b) Any owner or keeper applying for a license for a dog under subsection (a) of this section shall submit to the city clerk a rabies certificate signed by a 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.

Parvovirus required vaccination for all dogs.

Effective July 1, 2019, all dogs that are to be licensed within the City of New Haven, per section 22-338 of the Connecticut General Statutes, shall be vaccinated against the parvovirus in addition to receiving 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 vaccinations, and the duration of the immunity provided by the vaccines. 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)~~ fifty dollars (\$50.00) which shall be enforced by the animal control division of the New Haven police department.

(Ord. No. 1400, 1-3-06)

Sec. 7-7. - Licenses; city clerk.

(a) Pursuant to Conn. General Statutes section 22-340, as amended from time to time, the city clerk shall provide a license and tag to each person licensing a dog in the city. The license shall be set forth on a form prescribed by the Commissioner of Agriculture and Consumer Protection, and contain a description of the dog, and the number under which such dog is licensed. The city clerk shall issue a tag or plate of material prescribed by the commissioner, containing the city's name, the license number and the year of license. The city clerk shall not issue a 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 him/her a certificate from a licensed veterinarian stating that such veterinarian has neutered or spayed the dog, or that after examining the dog, he/she finds that the dog has been neutered or spayed.

(b) The city clerk shall provide a mailing system regarding the issuance and renewal of licenses issued under Conn. General Statutes sections 22-338 and 22-339 as each is amended from time to time. He/she may make applications for such licenses available at such facilities as kennels, pet stores, veterinarian offices, humane society offices and pet grooming establishments.

(c) Pursuant to Conn. General Statutes section 22-341, as amended from time to time, each owner or keeper of a licensed dog shall keep the aforesaid tag or plate attached to a collar or harness of suitable material around the dog's neck or body. If any such tag or plate is lost, the owner or keeper of such dog shall immediately secure a substitute tag or plate from the city clerk upon payment of the authorized amount.

(Ord. No. 1400, 1-3-06)

Sec. 7-8. - Municipal *animal* control officers; assistants.

Pursuant to Conn. General Statutes section 22-331, as amended from time to time, the chief of police or his/her designee shall appoint a full-time *animal* control officer, and such assistants as are deemed necessary to administer and enforce the laws relating to dogs or other domestic *animals*. Such officer and assistants shall have such qualifications as the Commissioner of Agriculture and Consumer Protection may prescribe, and shall serve for a term of at least one (1) year.

(Ord. No. 1400, 1-3-06)

Sec. 7-9. - Unlicensed dogs—Regulations; impoundment.

Pursuant to Conn. General Statutes section 22-349, as amended from time to time, on or before July 1 of each year, the city clerk shall provide the city's *animal* control officer with a copy of each dog license issued by such clerk. The *animal* control officer shall thereupon

make diligent search for any unlicensed dog that state law requires to be licensed. If the owner of such unlicensed dog is not known, the *animal* control officer shall impound such dog. The owning or keeping of an unlicensed dog, and the failure to purchase a license and pay the advertising and redemption fee within one hundred twenty (120) hours from the time the dog was impounded, shall be an offense, and the offender may be subject to a fine up to the maximum amount authorized by state statutes or this Code.

(Ord. No. 1400, 1-3-06)

Sec. 7-10. - Dangerous dogs, cats, wild or farm *animals*.

ACTIVE SITUATIONS INVOLVING DANGEROUS OR VICIOUS *ANIMALS*

If any *animal* is found acting in a dangerous, fierce or vicious manner, and a police officer believes that such *animal* presents a clear and present danger to the public's general health and welfare, and an *animal* control officer cannot safely capture and impound it, such officer, or any other **duly** authorized person may slay it.

CLASSIFICATION OF DANGEROUS OR VICIOUS DOGS

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, including but not limited to police reports of dangerous or vicious acts or behavior, or one-on-one observation of the dog in question.

Any dog that has bitten or otherwise attacked a human or has behaved so as to impose a threat of imminent bodily harm by high risk behavior towards a human who is conducting himself or herself peacefully and lawfully shall be prima facie presumed dangerous or vicious. No dog shall be declared vicious if any injury or damage caused by a dog is sustained by a person who, at the time of the injury, (1) was found to be committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog, or (2) was teasing, tormenting, abusing, or assaulting the dog, or (3) was committing or attempting to commit a crime. No dog shall be declared vicious if the dog was protecting or defending a human within the immediate vicinity of the dog from an unjustified attack.

