



General Assembly

January Session, 2007

**Raised Bill No. 1080**

LCO No. 3753

\*03753\_\_\_\_\_ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

**AN ACT CONCERNING THE IMPOUNDMENT OF ROAMING LIVESTOCK AND FLIGHTLESS BIRDS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-332 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) The Chief Animal Control Officer, any animal control officer or  
4 any municipal animal control officer shall be responsible for the  
5 enforcement of this chapter and shall make diligent search and inquiry  
6 for any violation of any of its provisions. Any such officer may take  
7 into custody (1) any dog found roaming in violation of the provisions  
8 of section 22-364, (2) any dog not having a tag or plate on a collar about  
9 its neck or on a harness on its body as provided by law or which is not  
10 confined or controlled in accordance with the provisions of any order  
11 or regulation relating to rabies issued by the commissioner in  
12 accordance with the provisions of this chapter, or (3) any dog found  
13 injured on any highway, neglected, abandoned or cruelly treated. The  
14 officer shall impound such dog at the pound serving the town where  
15 the dog is taken unless, in the opinion of a licensed veterinarian, the  
16 dog is so injured or diseased that it should be destroyed immediately,

17 in which case the municipal animal control officer of such town may  
18 cause the dog to be mercifully killed by a licensed veterinarian or  
19 disposed of as the State Veterinarian may direct. The municipal animal  
20 control officer shall immediately notify the owner or keeper of any dog  
21 so taken, if known, of its impoundment. [Such officer shall  
22 immediately notify the owner or keeper of any other animal which is  
23 taken into custody, if such owner or keeper is known.] If the owner or  
24 keeper of any such dog [or other animal] is unknown, the officer shall  
25 immediately tag or employ such other suitable means of identification  
26 of the dog [or other animal] as may be approved by the Chief Animal  
27 Control Officer and shall promptly cause a description of such dog [or  
28 other animal] to be published once in the lost and found column of a  
29 newspaper having a circulation in such town.

30 (b) If such dog [or other animal] is not claimed by and released to  
31 the owner within seven days after the date of publication, the  
32 municipal animal control officer, upon finding such dog [or other  
33 animal] to be in satisfactory health, may have a licensed veterinarian  
34 spay or neuter such dog and sell such dog [or other animal] to any  
35 person who satisfies such officer that he or she is purchasing it as a pet  
36 and that he or she can give it a good home and proper care. The  
37 municipal animal control officer may retain possession of such dog [or  
38 other animal] for such additional period of time as he or she may deem  
39 advisable in order to place such dog [or other animal] as a pet and may  
40 have a licensed veterinarian spay or neuter such dog. If, within such  
41 period, any dog [or other animal] is not claimed by and released to the  
42 owner or keeper or purchased as a pet, the officer shall cause such dog  
43 [or other animal] to be mercifully killed by a licensed veterinarian or  
44 disposed of as the State Veterinarian may direct. Any veterinarian who  
45 so destroys a dog shall be paid from the dog fund account. No person  
46 who so destroys a dog [or other animal] shall be held criminally or  
47 civilly liable therefor nor shall any licensed veterinarian who spays or  
48 neuters a dog pursuant to this section be held civilly liable, including,  
49 but not limited to, liability for reconstructive neutical implantation  
50 surgery.

51 (c) The town treasurer or other fiscal officer shall pay from the dog  
52 fund account the advertising expense incurred under the provisions of  
53 this section upon receipt of an itemized statement together with a copy  
54 of the advertisement as published. Any person who purchases a dog as  
55 a pet shall pay a fee of five dollars and procure a license and tag for  
56 such dog from the town clerk, in accordance with the provisions of  
57 section 22-338.

58 (d) The Chief Animal Control Officer, any animal control officer or  
59 any municipal animal control officer may take into custody any  
60 livestock, as defined in section 22-278, or ratite, whose presence on any  
61 highway or public property poses a threat to public safety or whose  
62 presence on property other than the property of its owner or keeper  
63 creates a threat to public safety or threat to other animals or property.  
64 Such officer may impound such animal at the pound serving the town  
65 where the animal was taken into custody or at any other suitable  
66 facility, as determined by the commissioner. The municipal animal  
67 control officer shall immediately notify the owner or keeper, if known,  
68 of the impoundment of any livestock or ratite so taken. If the owner or  
69 keeper of any such livestock or ratite is unknown, the officer shall  
70 immediately tag or employ such other suitable means of identification  
71 of the livestock or ratite as may be approved by the Chief Animal  
72 Control Officer and shall promptly cause a description of such  
73 livestock or ratite to be published once in the lost and found column of  
74 a newspaper having a circulation in town where the animal was taken  
75 into custody.

76 (e) The Chief Animal Control Officer, any animal control officer or  
77 any municipal animal control officer may fine the owner or keeper of  
78 livestock or a ratite taken into custody under subsection (d) of this  
79 section or whose presence on any highway or public property poses a  
80 threat to public safety or whose presence on property other than the  
81 property of its owner or keeper creates a threat to public safety or  
82 threat to other animals or property sixty dollars for the first offense,  
83 two hundred fifty dollars for the second offense and five hundred

84 dollars for the third offense. The owner or keeper of livestock or a  
85 ratite taken into custody pursuant to subsection (d) of this section shall  
86 be liable for costs associated with the transportation and care of such  
87 livestock or ratite until such livestock or ratite is returned to such  
88 owner or keeper or disposed of pursuant to subsection (f) of this  
89 section.

90 (f) If such livestock or ratite is not claimed by and released to its  
91 owner or keeper not later than seven days after the date of publication  
92 pursuant to subsection (d) of this section, a municipal animal control  
93 officer, upon finding such livestock or ratite to be in satisfactory health,  
94 may sell such livestock or ratite or cause such livestock or ratite to be  
95 mercifully killed by a licensed veterinarian or disposed of as the State  
96 Veterinarian may direct. No veterinarian who mercifully kills livestock  
97 or a ratite pursuant to this subsection and no person who disposes of  
98 livestock or a ratite pursuant to this subsection shall be held criminally  
99 or civilly liable for such killing or disposal.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	22-332

**Statement of Purpose:**

To enable animal control officers to impound roaming livestock and certain flightless birds, to establish an owner and keeper notification process, to establish fines for noncompliance by such owners and keepers and to enable municipal animal control officers to dispose of such livestock and flightless birds, subject to certain conditions.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*