Animal Control

According to the Office of Legislative Research:

All municipalities must have an animal control officer (ACO); those municipalities with a population greater than 25,000 must appoint a full-time ACO. Smaller municipalities can have a part-time officer. The law allows a municipal ACO to:

(1) act to prevent cruelty to any animal;
(2) take into custody any neglected, cruelly treated, ill, or roaming animal; and
(3) arrest people for violating any law relating to dogs or domestic animals. ACOs may also impound stray cats in municipalities that adopt stray cats ordinances.

In Connecticut, no one may begin serving as a state, regional, or municipal ACO unless he or she (1) completes at least 80 hours of initial ACO training and receives a certificate of completion from the agriculture commissioner or (2) provides the commissioner an affidavit agreeing to complete the training within one year of starting as an ACO.

Each municipality must have either (1) a sanitary dog pound or other similar facility comfortable to animals or (2) an agreement with another city that has such a pound or similar facility. The pound must comply with the agriculture commissioner’s regulations concerning its construction and maintenance.

Statutory Issues/References

- CHAPTER 435 - DOGS AND OTHER COMPANION ANIMALS, KENNELS AND PET SHOPS
  - Sec. 22-329. Prevention of cruelty to dogs and other animals.
  - Sec. 22-331a. Regional animal control officers. Pounds.
  - Sec. 22-336. Towns to provide pounds or other suitable facilities. Regulations. Enforcement.
  - Sec. 22-339a. Town clerks may deputize agents for the issuance of licenses. Licensing of dogs acquired from dog pounds. Fees. Rabies certificate. (a) The town clerk of any town may deputize employees of any dog pound in such town as agents for the issuance of dog licenses and tags, provided the town clerk shall be solely responsible for compliance with the provisions of the statutes relating to the duties of the town clerk in connection with such licenses and tags and the moneys received therefor.
  - Sec. 22-359. Control of rabies. Regulations.
  - Sec. 22-364. Dogs roaming at large. Intentional or reckless subsequent violation.

Executive Orders

Declaration of Public Health and Civil Preparedness Emergencies, Governor Ned Lamont:

...since first declaring emergencies in March of this year, we have learned of unanticipated health effects from COVID-19 that are not well understood by the medical community, that no vaccine or effective treatment for COVID-19 has been approved or made available for wide distribution, and that our residents, businesses, and government agencies face new and unanticipated economic, fiscal, and operational challenges as a result of the COVID-19 pandemic, which require the flexibility and responsiveness provided by the emergency powers in Sections 19a-13ta and 28-9 of the Connecticut General Statutes in order to protect the public health and promote civil preparedness. As a result, out of an abundance of caution and to eliminate any confusion about the extent of my emergency powers to address the many risks and concerns that will arise in the coming months and did not constitute clear justifications for the original emergencies I declared in March of this year, and pursuant to
Sections 19a-131a and 28-9 of the Connecticut General Statutes, I hereby declare that new states of public health and civil preparedness emergency exist throughout the State... The new states of emergency shall run concurrently with the renewed states of emergency and shall remain in effect until February 9, 2021, unless earlier terminated by me.

(September 1, 2020)

Executive Order 9A (Executive Order Extensions)

   
   • Pursuant to the emergency declarations issued on September 1, 2020, all executive orders issued pursuant to the public health and civil preparedness emergencies declared on March 10, 2020 and renewed on September 1, 2020 (COVID-19 Orders) that are unexpired and currently in effect as of the date of this order are hereby reissued.
   
   • All such orders or individual sections of such orders that were:
   
   (a) declared effective for the duration and any renewal of the public health and civil preparedness emergency;
   
   (b) scheduled to expire on September 9, 2020, or
   
   (c) scheduled to expire within six months of when they were issued are hereby amended to provide that they shall expire on November 9, 2020, unless earlier modified or terminated by me.
   
   • Any unexpired, reissued COVID-19 Order or individual section of any such order that is scheduled to expire on any other specific date shall remain in effect until such specific date.
   
   ✓ By way of illustration, and for the sake of clarity, Executive Order No. 7000, which provides that it shall remain in place for six months, will now expire on November 9. The specific and contrary deadlines within such order, however, including the October 1, 2020 expiration of the eviction moratorium in Section 3 of that order and the November 12 expiration of the outdoor dining rules provided for in Section 1 of that order, shall remain unchanged and unaffected by this order.

