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2015 Edition

Dog Law in Connecticut

A Guide to Resources in the Law Library

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Section 1: Control of Dogs in Connecticut

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to purchasing and registering dogs in Connecticut.

SEE ALSO: [§ 2. Cruelty to Dogs](#)
[§ 3. Dog Injuries](#)

DEFINITIONS: Conn. Gen. Stat. [§ 22-327](#) (2015).

- **Animal** means any brute creature, including, but not limited to, dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;
- **Commercial kennel** means a kennel maintained for boarding or grooming dogs or cats, and includes, but is not limited to, any veterinary hospital which boards or grooms dogs or cats for nonmedical purposes;
- **Grooming facility** means any place, other than a commercial kennel, which is maintained as a business where dogs are groomed;
- **Keeper** means any person, other than the owner, harboring or having in his possession any dog;
- **Kennel** means one pack or collection of dogs which are kept under one ownership at a single location and are bred for show, sport or sale;
- **Municipal Animal Control Officer** means any such officer appointed under the provisions of 22-331;
- **Pet Shop** means any place at which animals not born and raised on the premises are kept for the purpose of sale to the public;
- **Pound** means any state or municipal facility where impounded, quarantined or stray dogs and cats are kept or any veterinary hospital or commercial kennel where such dogs or cats are kept by order of a municipality;
- **Regional animal control officer** and assistant regional animal control officer means a regional Connecticut animal control officer and an assistant regional Connecticut animal control officer appointed under the provisions of section 22-331a;
- **Training Facility** means any place, other than a commercial kennel or grooming facility, which is maintained as a business where dogs are trained

Conn. Gen. Stat. [§ 22-380e](#) (2015).

- **Pound** means any state or municipal facility where impounded, quarantined or stray dogs and cats are kept or any veterinary hospital or commercial kennel where such dogs or cats are kept by order of a municipality;

STATUTES:

You can visit your local law library or [search the most recent statutes and public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stats. (2015).

- [Chapter 248](#). Vehicle Highway Use.
[§14-226](#). Operator to report injury to dog.
[§14-272b](#). Transport of dogs in pick-up trucks.
Restrictions.
- [Chapter 435](#). Dogs and Other Companion Animals.
[§ 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.
[§ 22-333](#). Redemption of impounded dog, cat or other animal.
[§ 22-338](#). Licensing of dogs. Fees. Penalties. Rabies certificate.
[§ 22-339b](#). Rabies vaccination required for dogs and cats.
[§ 22-340](#). Town Clerk to provide licenses and tags.
[§ 22-341](#). Tag or plate to be attached to dog collar or harness.
[§ 22-344b](#). Pet shop required to have dogs and cats examined by veterinarian. Replacement or refund.
[§ 22-345](#). License and tag for guide dogs for blind, deaf or mobility impaired persons.
[§ 22-349](#). Unlicensed dogs. Regulations. Impoundment.
[§ 22-350](#). Dogs as personal property. Tax Exemption. Theft.

REGULATIONS:

Regulations of Connecticut State Agencies

- [Title 22](#) Agriculture, Domestic Animals
§22-332b-1–§22-332b-11. Use of Living Dogs for Medical or Biological Teaching, Research or Study.
§22-336-13-§22-336-30. Standards for the Construction and Improvement of Dog Pounds
§22-344-1 -§22-344-15. Operation and Maintenance of Commercial Kennels
§22-344-15a-§22-344-15f. Dog Training Facilities.
§22-344-16a-§22-344-25c. Pet Shops.
§22-344-26-§22-344-31. Grooming Establishments.
§22-349-1-§22-349-5. Surveys for Unlicensed Dogs.
§22-359-1-§22-359-5. Control of Rabies in Public Settings.
§22-380m-1 - §22-380m-5. Animal Population Control Program.

