

Town of Windham Animal Control Ordinance

Animal Control's primary responsibility is the safety of all residents and animals within the Town of Windham limits and enforcement of local and state ordinances regarding animals including:

- ✓ Acting as an interface with other agencies dealing with dogs, cats, birds, and other domestic animals,
- ✓ Working with authorities to obtain emergency veterinary assistance for injured dogs and cats,
- ✓ Enforcing all Town ordinances pertaining to domestic animals,
- ✓ Patrolling problem areas in Town,
- ✓ Bite investigations,
- ✓ Cruelty investigations,
- ✓ Noise complaints,
- ✓ Rabies control

**** As permitted by G.S.S. 435 ****

Animal Control is committed to finding each animal in our care permanent and loving homes for each animal that passes a temperament test.

Adoptions:

Windham Animal Control will advertise adoptable pets on any available media resource. Each animal that comes into our care, whose owner is unknown, is advertised, by law, in the local newspaper, for one day, in the lost and found section; and after the seventh day has passed and no owner has come forward to claim the pet, Animal Control will determine if the animal would be suitable for adoption. Animal Control, in cooperation with pet non-profit groups, has an obligation to find the best possible home for the pet, provided that the pet is suitable for adoption. This obligation to the pet is in conjunction with what is best for the community. New owners are screened by Animal Control or designee to make sure proper care of the animal will take place. This may be done in cooperation with local pet groups. Making sure that both the new owner and pet are right for each other is our utmost goal.

Licensing:

DOGS

All dogs over the age of six months must be licensed each year.

Spayed or Neutered license \$8.00 (per Sec. 22-238 CGS)

Hobby Breeders license \$ 50 up to 10 dogs

- a. Dogs used for show or events, or registered with AKC or other recognized registry
- b. Dogs with kennel license

Commercial and Hobby Kennel License \$ 52 up to 10 dogs, \$ 104 over 10 dogs (per CGS)

- a. Required by CGS for any breeder who has more than 2 litters per year.
- b. Windham Zoning regulations state that anyone with 3 or more dogs, intact or not, must have a kennel license.

Home Breeders Fine \$ 100 per litter

- a. Dogs not used for show events, or not registered with AKC or other recognized registry

Intact license \$ 19 (per Sec. 22-238 CGS)

Surrender Fee: 50.00

CATS

Waivers may be permitted for caretakers of feral colonies or cat rescue, or on an individual basis.

Hobby Breeders license \$ 50 up to 10 cats

- a. Cats used for show or events, or registered with a recognized registry

Unaltered cat license \$ 65.00

Home Breeders Fine \$ 100 per litter

Surrender Fee: 50.00

There is a late fee of \$1.00 per month.

All dogs and cats 3 months and older MUST be vaccinated for Rabies

Proof of spay or neuter must be provided

All Licensing, fees and fines will be distributed into the Animal Care and Education Fund except for those amounts regulated to be paid to the State of Connecticut per CGS.

Town Ordinances:

Sec. 3-1 Roaming at large

- (a) No owner or keeper of any dog shall allow such dog to roam at large and shall at all times keep such dog under restraint either by leash or by keeping the dog in an enclosure or on the property of the owner. Any leash or enclosure shall be reasonably sufficient to so restrain the dog.
- (b) Impoundment of dogs at large: Any dog not controlled or confined as prescribed by the provisions of this section may be taken by police, dog warden or other proper authority.
- (c) Violation: Any person who violates any provision of this section shall be punished in accordance with section 1-7 CGS.
- (d) No owner or keeper of any cat/kitten shall allow such cat/kitten to roam at large if the cat or kitten is not spayed or altered. Any such owner or keeper who violates this section will be subject to a citation and a fine of ninety dollars by the animal control officer.

Municipal Authority to Regulate Animals at Running a Large, G.S. 7-148© (7) (O) (ii).

Sec. 3-2 Dog Fees

- (a) Dog fees for the town shall be charged for the following: Redemption from the pound; shelter and food; medical care by veterinarian; advertising lost dogs; roaming at large; leash law ordinance violation; and failure to have license on the dog.
- (b) Such fees are set, from time to time, by the board of selectman and a schedule of the fees is on file in the office of the town clerk.

Sec. 3-3 Removal of feces

- (a) It shall be unlawful for any person owning, keeping, walking or in control of any dog or other animal to allow or permit such animal to defecate upon any private property owned by another person, condominium common elements or public property, including, but not limited to, sidewalks, parks and school grounds unless such person shall remove all feces so deposited by such animal before leaving the immediate premises.
- (b) Any person walking or in control of any dog or other animal shall have in his/her possession proper equipment to scoop up the fecal debris. Failure to have such equipment shall be punishable by fine as herein specified.
- (c) The chief executive officer to the town or his/her designee, the chief of police or his/her designee, or the animal control officer or his/her designee shall enforce the enforcement of this section.
- (d) Any violation of this section shall be punishable by a fine of twenty-five dollars on the first offense, fifty dollars on the second offense, and ninety-nine dollars on the third offense and all offenses following.

