

TOWN OF ELLINGTON

Policies & Procedures

POLICY REGARDING CANINE NUISANCE

PURPOSE: The Town of Ellington hereby adopts a policy, pursuant to Connecticut General Statutes Sec. 22-363, generally prohibiting residents from owning or harboring a dog or dogs which is or are a nuisance.

GENERAL INFORMATION: Section 22-363 of the Connecticut General Statutes states that no person shall own or harbor a dog or dogs which is or are a nuisance by reason of vicious disposition or excessive barking or other disturbance, or, by such barking or other disturbance, is or are a source of annoyance to any sick person residing in the immediate vicinity. Violation of any provision of this section shall be an infraction for the first offense and such person shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both for each subsequent offense and the court or judge may make such order concerning the restraint or disposal of such dog or dogs as may be deemed necessary.

The Board of Selectmen (“BOS”) reserves the right to change in whole or in part this policy, or repeal in its entirety, at any time without a public hearing.

STEPS TO REPORT A NUISANCE CANINE (DOG): Often times, many pet owners are unaware that their dog(s) are causing an inconvenience to others. Once aware, they may voluntarily correct the problem. We ask that neighbors consider arriving at an amicable conclusion prior to Animal Control’s involvement.

Step 1

If a neighborly attempt to address the problem fails, the Ellington Animal Control Officer (ACO) or Assistant ACO will issue a courtesy verbal warning to the dog owner, as well as provide suggestions on how the owner may be able to modify the dog(s) behavior.

Once this courtesy verbal warning has been issued, 48 hours are allowed for the dog(s) owner to receive the information and correct the problem before the next step is taken.

If Animal Control is not contacted after the verbal warning is issued, it will be assumed that the problem has been solved and no further action will be taken.

Policy Regarding Canine Nuisance

Step 2

If the canine nuisance problem is not corrected after 48 hours, a formal complaint may be filed, at which time the ACO or Assistant ACO will issue a written warning to the dog(s) owner.

If Animal Control is not contacted after the written warning is issued, it will be assumed that the problem has been solved and no further action will be taken.

Step 3

If the canine nuisance problem is not corrected after the written warning has been issued, the ACO or Assistant ACO will request a Canine Nuisance Log be initiated. The log should reflect substantial continuous nuisance behavior and be kept for 7-10 days within a 30 day period.

A completed log is required in order to proceed to Step 4.

Once completed, a copy of the Canine Nuisance Log must be provided to the ACO or Assistant ACO. After submission of this log, a second written warning will be issued to the dog owner.

Step 4

If the nuisance behavior continues after the second written warning, the ACO or Assistant ACO will then issue a citation of \$75 to the dog(s) owner.

The dog owner may choose to pay the infraction or contest it in a court of law, at which time the reporting party will need to appear in court, willing to testify, with the Canine Nuisance Log and a statement.

Step 5

If the nuisance behavior continues, the reporting party will need to provide additional evidence of continuing nuisance violations. With sufficient evidence of a **new** violation, the ACO or Assistant ACO will issue a misdemeanor summons.

The courts will decide the amount of any fines and any progressive consequences to remedy the canine nuisance.

As in Step 4, the reporting party will also need to appear in court, willing to testify, with the Canine Nuisance Log and a statement.

BOS ADOPTED: 04/15/2019