2. Extension of Agency and Municipality Orders of Concurrent Duration with Public Health and Civil Preparedness Emergencies. Any unexpired order, rule, regulation, directive or guidance issued by any official, agency, department, municipality, or entity pursuant to an unexpired COVID-19 Order, which by its own terms provides that it shall remain in place for the duration of the public health and civil preparedness emergency shall remain in effect until November 9, 2020, unless earlier modified or terminated by the issuing authority or a subsequent executive order.


☐ 7H-1 Defines “Essential Services” - Animal Control falls within this category - EO 7ZZ-10 issued 6/16/20 extends EO 7H-1 as amended by Executive Order No. 7PP-3, for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated.

Executive Order 7H Link: https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7H.pdf

☐ 7L-3 - Suspend restrictions on the re-employment of retired municipal employees: To enable municipalities to meet critical staffing needs caused by COVID-19 with skilled and experienced employees who require little to no additional training, the order modifies state statutes to allow certain retired employees who are in the municipal retirement system to work without any hourly or durational limitation while also continuing to receive retirement allowances. Sec. 7-438(b). Continuation of retirement allowance upon other public employment. Participation in state retirement system. Reemployment by participating municipality.

Executive Order 7L Link: https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7L.pdf

☐ 7M-3 - Authorizing state agencies to extend statutory regulatory administrative deadlines by 90 days: The order allows flexibility in meeting statutory deadlines for filings, decisions, and notice in the many permitting and other applications and administrative hearings under the purview of state agencies, and requires agencies to post any changes on their web sites.

Please. Wear a Mask
7V-1 - Safe workplaces in essential businesses: Requires the Department of Economic and Community Development to work in consultation with the Department of Public Health on the development of legally binding statewide rules prescribing additional protective measures that every workplace in Connecticut deemed essential — and any other business or nonprofit allowed to remain open — must follow. Such rules will be mandatory throughout the state.

- Immediately upon Governor Lamont’s signing of this executive order, the Department of Economic and Community Development published the Safe Workplaces Rules for Essential Employers on its website, outlining guidance for these businesses. These rules go into effect immediately.

- Nothing in such rules or this order shall supersede Executive Order No. 7S, Section 1, or the “Safe Stores” rules.

Go to DECD’s website for the most recent guidance: https://portal.ct.gov/DECD/Content/Coronavirus-Business-Recovery/Safe-Workplace-Rules-for-Essential-Employers

7BB-1 - (Repealed by EO 7NNN) - Cloth face coverings or higher level of protection required in public wherever close contact is unavoidable - Each employee shall be required to wear a mask or other cloth material that covers his or her mouth and nose at all times while in the workplace. Towns shall issue such masks or cloth face coverings to their employees. In the event a town is unable to provide masks or cloth face coverings to employees because of shortages or supply chain difficulties, towns must provide the materials and CDC tutorial about how to create a cloth face covering, or compensate employees for the reasonable and necessary costs employees expend on such materials to make their own masks or cloth face coverings.

- Nothing in these rules shall require the use of a mask or cloth face covering by anyone for whom doing so would be contrary to his or her health or safety because of a medical condition.

- If a person declines to wear a mask or face covering because of a medical condition as described above, such person shall not be required to produce medical documentation verifying the stated condition.

Executive Order 7BB Link: https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7BB.pdf

7II-4 - Extension of the Start Date for Imposition of a Late Fee for Obtaining Dog Licenses from July 1, 2020 to August 1, 2020. Sect 22-338(a)

Executive Order 7II Link: https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7II.pdf

7QQ-6 - Clarification that Commissioner Orders Issued Pursuant to the Governor’s Executive Orders Are Not Regulations Subject to the UAPA. Section 4-166(16) of the Connecticut General Statutes is modified to clarify that the definition of a regulation does not include any amendment or repeal of an existing regulation and any directive, rule, guidance, or order issued by a Commissioner or Department Head pursuant to a Governor’s Executive Order during the existing civil preparedness and public health emergency and any renewal or extension thereof. Notwithstanding Sections 4-166 to 189, inclusive, of the Connecticut General Statutes, any Commissioner or Department Head, as permitted or directed by any such Governor’s executive order, may modify or suspend any regulatory requirements adopted by the Commissioner or Department Head that they deem necessary to reduce the spread of COVID-19 and to protect the public health. This section applies to all orders that have been issued since the declaration of public health and civil preparedness emergencies on March 10, 2020 and for the duration of the public health and civil preparedness emergency, including any period of renewal of such emergency declaration.