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

- (1) The dog must be registered with the animal control division of the New Haven police department as a dangerous or vicious dog.
- (2) The dog must be microchipped and the microchip must be activated with the relevant microchip company and registered to the dog's licensed owner.
- (3) "Beware of dog" signs shall be posted on the residence where the dog resides. Signs shall be posted in a manner as to be highly visible to the public from the street, at all angles.

(4) The dog must be muzzled at all times when not inside the residence.

(5) The dog shall not be left outside unattended, ~~whether~~ even when tethered or in a fenced-in yard.

(6) The dog shall be confined in a manner where it will not have access to children. [Does children now need to be defined?]

(Ord. of 1-3-77; Code of 1985, § 7-6; Ord. of 12-7-87, § 3; Ord. No. 1400, 1-3-06)

Sec. 7-11. - Seizure of abandoned or abused *animals*.

Pursuant to Conn. General Statutes section 22-329, as amended from time to time, the Commissioner of Agriculture and Consumer Protection, the chief *animal* control officer, any *animal* control officer, or any law enforcement officer may interfere to prevent any act of cruelty upon any *animal*, and any person who interferes with, obstructs or resists the commissioner, or any such officer in the discharge of his/her duty, shall be fined up to the maximum amount authorized by state statutes or this Code.

(1) Pursuant to Conn. General Statutes section 22-329a, as amended from time to time, the chief *animal* control officer or any *animal* control officer may lawfully take charge of any *animal* found neglected or cruelly treated in violation of federal, state or local law, and shall thereupon proceed as provided in subsection (2) of this section, except that if in the opinion of a licensed veterinarian 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.

(2) Such officer shall file a verified petition with the Superior Court for the Judicial District of New Haven. The petition shall plainly state such facts as to bring such *animal* within the jurisdiction of the court, and pray for appropriate action by the court in accordance with the provisions this section's provisions.

(Code of 1985, § 7-2.3; Ord. of 7-10-95, § 4; Ord. No. 1400, 1-3-06)

Sec. 7-12. - Impounding.

(a) Pursuant to Conn. General Statutes section 22-332, as amended from time to time, the chief *animal* control officer or any *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 federal, state or local law, (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 city's *animal* shelter 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 city's *animal* control officer may cause the dog to be mercifully killed by a licensed veterinarian, or disposed of as the state veterinarian may direct. The *animal* control officer shall make a complete registry pertaining to the impounded dog, entering its breed, color and sex, and indicate whether it is licensed. If licensed, he/she shall enter the owner's name and address, and the number of the license tag. Licensed *animals* shall be kept separated from unlicensed *animals* whenever possible.

(b) Pursuant to Conn. General Statutes section 22-332d, as amended from time to time, any city *animal* control officer may take into custody any cat found to be damaging property other than that 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 city's *animal* shelter 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 *animal* control officer may cause the cat to be mercifully killed by a licensed veterinarian, or disposed of as the state veterinarian may direct.

(c) The *animal* control officer is authorized to take any other *animal* that is found to be roaming, abandoned or abused, and impound it in accordance with the directives of this section.

(Ord. of 1-3-77; Code of 1985, § 7-3; Ord. of 12-7-87, § 3; Ord. No. 1400, 1-3-06)

Sec. 7-13. - Notice to owner; impoundment fees.

(a) The *animal* control officer shall notify an identified owner of his/her *animal's* impoundment. Such notice shall be given no later than twenty-four (24) hours after the impoundment. If such owner is unknown, the officer shall employ means of identifying the *animal*, and promptly cause a description of it to be published once in the lost and found column of a newspaper having general circulation in the city by describing the impounded *animal* and the place and time of taking. The impounded *animal's* owner shall redeem it in the lawfully prescribed manner.

