



- October 16, 2014 Meeting Minutes
  - On the motion of Committee Member DelBianco, Seconded by Committee Member Calabrese, the Dog Advisory Committee Voted Unanimously to ADD to the Agenda and APPROVE the Aforementioned Meeting Minutes

NOTICE: December meeting is cancelled due to lack of a quorum; next meeting will be January 15, 2015

- ADJOURNED @ 7:35 P.M.

## RESOLUTION

Item #32686 - 2 RE:

To Her Honor, the Mayor, and the Common Council of the City of New Britain: the undersigned beg leave to recommend the adoption of the following:

**Resolution Summary:** INTENT AND PURPOSE. To amend Section 6-18 to increase the fine for roaming dogs and to add Sections 6-22, 6-23, 6-24, 6-25, 6-26 and 6-27 to the Code of Ordinances to require parvovirus vaccinations for all dogs, to require breeding permits, to allow for inspection of premises with breeding permits, to require litter permits and to define vicious and dangerous dogs.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NEW BRITAIN that Chapter 6, Article I. of the Code of Ordinances, City of New Britain, be amended as follows (inserted text appears in underline; deleted text appears in ~~strikethrough~~; new sections begin with the word [new]):

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).

**[NEW] Section 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 CGS 22-338 shall have their dogs vaccinated against the Parvovirus in addition to the state mandated Rabies vaccination per CGS 22-339b. 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

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~~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. 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. \$99 fine~~

**[NEW] Section 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) set forth in the City's schedule of fees and charges 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.

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(f) The department may deny any application for a breeding permit if it finds that one 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 months.

**[NEW] Section 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 weeks of its initial attempt, the application shall be denied.

1. Up to one year after issuing the breeding permit, the Animal Control officer or his designee shall have the option, on one 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 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.

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**[NEW] Section 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) set forth in the city schedule of fees and charges. 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 litter permits will be issued to breeding permit holders within a years' time unless the permit holder also holds a kennel license under CGS 22-342.

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

**[NEW] Section 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 ordinance 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 in-addition, a fine of \$20.00 shall be imposed for each puppy in the litter that the illegal breeding has produced.

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.

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**[NEW] Section 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 behaviour. 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 behaviour 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 behaviour, 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 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 town clerk as a vicious or dangerous dog.

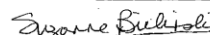
2. The dog must be micro chipped and the microchip must be activated with the microchip company and registered to the dog's licensed owner.


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.

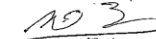
6. The dog will be confined in a manner where it will not have access to children.

  
Suzanne Bielinski

  
Robert Smedley

  
Alderman Wilfredo Pabon

  
Alderwoman Eva Maghuszewski

  
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