

Sec. 22-332. Impoundment and disposition of roaming, injured or mistreated animals. Authority to spay or neuter unclaimed dog. Liability for provision of veterinary care to injured, sick or diseased impounded animal.

(a) The Chief Animal Control Officer, any animal control officer or any municipal 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 the provisions of section 22-364, (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 or other domestic animal found injured on any highway, neglected, abandoned or cruelly treated. The officer shall impound such dog or other domestic animal at the pound serving the town where the dog or other domestic animal is taken unless, in the opinion of a licensed veterinarian, the dog or other domestic animal is so injured or diseased that it should be destroyed immediately, in which case the municipal animal control officer of such town may cause the dog or other domestic animal to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. The municipal animal control officer shall immediately notify the owner or keeper of any dog or other domestic animal so taken, if known, of its impoundment. Such officer shall immediately notify the owner or keeper of any other domestic animal which is taken into custody, if such owner or keeper is known. If the owner or keeper of any such dog or other domestic animal is unknown, the officer shall immediately tag or employ such other suitable means of identification of the dog or other domestic animal as may be approved by the Chief Animal Control Officer and shall promptly cause (A) a description of such dog or other domestic animal to be published once in the lost and found column of a newspaper having a circulation in such town or that has a state-wide circulation, and (B) a photograph or description of such dog or other domestic animal and the date on which such dog or other domestic animal is no longer legally required to be impounded to be posted on a national pet adoption Internet web site or an Internet web site that is maintained or accessed by the animal control officer and that is accessible to the public through an Internet search, except such posting shall not be required if: (i) The dog or other domestic animal is held pending the resolution of civil or criminal litigation involving such dog or other domestic animal, (ii) the officer has a good faith belief that the dog or other domestic animal would be adopted by or transferred to a public or private nonprofit rescue organization for the purpose of placing such dog or other domestic animal in an adoptive home even in the absence of such posting, (iii) the dog or other domestic animal's safety will be placed at risk, or (iv) such animal control officer determines that such dog or other domestic animal is feral and not adoptable. If any animal control officer does not have the technological resources to post such

information on an Internet web site as required by subparagraph (B) of this subdivision, such officer may contact a public or private animal rescue organization and request that such organization post such information, at such organization's expense, on an Internet web site that is accessible to the public through an Internet search. To the extent practicable, any such posting by an animal control officer or a public or private animal rescue organization shall remain posted for the duration of such dog's or other domestic animal's impoundment in the municipal or regional dog pound.

(b) If such dog or other domestic animal is not claimed by and released to the owner within seven days after the date of publication, the municipal animal control officer, upon finding such dog or other domestic animal to be in satisfactory health, may have a licensed veterinarian spay or neuter such dog and sell such dog or other domestic animal to any person who satisfies such officer that such person is purchasing such dog or other domestic animal as a pet and that such person can give it a good home and proper care. The municipal animal control officer may retain possession of such dog or other domestic animal for such additional period of time as such animal control officer may deem advisable in order to place such dog or other domestic animal as a pet and may have a licensed veterinarian spay or neuter such dog. If, within such period, any dog or other domestic animal is not claimed by and released to the owner or keeper or purchased as a pet, the officer shall cause such dog or other domestic animal to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. Any veterinarian who so destroys a dog shall be paid from the dog fund account. No person who so destroys a dog or other domestic animal shall be held criminally or civilly liable therefor nor shall any licensed veterinarian who spays or neuters a dog pursuant to this section be held civilly liable, including, but not limited to, liability for reconstructive neotical implantation surgery.

(c) The town treasurer or other fiscal officer shall pay from the dog fund account the advertising expense incurred under the provisions of this section upon receipt of an itemized statement together with a copy of the advertisement as published. Any person who purchases a dog as a pet shall pay a fee of five dollars and procure a license and tag for such dog from the town clerk, in accordance with the provisions of section 22-338. In addition to the five-dollar fee, any person who purchases a dog as a pet may be charged the cost the municipality incurred, if any, to spay or neuter and vaccinate the dog, provided such charge shall not exceed one hundred fifty dollars.