LEGISLATIVE:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- Kristen L. Miller, Acts Concerning Animal Welfare (2010-2014), Connecticut General Assembly, Office of Legislative Research, OLR Report [2014-R-0174](#) (June 16, 2014).
- Julia Singer Bansal, Dog Policies at State Parks and Municipal Beaches, Connecticut General Assembly, Office of Legislative Research, OLR Report [2014-R-0133](#) (May 6, 2014).
- Kevin E. McCarthy, Service Dogs and the Law, Connecticut General Assembly, Office of Legislative Research, OLR Report [2014-R-0025](#) (January 22, 2014).
- Janet L. Kaminski Leduc, Pet Shops and Imported Animals, Connecticut General Assembly, Office of Legislative Research, OLR Report [2013-R-0275](#) (July 17, 2013).
- Janet L. Kaminski Leduc, Pet Friendly Shelters, Connecticut General Assembly, Office of Legislative Research, OLR Report [2013-R-0275](#) (October 31, 2011).
- Susan Price, Pet Custody After Divorce, Connecticut General Assembly, Office of Legislative Research, OLR Report [2011-R-0027](#) (January 25, 2011).

PUBLIC ACT:

- [Public Act No. 13-19](#) - An Act Establishing a Task Force Concerning the Sale of Cats and Dogs at Pet Shops.
- [Public Act No. 13-99](#) - An Act Concerning the Availability of Funding For the Vaccination and Sterilization of Dogs and Cats Owned By Low Income Persons.
- [Public Act No. 13-103](#) - An Act Prohibiting Municipalities from Adopting Breed-Specific Dog Ordinances.
- [Public Act No. 13-189](#) - An Act Concerning the Overnight Tethering of Dogs Outdoors and the Tethering of Dogs Outdoors Under Certain Weather Conditions.
- [Public Act No. 13-236](#) - An Act Requiring the Euthanization of any Cat or Dog to Be Performed By a Licensed Veterinarian in Certain Circumstances.
- [Public Act No. 13-273](#) - An Act Concerning Dissection Choice.
- [Public Act No. 12-108](#) - An Act Concerning the Payment Procedure for the Sterilization and Vaccination of Certain Dogs and Cats and Providing for Animal Control Officer Training.
- [Public Act No. 12-105](#) - An Act Concerning the Possession of Certain Animals and Pet Shops and Consumer Reimbursement for Certain Veterinary Expenses.

- [Public Act No. 11-187](#) - An Act Extending Certain Pet Shop Licensee Requirements to Persons and Organizations that Import Animals for Adoption.
- [Public Act No. 11-111](#) - An Act Concerning the Treatment of Ill and Injured Animals In Municipal Animal Shelters.
- [Public Act No. 09-169](#) - An Act Concerning the Creation of a Trust for the Care of an Animal.

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Lowney v. Zoning Board Of Appeals of The Black Point Beach Club Association](#), 144 Conn. App. 224, 227 (2013). **"The court concluded** that the proposed dog grooming business properly could be considered a home occupation under the regulations, but that because an attached garage was not part of a dwelling under the regulations, and home occupations must be conducted in a dwelling, the board properly upheld the zoning enforcement officer's denial of the plaintiff's **application."**

WEST KEY NUMBERS:

- Animals
 - #1.5. Animals as property; status. (4) Dogs.
 - #2.5. Licensing.
 - #3.5. Regulation in general.
 - #51. Impounding animals at large.

ENCYCLOPEDIAS:

- Enforcement of Restrictive Covenant or Lease Provision Limiting the Keeping of Animals or Pets on Residential Property,
 - 93 [Am Jur Trials](#) 193 (2004).
 - I. Introduction and legal background
 - II. Enforcement of covenants restricting keeping of animals or pets
 - III. Enforcement of lease provision restricting keeping of animals or pets
 - IV. Remedies for breach of pet restrictions
 - V. Case intake and pleadings
 - VI. Discovery
 - VII. Trial

LAW REVIEWS & ARTICLES:

Note: Public access to law review databases is available on-site at each of our law libraries.

- J. Porter, *It Can Be a Regular Dog Fight; Family Pets Involved In A Growing Number of Custody Cases*, Hartford Courant, July 10, 2006.
- Larry Cunningham, *The Case Against Dog Breed Discrimination by Homeowners' Insurance Companies*, 11 Conn. Ins. L.J. 1 (2004-2005).

Section 2: Cruelty to Dogs in Connecticut

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to cruelty to dogs in Connecticut.

SEE ALSO: [§ 1. Control of Dogs](#)
[§ 3. Dog Injuries](#)

STATUTES: Conn. Gen. Stats. (2015).