Secs 3-4—3-9. Reserved.

Sec 3-10 Cats

- (a) No person shall own, harbor or keep a cat over the age of six- months, which has not been spayed or neutered, unless such person holds an unaltered cat license.
- (b) Any person intentionally providing care or sustenance for a cat shall be presumed to be the keeper and shall comply with this section. The Animal Control Officer for good cause shall make an exception. An example of good cause is a case of illegal dumping of one or more cats on a person's property.
- (c) Any owner of an unaltered cat who has been cited or fined by the animal control officer for failing to obtain a permit shall have his or her citation or fine dismissed if proof of altering in the form of an official neuter or spay certificate presented within 30 days of the issuance of the citation or the owner obtains the necessary unaltered cat license with 30 days of the issuance of the citation, providing that the animal has not reproduced.
- (d) Individuals who are aware of cat abandonment are encouraged to notify the animal control office of said event.
- (e) A person will not be subject to a penalty for having an unaltered animal on the premises if he-she is willing to surrender it to the animal control officer before the citation is issued. Notwithstanding the foregoing, the person shall pay a surrendering fee of fifty dollars.

Sec. 3-11 Penalties (all domestic animals)

- (a) Any person who violates this article shall be given notice of such violation. If such violation is not cured within 30 days of such notice, the animal control officer will issue a citation against such person. The penalty for violation of this article shall be ninety dollars, payable to the municipal Animal Care and Education Fund. If the violation is not corrected within thirty days the fine shall double and the animal control officer may issue, without further notice, additional citations for each day of the continuing violations, each of which shall be considered separate and distinct offenses. If the amount owed by one person for violations exceeds two hundred and fifty dollars, the animal control officer may file a notice or certificate of lien against the property of the person, which shall bear interest at the rate of 18% per annum until paid in full and may be foreclosed in the same manner as real property tax lien.
- (b) The animal control officer may, at his/her discretion, waive the citation and/or penalty for good cause or if the animal is surrendered. Examples of good cause would be if this were a case of illegal dumping of one or more cats onto a person's property.

- (c) The penalty shall not be waived if the person sells, transfers or abandons the cat/kitten.

Sec. 3-12 Hobby Breeders Permit/Unaltered Cat License: Administration

The Town Clerk shall administer a permit program to allow for unaltered animals over the age of six months. A person shall be issued a Permit/License when the following conditions have been met:

- (a) The annual fee will be paid at the time of application and upon each annual renewal.
- (b) The animal will be examined annually by a licensed veterinarian and shown to be following the wellness program recommended by the veterinarian.
- (c) The owner complies with any applicable local/state law concerning the care and housing of animals and has not been in violation of animal-related ordinances-laws in the past twenty-four months.
- (d) The owner furnishes the Town Clerk with a signed statement stating the owners compliance with the following conditions:
 - (1) Offspring of the unaltered animal will not be sold or adopted until they are at least eight weeks of age.
 - (2) Records will be kept documenting how many offspring were produced and who adopted or purchased them (name, address, phone number).
 - (3) Offspring must be immunized against common diseases.
 - (4) The seller/adopter must disclose the intact permit/license number in any advertisement.

Sec. 3-13 Persons owning animals in the care of the following organizations or meeting the following conditions are exempt from the provisions of this article:

- (a) Animal shelter and rescue organizations that have implemented an ongoing spay/neuter program.
- (b) Medical: A licensed veterinarian has determined that an animal is medically unsuited to undergo the surgical procedure and has signed a statement to that effect specifying the medical grounds for the exemption.
- (c) Temporary medical: The veterinarian may specify a temporary medical condition, including the prognosis of when the surgery may be performed, which shall become the expiration date of the temporary exemption.
- (d) Transitory status: An animal is temporarily in the Town to participate in a show or event sponsored by a nonprofit, sanctioned animal organization.
- (e) Any municipal official or employee acting in his or her official capacity.

Sec. 3-14 Animal Care and Education Fund

There is hereby established an Animal Care and Education Fund; in conjunction with Sec. 22-237 CGS (and any other operable state statute); that will be managed, except as provided herein, in accord with the ordinary procedures governing the Town's other funds. All fees and penalties collected under this provision shall be deposited into the fund. The fund will also accept private and public donations. The purpose of the fund shall be to offer help regarding animal care and education for town residents through town sanctioned events.

Additionally, the animal control officer shall maintain a current list of resources for reduced-price spay or neuter services for distribution to residents of the Town.

Sec. 3-15 Appeal

Any person issued a ticket for violating any of the provisions of this ordinance may appeal the fine to the Public Safety Committee or a Code Appeal Board of the Town. The decision of the Public Safety Committee or the Code Appeal Board will be final. Payment will be due one month from decision.

The penalties and remedies are cumulative, and nothing herein shall be construed to limit the authority of the officers or the Town under any other ordinance, law or statute, in equity or in law.

This ordinance shall be effective November 1, 2008.

This ordinance supercedes any and all other cat and dog ordinances.