(d) No regional or municipal dog pound facility, municipality, regional or municipal animal control officer or public or private nonprofit animal rescue organization that arranges for the provision of treatment by a licensed veterinarian to an injured, sick or diseased animal pursuant to a contract described in section 22-332e shall be held civilly liable for such actions unless such actions are performed in a wanton, reckless or malicious manner. No licensed veterinarian who provides treatment free of charge or

for a reduced fee, to an injured, sick or diseased animal as a direct result of a contract described in section 22-332e shall be held civilly liable for the provision of such treatment unless such actions are performed in a wilful, wanton or reckless manner.

(1949 Rev., S. 3379; 1951, S. 710b; 1953, 1955, S. 1817d; 1961, P.A. 517, S. 21; 1963, P.A. 14, S. 3; 613, S. 35; 1969, P.A. 81, S. 4; 1971, P.A. 76; P.A. 74-183, S. 246, 291; P.A. 76-436, S. 212, 681; P.A. 78-280, S. 1, 127; P.A. 80-315, S. 1; P.A. 86-45, S. 1; P.A. 91-59, S. 6; P.A. 93-435, S. 34, 95; P.A. 96-243, S. 15, 16; P.A. 98-12, S. 8, 22; P.A. 03-137, S. 1; P.A. 11-111, S. 2; P.A. 13-105, S. 1; P.A. 14-122, S. 38; P.A. 15-103, S. 2; P.A. 16-89, S. 5.)

History: 1961 act substituted “prosecuting attorney for the circuit court of the circuit within which the dog is found” for “local prosecuting attorney”; 1963 acts divided section into Subsecs., allowed immediate destruction of animal if necessary, deleted requirement that dog be kept for 120 hours, required notification of state warden if dog unclaimed after three days from published notice, revised and clarified provisions re disposition of dog if unclaimed after seven days, replaced “dog license fund” with “dog fund account”, specified that hospitals, laboratories, etc. purchasing unclaimed dogs need not procure dog license and raised purchase fee for pets from \$4 to \$5; 1969 act replaced references to wardens with references to canine control officers as appropriate; 1971 act deleted requirement in Subsec. (b) requiring warden to notify chief canine control officer of dog's capture and dog's description; P.A. 74-183 replaced circuit court with court of common pleas and “circuit” with “county or judicial district” in Subsec. (a); P.A. 76-436 replaced court of common pleas with superior court and “prosecuting attorney” with “office of the state's attorney”, effective July 1, 1978; P.A. 78-280 deleted reference to counties; P.A. 80-315 deleted provisions in Subsecs. (b) and (c) which had allowed hospitals, laboratories, etc. to purchase unclaimed dogs; P.A. 86-45 amended Subsec. (a) by deleting provision re reporting of violations to the state's attorney; P.A. 91-59 replaced references to “local dog warden” with references to “municipal animal control officer”; P.A. 93-435 made certain technical and grammatical revisions, effective June 28, 1993; P.A. 96-243 included “other animals” within the coverage of this section, effective June 6, 1996; P.A. 98-12 changed “canine control officer” to “animal control officer” in Subsec. (a), effective July 1, 1998; P.A. 03-137 amended Subsec. (b) to add provisions re authority to neuter or spay and re civil liability therefor; P.A. 11-111 amended Subsec. (a) by adding authority to publish description of animal in a newspaper with a state-wide circulation, adding requirement that a photograph or description of animal no longer required to be impounded be posted on a national pet adoption Internet web site or other Internet web site maintained or accessed by the animal control officer and adding exceptions to such requirement for animals held pending the resolution of litigation, animals that will otherwise be adopted, animals that will be placed at a safety risk by such a posting and animals that are not adoptable, and added Subsec. (d) re liability of dog pound facilities, municipalities,

animal control officers, animal rescue organizations and veterinarians who arrange or provide veterinary treatment to an injured, sick or diseased animal pursuant to Sec. 22-332e; P.A. 13-105 amended Subsec. (c) by adding provision authorizing municipality to charge cost incurred to spay or neuter and vaccinate dog, not to exceed \$150; P.A. 14-122 made a technical change in Subsec. (a); P.A. 15-103 amended Subsecs. (a) and (b) by adding references to other domestic animal and making technical changes; P.A. 16-89 amended Subsec. (a) to make a technical change, effective June 1, 2016.

An unregistered dog is not an outlaw to be killed summarily at a whim of any individual. 18 CS 53.