You can visit your local law library or [search the most recent statutes and public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

[Chapter 435](#). Dogs And Other Companion Animals.
[§ 22-329](#). Prevention of cruelty to dogs and other animals.
[§ 22-332](#). Impoundment and disposition of roaming, injured or mistreated animals. Authority to spay or neuter unclaimed dog.
[§ 22-350a](#). Tethering and confining dog for unreasonable period of time.
[§ 22-351](#). Theft, killing or injuring of companion animal. Penalty. Liability.

PUBLIC ACT:

- [Public Act No. 14-70](#) -An Act Concerning Cross Reporting of Child Abuse and Animal Cruelty.
- [Public Act No. 14-205](#) - An Act Concerning Municipal Costs for the Care of Confiscated Animals and Establishing a Task Force on the Humane Treatment of Animals in Municipal Shelters.
- [Public Act No. 13-103](#) - An Act Prohibiting Municipalities from Adopting Breed-Specific Dog Ordinances
- [Public Act No. 13-230](#) - An Act Concerning Disciplinary Action Against Veterinarians.
- [Public Act No. 12-86](#) – An Act Increasing the Penalty for Subsequent Offenses of Cruelty to Animals.
- [Public Act No. 12-20](#) - An Act Concerning the Placement of Animals Seized in Animal Cruelty Cases.
- [Public Act No. 11-194](#) - An Act Concerning the Treatment of Ill and Injured Animals in Municipal Animal Shelters.
- [Public Act No. 10-100](#) – An Act Prohibiting the Unreasonable Confinement and Tethering of Dogs.

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Town of Bethlehem et al. v. Frederick Acker et al.](#), 153 Conn. App. 449, 452-453 (2014).
"On November 8, 2012, the plaintiffs seized approximately sixty-five dogs from the defendants' facility pursuant to a search and seizure warrant that had been issued on facts showing that the dogs, which were being kept in an uninsulated barn with an average temperature of 30 degrees Fahrenheit, were neglected, in violation of General Statutes § 22-329a."

Section 3: Dog Injuries in Connecticut

A Guide to Resources in the Law Library

SCOPE: Bibliographic resources relating to injuries caused or suffered by dogs.

SEE ALSO: [§ 1. Control of Dogs](#)
[§ 2. Cruelty to Dogs](#)

DEFINITIONS: Conn. Gen. Stat. [§ 22-327](#). (2015).

- **Animal** means any brute creature, including, but not limited to, dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;
- **Keeper** means any person, other than the owner, harboring or having in his possession any dog;

STATUTES:

You can visit your local law library or [search the most recent statutes and public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stats. (2015).

- [Chapter 248](#). Vehicle Highway Use
[§ 14-226](#) Operator to report injury to dog.
- [Chapter 435](#). Dogs And Other Companion Animals.
[§ 22-355](#). Damage by dogs to domestic animals.
[§ 22-356](#). Damage by two or more dogs.
[§ 22-357](#). Damage to person or property.
[§ 22-358](#). Killing of dogs doing Damage.
Quarantine of biting dogs.
[§ 22-362](#). Annoyance by dogs on highway.
[§ 22-363](#). Nuisance.
[§ 22-364](#). Dogs roaming at large. Intentional or reckless subsequent violation.
[§ 22-364a](#). Intentional or reckless release of domestic animal which causes damage.
[§ 22-364b](#). Control of dogs in proximity to guide dogs.
[§ 22-365](#). Obstruction of commissioner or any animal control officer. Penalty.
[§ 22-366](#). Cropping of dog's ears.
[§ 22-367](#). General penalty. Enforcement.

LEGISLATIVE:

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each **report's** publication. Current law may be different from what is discussed in the reports.

- Janet Kaminski Leduc, Animal Abuser Registry Laws, Office of Legislative Research, OLR Report [2014-R-0255](#) (October 31, 2014).
- James Orlando, Liability for Dog Bites, Connecticut General Assembly, Office of Legislative Research, OLR Report [2012-R-0459](#) (October 17, 2012).

PUBLIC ACT:

- [Public Act No. 13-223](#) -An Act Concerning Liability for Damage Caused By a Dog.
- [Public Act No. 11-182](#) - An Act Concerning the Quarantine of Biting Guide Dogs.

FORMS:

- 3a Joel M. Kaye & Wayne D. Efron, [Connecticut Civil Practice Forms](#) (4th ed. 2004).