(b) Pursuant to Conn. General Statutes section 22-333, as amended from time to time, an owner or keeper of an impounded *animal* may redeem it upon proper identification, and payment of a legally imposed redemption fee, and a per diem fee for each day that the *animal* has been impounded. When the impounded *animal* is a dog, the owner or keeper must present a license and tag for such *animal* to the *animal* control officer. Additionally, the owner or keeper must also pay advertising costs when newspaper publication was provided. The *animal* control officer's written order must be rendered before the release of an impounded

animal that has done damage in violation of Conn. General Statutes section 22-355 as amended from time to time.

(c) When the owner or keeper of an impounded *animal* fails to redeem it within twenty-four (24) hours after receiving notice to do so, or within twenty-four (24) hours after newspaper publication of such notice, the owner or keeper shall pay the full cost of the *animal's* detention and care besides the aforementioned costs.

(d) Any owner or keeper of an *animal* who fails to redeem it within one hundred twenty (120) hours after receiving notification to do so shall have committed an offense subject to a fine up to the maximum amount authorized by state statutes or this Code. Each day that the owner or keeper has not redeemed the *animal* shall constitute a separate offense. All other fees and fines, if any, shall remain in effect.

(Ord. of 1-3-77; Code of 1985, § 7-4; Ord. of 12-7-87, § 3; Ord. of 3-7-88; Ord. of 7-10-95, § 5; Ord. of 5-24-99; Ord. No. 1400, 1-3-06)

Sec. 7-14. - Unclaimed or infected dogs, cats, wild or farm *animals*.

(a) Pursuant to Conn. General Statutes section 22-332, as amended from time to time, if an impounded *animal's* owner or keeper does not redeem it within seven (7) days of such notice of the impoundment, and the *animal* control officer finds that it is in satisfactory health, he/she may have a licensed veterinarian spay or neuter such *animal*, and sell it to any person who satisfies such officer that he/she is purchasing it as a pet, and that he/she can give it a good home and proper care. The *animal* control officer may retain possession of such *animal* for such additional period of time as he/she may deem advisable in order to place it as a pet, and may have a licensed veterinarian spay or neuter it.

(b) Pursuant to Conn. General Statutes section 22-380f, as amended from time to time, and unless otherwise provided, the *animal* shelter shall not sell or give away any unspayed or unneutered dog or cat to any person unless the person buying or adopting such *animal* provides a lawfully authorized amount to such shelter. The city shall apply all funds received pursuant to this section into the *animal* population control account established under Conn. General Statutes section 22-380g as amended from time to time. Upon receiving such payment, the *animal* shelter shall provide a voucher for the purpose of sterilization and vaccination benefits to the person buying or adopting such *animal*. Such voucher shall be on a form provided by the Commissioner and signed by the eligible owner. Such voucher shall become void after sixty (60) days from the date of adoption unless a participating veterinarian certifies that the dog or cat is medically unfit for surgery. Such certification shall be on a form provided by the Commissioner, and specify a date by which such dog or cat may be fit for sterilization. If the surgery is performed more than thirty (30) days after such specified date, the voucher shall become void. In the case of a dog or cat that has been previously sterilized, or is permanently medically unfit for sterilization as determined by a

participating veterinarian, the voucher shall be void, and the eligible owner may apply to the Commissioner of Agriculture and Consumer Protection for a refund.

(c) Pursuant to Conn. General Statutes section 22-332, as amended from time to time, if, within such period any *animal* is not claimed by and released to the owner or keeper or purchased as a pet, the *animal* control 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.

(Ord. of 1-3-77; Ord. of 12-7-87, § 3; Code of 1985, § 7-5; Ord. No. 1400, 1-3-06)

Sec. 7-15. - Penalties.

Except as otherwise specified, any person, firm, association or corporation violating any provision of this chapter shall be fined, upon conviction, up to the maximum amount authorized by state statutes or this Code per day per offense.

(Ord. of 1-3-77; Code of 1985, § 7-7; Ord. of 7-10-95, § 6; Ord. No. 1400, 1-3-06)

Sec. 7-16. - Severability.

If any section, subsection, sentence or portion of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this chapter.

(Code of 1985, § 7-7.1; Ord. of 7-10-95, § 7; Ord. No. 1400, 1-3-06)

Sec. 7-17. - Humane commission.