Executive order 7QQ Link - https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7QQ.pdf

7UU - 2 - Determination of Suitable Work. For any claim submitted covering May 17 through July 25, Section 31-236-5 of the Regulations of Connecticut State Agencies is modified to read, “In determining whether or not work offered is suitable for an individual, the Administrator shall consider the degree of risk to the individual’s health or, due to the COVID-19 public health emergency, the health of a member of that individual’s household. In determining the degree of risk, the Administrator may consider the individual’s or household member’s health, his or her physical condition, the nature of the work, and other factors the Administrator deems relevant.”

Please. Wear a Mask
capabilities, the physical and mental requirements of the job, working conditions and the existence of any medical
documentation concerning the individual's limitations. Where an unreasonable risk to the individual's health or, due to
COVID 19, the health of a member of that individual's household is established, the Administrator shall find the work to
be unsuitable for the individual.“

Executive Order 7UU Link:  https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-
Executive-Orders/Executive-Order-No-7UU.pdf

☐  7NNN - 1 - Executive Order No. 7BB, Section 2, issued on April 17, 2020, is repealed. Effective immediately, any
person in a public place in Connecticut, whether indoors or outdoors, who does not maintain a safe social distance of
approximately six feet from every other person shall cover their mouth and nose with a mask or cloth face-covering. In
addition, individuals shall use a mask or cloth face covering when using the services of any taxi, car, livery, ride-sharing
or similar service, or any means of mass public transit, or while within any semi-enclosed transit stop or waiting area.

a. Nothing in this order shall require the use of a mask or cloth face covering by anyone for whom doing so would
be contrary to his or her health or safety because of a medical condition, a child in a child care setting, or anyone
under the age of 2 years. Any person who declines to wear a mask or face covering because of a medical
condition shall be exempt from this order and any requirement to wear masks in Sector Rules or other rules
issued by the Commissioner of the Department of Economic and Community Development (DECD), but only if
such person provides written documentation that the person is qualified for the exemption from a licensed
medical provider, the Department of Developmental Services or other state agency that provides or supports
services for people with emotional, intellectual or physical disabilities, or a person authorized by any such
agency. Such documentation need not name or describe the condition that qualifies the person for the exemption

b. The Commissioner of DECD shall issue updated versions of Sector Rules, Safe Workplace Rules for Essential
Employers, or other rules issued pursuant to previous executive orders, which updated versions shall set forth
updated requirements for face coverings within those settings, and which, when complied with, shall constitute
compliance with this order.

c. This order shall supersede and preempt any current or future municipal order whenever such order conflicts with
this order.

Executive Order Link 7NNN-  https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-
Executive-Orders/Executive-Order-No-7NNN.pdf

Agency Guidance

☐  Department of Administrative Services:

•  7M-3 - Additional Guidance  - https://portal.ct.gov/-/media/Coronavirus/20200331-DAS-Memo-regarding-
Executive-Order-7M-on-statutory-deadlines-or-limits-related-to-the-build.pdf?la=en

•  7M-3 - Additional Guidance  - https://portal.ct.gov/-/media/Coronavirus/20200407-DAS-Implementation-
order-for-Executive-Order-7M-temporarily-extending-certain-statutory-dea.pdf?la=en and https://
portal.ct.gov/-/media/Coronavirus/20200414-DAS-Implementation-order-for-Executive-Order-7M-
temporarily-extending-certain-statutory-dea.pdf?la=en

☐  Department of Agriculture Regarding Executive Order 7M-3 -

•  Extension of deadlines for all administrative appeals under Section 22-358 of the General Statutes - All
statutory and regulatory time requirements, including, but not limited to filing of appeals, decision making
requirements, hearings, statutes of limitation or other limitations or deadlines, procedure or process under
Chapter 54 of the General Statutes and RCSA Sections 22-7-1 through 22-7-45 of the Department of
Agriculture Regulations, as applicable to the appeal, are extended for a period of 60 days.