Torts Forms:

804.13 Injuries Caused by Dog

804.13-A Shooting **Plaintiff’s Dog**

S-60 Dog bite

S-87 Product Liability - Dog

S-121 Dog bite – Owner to Minor-Another Form

- Thomas B. Merritt, [Connecticut Elements of an Action](#), (2014-2015 ed.).
 - § 2: 11. Sample complaint
 - § 2: 12. Sample answer containing affirmative defense
 - § 2: 13. **Plaintiff’s** proposed jury instructions
 - § 2: 14. **Defendant’s proposed jury instructions**

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Thivierge v. Witham](#), 150 Conn. App. 769, 776-777 (2014). “Although General Statutes § 22-3315 provides for the appointment of a municipal animal **control officer** to administer and enforce the laws relating to dogs, it does not provide any directive on how those laws are to be enforced.”
- [Atkinson v. Santore](#), 135 Conn. App. 76, 77 (2012). “This case involves a dispute between a homeowner and her children’s babysitter concerning an incident in which the babysitter, while caring for the children, claimed that she was potentially exposed to the rabies virus due to her contact with the homeowner’s dogs after she found them in the vicinity of a rabid raccoon in the homeowner’s yard.”
- [Giacalone v. Housing Authority of Wallingford](#), 306 Conn. 399, 405 (2012). “Thus, under Connecticut common law, knowledge of a domestic animal’s vicious propensity imposes a duty on the owner to restrain that animal, and failure to do so is treated as negligence, triggering liability for damage caused by the animal.”
- [Virginia Auster v. Norwalk United Methodist Church](#), 286 Conn. 152,153-154, 943 A.2d 391, 392-393 (2008). “The plaintiff commenced this action against the defendant seeking damages under the dog bite statute, General Statutes § 22-357, pursuant to which

an owner or 'keeper' of a dog is strictly liable for any damage caused by the dog to the person or property of another. Specifically, the plaintiff sought to recover damages from the defendant as a 'keeper' of the dog under § 22-357."

- [Vincent v. Delgrego](#), CV030283384S, Superior Court of Connecticut, Judicial District of New Haven, at Meriden, 2005 WL 1524634 (May 20, 2005). **"In support of his motion, the defendant argues that he is entitled to judgment as a matter of law because he was not the 'owner or keeper' of the dog in question. General Statutes § 22-357 imposes strict liability on the owner or keeper of any dog that does damage to the body or property of any person. In order to prevail on a claim of strict liability under this statute, the plaintiff must plead and prove, inter alia, 'that at the time the plaintiff suffered her complained-of injuries, the defendant, if he or she was not a minor, was an owner or keeper of the dog that caused such injuries'."** *Simmons v. Welch*, 48 Conn. Sup. 564,568, 854 A.2d114 (2003).
- [Carrasquillo v. Carlson](#), 90 Conn.App.705, 707, 880 A2d 904, 905-906 (2005). **"In this negligence action, an automobile driver sued the owner of a dog for injuries he received when he took evasive action to avoid hitting the dog in a public roadway. The dog owner filed a motion for summary judgment in which she claimed that the driver had failed to raise a material issue of disputed fact linking her conduct to the event that caused his injuries."**
- [Demers v. Rosa](#), CV020173485S, Superior Court of Connecticut, Judicial District of Waterbury, at Waterbury, 2005 WL 1970977 (May 3, 2006). "Thus, the question for the court in this action is simply was it foreseeable to a reasonable person that by allowing a dog to roam, a reasonable responder could be injured as a result of the breach of that person's statutory duty and was the breach a substantial factor in the injuries suffered by the plaintiff."
- [State of Connecticut v. Frederick Acker](#), 81 Conn. App. 141,142, 838 A.2d 1016, 1017 (2004). **"The dispositive issue in this appeal is whether, in a prosecution under General Statutes § 22-363, also known as our 'nuisance dog' statute, the state must prove the identity of the specific dog or dogs causing the nuisance. We hold that it does not and accordingly, reverse the judgments of the trial court."**

**WEST KEY
NUMBERS:**

- Animals
 - # 66.5. Dogs
 - # 66.5(1). Duties and liabilities in general
 - # 66.5(2), 82. Vicious propensities and knowledge thereof
 - # 66.5(3). Defenses in general
 - # 66.5(4). Contributory and comparative negligence
 - # 66.5(5). Provocation
 - # 66.5(6). Assumption of risk
 - # 66.5(7), 83. Person liable for injuries in general
 - # 66.5(8). Landlords
 - # 73. 84. Killing vicious animals
 - # 77. Injuries to other animals
 - # 79. Statutory regulations
 - # 80. Domestic animals in general
 - # 81. Dogs (Injuries caused by dog)
 - # 96. Injuring or killing trespassing animals
- Automobiles
 - #176(4). Dogs injured by motor vehicles
 - #178. Injuries to motor vehicles or occupants by collision with animals