(a) Appointment. There is hereby created a humane commission consisting of seven (7) members appointed by the mayor and approved by the board of aldermen. No more than five (5) of these members shall be affiliated with one (1) political party. All such members shall be, and shall during their term of office remain, residents of the City of New Haven. Three (3) of the members first appointed shall serve for one (1) year, two (2) shall serve for two (2) years, and two (2) shall serve for three (3) years. Upon the expiration of such initial terms, members shall be appointed to serve three (3) year terms. Any vacancy shall be filled for the remainder of the unexpired term. Each member shall serve until his/her successor is appointed and has qualified. Members shall serve without compensation, but may be reimbursed for necessary expenses incurred in the performance of their official duties. The members shall elect from among their numbers a chairperson who shall serve for a term of one (1) year. All actions taken by the board shall be by majority vote, with four (4) members constituting a quorum.

(b) Powers and duties. The humane commission shall have the power to adopt such rules and regulations, not inconsistent with the state statutes, the city charter or other ordinances, as in its judgment are required for the operation of the *animal* shelter and related activities, and for the proper care and treatment of *animals* within the city limits. Such rules and regulations shall have the same force and effect as city ordinances, and shall be enforced in the same manner after being published at least four (4) times in a newspaper printed and circulated in the city.

(c) Chief of police. The chief of police or his/her designee shall be secretary (ex-officio) to the humane commission, and shall attend its meetings. The chief shall keep the humane commission apprised of the activities of the *animal* shelter, and shall render an annual report to the commission and to the mayor on or before March 1 of each succeeding year. Subject to the approval of the humane commission, and in accordance with those articles of the city charter pertaining to personnel, the chief of police shall appoint and remove employees of the *animal* shelter, and shall be responsible for their efficiency, discipline and good conduct. The chief of police shall annually prepare a budget for the *animal* shelter activity, subject to review and approval of the humane commission. The chief of police shall be responsible for the care and custody of all property, including materials, supplies and equipment used by the *animal* shelter activity.

(d) Authority to accept grants, gifts of property. The humane commission is authorized and empowered to accept, receive and administer any and all grants or gifts from any source, public or private, including without limitation the municipal government, state government, federal government, and any devises, legacies or gifts of real or personal property for the purpose of carrying out its power and activities under this section. Any such funds, and any bonds, mortgages and securities so donated shall be deposited with the city controller, and held by him/her in a special account established for the humane commission's activities.

The controller shall give bond for the safekeeping thereof; provided that the humane commission, or any trustee so designated by a donor thereof, may administer any funds or property donated in trust, and in such case the humane commission or other trustee so designated shall have all the powers accorded to fiduciaries under state law.

(e) Budget and funds. The budget and funds for the humane commission and for the *animal* shelter, its facilities, employees, programs, materials, supplies and other related items, shall be within the jurisdiction of the department of police services.

(Ord. of 3-26-80, sects. 1-4; Code of 1985, § 7-8; Ord. of 5-28-91; Ord. of 10-19-92; Ord. No. 1400, 1-3-06)

Breeders permit required.

(a) Effective July 1, 2019, anyone wanting to breed their dog(s) within the City of New Haven must obtain a breeding permit from the animal control division of the New Haven police department prior to breeding their dogs. No person, as principal, agent, employee or

otherwise, shall breed any dog, ~~cat or other animal~~ [or do you want breeding permits to apply to all animals] at any place within the city without a breeder's 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 New Haven police department.

(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 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 New Haven 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 or dogs that the application identifies as being used for breeding must be microchipped.

(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 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.

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

Inspection of premises to be used for breeding purposes.

(a) The animal control officer or his or her designee ~~may~~ shall 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 or her 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 or her representative is present.

(b) If the applicant refuses to allow the animal control officer or his or her 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.

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 of the New Haven police department for a litter permit before the dogs are bred. A litter permit application shall be accompanied by a litter permit fee in the amount of twenty-five dollars (\$25.00). A litter permit shall 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 microchipped.

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~~ the preceding sections shall be impounded and held at the New Haven animal shelter or another suitable boarding facility until any applicable licenses are issued or the applicable fines have been paid. The owner or keeper of the involved dog shall be subject to a fine of two hundred fifty dollars (\$250.00) or the state maximum fine whichever is higher and shall be responsible for all boarding fees while the dog is impounded at the New Haven animal shelter.

(2) Each person who breeds a litter of puppies without a litter permit in violation of the preceding sections 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.