



General Assembly

February Session, 2018

Raised Bill No. 5355

LCO No. 1813



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT ESTABLISHING STANDARDS FOR THE ADEQUACY OF DOG SHELTER DURING EXTREME WEATHER CONDITIONS.

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

1 Section 1. Section 22-350a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2018*):

3 (a) No person shall tether a dog to a stationary object or to a mobile
4 device, including, but not limited to, a trolley or pulley by means of:
5 (1) A tether that does not allow such dog to walk at least eight feet,
6 excluding the length of such dog as measured from the tip of such
7 dog's nose to the base of such dog's tail, in any one direction, (2) a
8 tether that does not have swivels on both ends to prevent twisting and
9 tangling, unless a person is in the presence of such dog, (3) a coat
10 hanger, choke collar, prong-type collar, head halter or any other collar,
11 halter or device that is not specifically designed or properly fitted for
12 the restraint of such dog, (4) a tether that has weights attached or that
13 contains metal chain links more than one-quarter of an inch thick, [or]
14 (5) a tether that allows such dog to reach an object or hazard,
15 including, but not limited to, a window sill, edge of a pool, fence,

16 public road or highway, porch or terrace railing that poses a risk of
17 injury or strangulation to such dog if such dog walks into or jumps
18 over such object or hazard, unless a person is in the presence of such
19 dog, or (6) a tether that does not permit the dog continuous access to
20 water in a sanitary and liquid state whenever the dog is tethered for
21 more than fifteen minutes. The provisions of subdivisions (1) and (2) of
22 this subsection shall not be construed to apply to: (A) Any veterinary
23 practice licensed pursuant to section 20-197 that tethers a dog in the
24 course of such veterinary practice, (B) any exhibition, show, contest or
25 other temporary event in which the skill, breeding or stamina of such
26 dog is judged or examined, (C) any exhibition, class, training session or
27 other temporary event in which such dog is used in a lawful manner to
28 hunt a species of wildlife during the hunting season for such species of
29 wildlife or in which such dog receives training in a lawful manner to
30 hunt such species of wildlife, (D) the temporary tethering of a dog at
31 any camping or recreation area as expressly authorized by the
32 Commissioner of Energy and Environmental Protection, or (E) the
33 temporary tethering of a dog at a grooming facility in the course of
34 grooming such dog.

35 (b) No person shall: [tether] (1) Tether a dog outdoors to a stationary
36 object or to a mobile device, including, but not limited to, a trolley or a
37 pulley, [when] or (2) fail to provide a dog with continuous access to
38 adequate shelter when the dog is located in an area subject to a
39 weather advisory or warning [is] issued by local, state or federal
40 authorities or when [outdoor] there are environmental conditions,
41 including, but not limited to, [extreme] heat, cold, direct sunlight,
42 wind, rain, snow or hail, that a person should reasonably know pose
43 an adverse risk to the health or safety of such dog based on such dog's
44 [breed] size, age, [or] physical condition, or the thickness of the dog's
45 hair or fur unless tethering or lack of access to adequate shelter is for a
46 duration of not longer than fifteen minutes.

47 (c) Nothing in this section shall be construed to affect any protection
48 afforded to any dog pursuant to any other provision of the general
49 statutes, regulations of the Connecticut state agencies, local ordinance

50 or local regulation.

51 (d) Any person who confines or tethers a dog for an unreasonable
52 period of time or in violation of the provisions of subsection (a) or (b)
53 of this section shall be fined one hundred dollars for the first offense,
54 two hundred dollars for a second offense, and not less than two
55 hundred fifty dollars or more than five hundred dollars for a third or
56 subsequent offense.

57 (e) Notwithstanding the provisions of subsection (b) of this section,
58 adequate shelter need not be continuously provided to a dog when a
59 person is in the presence of the dog and exposed to the same adverse
60 environmental conditions as the dog at all times that the dog is
61 exposed to such adverse environmental conditions.

62 (f) For purposes of this section, "adequate shelter" means any
63 structure that meets the following standards and requirements:

64 (1) (A) It provides at all times (i) access to water in a sanitary and
65 liquid state, (ii) access to natural or artificial light according to a
66 regular cycle of day and night, (iii) space that enables the dog to
67 readily turn around in a full circle and lie down on the dog's side with
68 limbs outstretched, and (iv) when the dog is in a sitting position in
69 such shelter, the ceiling of such shelter does not touch the top of the
70 head of the dog;

71 (B) It is constructed and maintained in a manner to minimize the
72 accumulation of any waste, debris, precipitation and other moisture,
73 and mud inside, surrounding, above and underneath any such
74 structure;

75 (C) It is soundly constructed to prevent the sagging or collapse of
76 any part of the structure and is maintained in good repair with no
77 exposed sharp points or edges that could injure a dog;

78 (D) It remains in an upright position at all times;

79 (E) In the event of adverse cold weather environmental conditions,

80 it is an enclosed structure that has (i) a solid roof, solid walls with a
81 single opening that is not larger than necessary to allow the dog to
82 readily enter and exit the structure, and a floor that is raised off the
83 ground, and (ii) insulation, dry bedding, and a windbreak at the
84 entrance that are sufficient to keep the dog dry and maintain a normal
85 body temperature; and

86 (F) In the event of adverse hot weather environmental conditions,
87 including, but not limited to, direct sunlight or hot pavement, it
88 provides the dog with adequate shade or other cooling, by natural or
89 artificial means, to allow the dog to maintain a normal body
90 temperature.

91 (2) "Adequate shelter" includes any part of the residence of an
92 owner, or other person with custody or control, of a dog provided such
93 part, and the use thereof, meet the requirements of subdivision (1) of
94 this subsection.

95 (3) "Adequate shelter" does not include: (A) A crawl space under a
96 building or a part of a building, including, but not limited to, any area
97 under steps, a deck, or a stoop; (B) the space under a vehicle; (C) the
98 inside of a vehicle if the dog is kept in the vehicle in a manner or for a
99 length of time that a person should reasonably know poses an adverse
100 risk to the health or safety of the dog; or (D) any structure (i) made
101 from pressure-treated wood which contains the chemicals arsenic or
102 chromium, (ii) with a floor that consists of wire or chain-link, that has
103 openings through which a dog's paw can pass, that sags under a dog's
104 weight, or that a person should reasonably know poses a risk of injury
105 to a dog's paws, (iii) that is located outdoors and that is made from
106 cardboard or other materials that are easily degraded by the elements,
107 or (iv) that contains a supplemental heating mechanism that a person
108 should reasonably know poses a risk of fire.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	22-350a

Statement of Purpose:

To establish certain requirements for what constitutes adequate shelter for a dog during adverse weather 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.]