**TEXTS &
TREATISES:**

- Douglass B. Wright et al., [Connecticut Law of Torts](#), (3rd ed. 1991).
 - Chapter II. Intentional Torts
 - § 21 Trespassing Animals
 - § 24 Trespass of Personal Property
 - Chapter III. Negligence
 - § 31 Non feasances – Negligent Omissions
 - Chapter XIV. Strict Liability
 - § 126 Dogs
- Richard L. Newman et al, [Tort Remedies in Connecticut](#) (1996).
 - § 18-5. Dog Bite Statute
- Thomas B. Merritt, [Connecticut Elements of an Action](#), (2014-2015 ed.).
 - Chapter 2 – Animal Actions – Dog Bites
 - § 2:1. Elements of action
 - § 2:2. Authority
 - § 2:3. Remedies--Compensatory damages
 - § 2:4. Punitive and exemplary damages
 - § 2:5. Limitation of actions: Statute of limitations
 - § 2:6. Defenses--Limitations
 - § 2:7. Defendant is not "owner" or "keeper"
 - § 2:8. Victim not lawfully on property
 - § 2:9. Provocation of dog by victim
 - § 2:10. Checklist

Forms

§ 2:11. Sample trial court documents—

Sample complaint

§ 2:12. Sample answer containing

Affirmative defense

§ 2:13. Plaintiff's proposed jury instructions

§ 2:14. Defendant's proposed jury instructions

- M. Randolph, J.D., [Every Dog's Legal Guide](#), (7th ed. 2012).

ENCYCLOPEDIAS:

- Ward Miller, Annotation, Modern Status of Rule of Absolute or Strict Liability for Dog Bite, 51 ALR 4th 446 (1987).

- 4 [Am. Jur. 2d](#) *Animals* (2007).

- I. In General
- II. Property Rights in Animals
- III. Governmental Regulation and Control; Diseased Animals
- IV. Animals Running at Large or Trespassing
- V. Nuisances
- VI. Bailment of Animals
- VII. Breeding
- VIII. Liability for Injuries by Animals
- IX. Liability for Injuries to Animals

- 3 [C.J.S.](#) *Animals* (2013).

- XV. Injuries by Animals to Persons or Animals
 - A. Nature or Extent of Liability, in General
 - § 354. Strict or absolute liability
 - § 355. Liability for negligence
 - § 356. Standard or duty by violation of statute or ordinance
 - § 357. Negligent entrustment
 - § 358. Premises liability
 - § 359. Lawfully on premises; trespassers
 - § 360. Social guest, licensee, or invitee
 - § 361. Liability for nuisance
 - § 362. Penalties for violation of regulations; destruction of dog
 - § 363. Criminal responsibility
 - § 364. Dog as dangerous weapon

- Cause of Action Against Owner, Keeper or Harbinger of Domestic Animal to Recover for Personal Injuries Caused by Animal, 33 [COA 2d](#) 293 (2007).

§ 12. Statutory Liability

§ 35. Sample Complaint

§ 37. Sample Answer

§ 47. Connecticut

- Plaintiff's Negligence, Provocation, or Assumption of Risk as Defense In Dog Bite Case, 39 [Am Jur Proof of Facts 3d](#) 133 (1996).
 - I. Background
 - II. Model discovery
 - III. Elements of proof
 - IV. Proof that Plaintiff provoked Defendant's Dog to attack
 - V. Bibliography

LAW REVIEWS & ARTICLES:

Note: Public access to law review databases is available on-site at each of our law libraries.

- Joan Schaffner, *Damages in Dog-Bite and Other Animal-Related Litigation*, 2 Mid-Atlantic J. on L. & Pub. Pol'y 39 (2013).
- Hilary M. Schwartzberg, *Tort Law in Action and Dog Bite Liability: How the American Legal System Blocks Plaintiffs from Compensation*, 40 Conn. L. Rev. 845 (2007-2008).