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2010 Edition

# Dog Law In Connecticut

A Guide to Resources in the Law Library

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**Scope:** Bibliographic resources relating to dog ownership, including purchasing, registering, maintaining, and liability issues.

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**These guides are provided with the understanding that they represent only a beginning to research.**

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**The links to cases in this guide are to advance release slip opinions and are for informational purposes only.**

# Control of Dogs In Connecticut

*A Guide to Resources in the Law Library*

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- SCOPE:** Bibliographic resources relating to purchasing and registering dogs in Connecticut.
- SEE ALSO:**
- [§ 2. Cruelty to Dogs](#)
  - [§ 3. Dog Injuries](#)
- DEFINITIONS:** CONN. GEN. STATS, [§ 22-327](#) (2010).
- **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.
- STATUTES:** CONN. GEN. STAT. (2010)
- [Chapter 248](#) Vehicle Highway Use  
§ 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.
- § 22-333 Redemption of impounded dog, cat or other animal.
- § 22-338 Licensing of dogs. Fees. Penalties. Rabies certificate.
- § 22-339 Licensing of dogs which are six months of age or older by new owners. Fees.
- § 22-339b Rabies vaccination required for dogs and cats.
- § 22-339c Certificate of rabies vaccination.
- § 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

**PUBLIC ACT:**

[Public Act No. 09-169](#) - An Act Concerning the Creation of a Trust For the Care of an Animal

**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:**

- 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)

### **COMPILER:**

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\* Originally compiled by Mary Ann Zieminski, Paralegal Intern.

Section 2

# Cruelty to Dogs In Connecticut

*A Guide to Resources in the Law Library*

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- SCOPE:** Bibliographic resources relating to cruelty to dogs in Connecticut.
- SEE ALSO:**
- [§ 1. Control of Dogs](#)
  - [§ 3. Dog Injuries](#)
- STATUTES:** CONN. GEN. STAT. (2010)
- [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. 10-100](#) – An Act Prohibiting the Unreasonable Confinement and Tethering of Dogs
- WEST KEY NUMBERS:**
- ANIMALS
    - # 43. Injuring or killing animals in general.
    - # 44. Civil liability
    - # 45. Criminal responsibility.
    - # 52. Killing or injuring animals at large.
- COMPILER:** Mary Ann Krivicky, Connecticut Judicial Branch Law Library at Bridgeport, 1061 Main Street, Bridgeport, CT 06604. (203) 579-7244. [Email](#)  
\* Originally compiled by Mary Ann Zieminski, Paralegal Intern.

# Dog Injuries In Connecticut

*A Guide to Resources in the Law Library*

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- SCOPE:** Bibliographic resources relating to injuries caused or suffered by dogs.
- SEE ALSO:**
- [§ 1. Control of Dogs](#)
  - [§ 2. Cruelty to Dogs](#)
- DEFINITIONS:** Conn. Gen. Stats, § 22-327 (2010).  
**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:** CONN. GEN. STAT. (2010)
- [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.
- FORMS:**
- JOEL M. KAYE AND WAYNE D. EFFRON, CONNECTICUT PRACTICE SERIES, CIVIL PRACTICE FORMS (4th ed. 2004).  
 Torts Forms:
    - 804.13 Injuries Caused by Dog
    - 804.13-A Shooting Plaintiff's Dog
    - S-60 Dogbite
    - S-87 Product Liability – Dog§ 2:14. Jury verdict and

bench trial summaries

S-121 Dogbite – Owner to Minor

S-122 Dogbite – Owner to Minor – Another Form

- THOMAS B. MERRITT, CONNECTICUT ELEMENTS OF AN ACTION, (2009-2010 ed.).
  - § 2:11. Sample complaint
  - § 2:12. Sample answer containing affirmative defense
  - § 2:13. Defendant's proposed jury instructions
  - § 2:14. Jury verdict and bench trial summaries

### CASES:

- [Virginia Auster v. Norwalk United Methodist Church](#), 286 Conn. 152, 943 A.2d 391 (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, 880 A2d 904 (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, 838 A.2d 1016 (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 Nonfeasances – 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, (2009-2010 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. Defendant's proposed jury instructions
- § 2:14. Jury verdict and bench trial summaries

- M. RANDOLPH, J.D., EVERY DOG'S LEGAL GUIDE, (6th ed. 2007).

**ENCYCLOPEDIAS:**

- Ward Miller, Annotation, Modern Status of Rule of Absolute or Strict Liability for Dog Bite, 51 ALR4th 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
- 3B C.J.S. *Animals* (2004)
  - §333 Statutory liability
  - §342 Contributory negligence; Assumption of risk
  - §346 Owner or keeper
  - §377 Damages – dog-bite injuries
- *Cause of Action Against Owner or Keeper of Domestic Animal to Recover for Personal Injuries Caused by Animal*, 14 COA 685 (1987).
  - § 10. Statutory Liability
  - § 28. Connecticut
  - § 73. Sample Complaint
  - § 74. Sample Answer
- *Plaintiff's Negligence, Provocation, or Assumption Of Risk as Defense In Dogbite 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

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