•  Extension of Expiration Date for Animal Population Control Program (hereinafter “APCP”) Vouchers
pursuant to Section 22-380f of the General Statutes. Pursuant to Executive Order 7M, the Commissioner of
the Department of Agriculture (the “Commissioner”) issues the following Order regarding APCP vouchers
issued pursuant to 22-380f of the General Statutes:

✓ Notwithstanding any provision in 22-380f, that an APCP voucher is valid for sixty (60) days from the date
of purchase or adoption of an unspayed or unneutered dog or cat, any previously issued unredeemed
APCP voucher issued after February 15, 2020, and any APCP voucher issued from the date of this Order
through May 31, 2020, shall be valid for an additional ninety (90) days from the date of purchase or
adoption, for a total of one hundred and fifty days (150) days from the date of purchase or adoption of an un-spayed or un-neutered dog or cat.

Continuity Issues

☐ Safety - Workplace safety is now the “new normal” and will - for the foreseeable future change the workplace. Animal Control Officers operates in both the field and the office. When in the office, proper distancing from fellow workers and the public (once town halls/kennels are re-opened) must to adhered to - this may result in the need to reconfigure the office to comply with and provide proper workforce protection. For the foreseeable future inspections, wellness checks and responses are hindered due to the close proximity of animal owners and their homes/properties.

☐ Staffing - Many municipalities, especially small towns, utilize part-time ACOs. Often these persons have relationships with one or more other towns and there may or may not be an inter-local agreement to share these persons. In a few cases there are regional ACOs. The pandemic has the possibility of disrupting the pool of qualified ACOs - causing delays to an already stressed system.

✓ Inter-local agreements (7-339a to 7-339l, inclusive).require endorsement of the town’s legislative body which may have a delaying effect in putting such an agreement into place.

☐ Public Interactions - Some things can be done remotely and others may require in person meetings.

Routine Functions

✓ Adoptions
✓ Inspections/wellness checks
✓ Investigations
✓ Fostering
✓ Responding to calls for service

Suggested Best Practices

☐ Staffing

• Towns may consider either a **inter-municipal agreement or mutual aide agreement** with a neighboring community to either share staff or “piggyback” various town staffing with a community with more capacity. Before exercising this option, municipalities should consult with their bargaining units to meet any staffing challenges to ensure proper coordination in accordance with the terms of existing bargaining agreements and all applicable laws including but not limited to the Teachers Negotiations Act and the Municipal Employees Relation Act.

• **Regional councils of governments** should be assembling rosters of qualified ACOs who can fill in as independent contractors on an as-needed basis to fill vacancies or work loads of member towns

✓ Avoids need for inter-town agreements

✓ Independent contractor ACOs used to fill temporary need should be allowed through E.O. so as not to conflict with local collective bargaining agreements

• COGs must engage and involve bargaining unit representatives to be part of any regional staffing.

• Towns with either staffing capacity issues or a temporary interruption in staffing due to COVID-19 could bridge such situations utilizing their regional council of governments (COGs). The nine regional COGs either have the staffing capacity or the ability to “staff up” to perform most town functions. COGs have the statutory authority (8-31b) to provide most any function a town may need. COGs already provide dozens of services otherwise performed individually by towns on a shared or regional basis.

✓ The Northeastern Connecticut Council of Governments has operated a regional Animal Services Program since 2004 - now serving 19 towns in two COG regions - is a good example of how this can be accomplished.

• Utilizing Executive Order 7L-3 municipalities are allowed to **re-hire retired municipal employees** - allowing communities to hire experienced ACO staff. Before exercising this option, municipalities should consult with their bargaining units to meet any staffing challenges to ensure proper coordination in accordance with the terms of existing bargaining agreements.
• Rank and file public employees are a resource that must be used when discussing, planning or implementing safety protocols and to assist in determining safe practices for public interactions. To not the people who will be staffing worksites is shortsighted, may compromise their safety and will only lead to future problems.

Safety

• National Animal Care & Control Association (NACA) statements incorporate the following key recommendations:

  ✓ Animal control agencies should take active measures to eliminate non-essential shelter intake.
  ✓ Discontinue low priority/non-emergency activity (non-aggressive stray animal pick-up, nuisance complaints, etc.).
  ✓ At this time, continue to respond to emergency and high priority calls (law enforcement assistance, injured or sick stray animals, bite and dangerous dog complaints, etc.).

• Animal Control should, as an essential service, remain open during regular business hours and on an emergency call basis. The public should not be allowed in animal shelters.

  ✓ Sick employees to stay home. Where possible, employees should take their temperature before they go to work. If they have a temperature above 100.4 degrees Fahrenheit, they should stay home.
  ✓ Distribute summaries of health insurance processes and procedures to employees.
  ✓ Place posters that encourage hand hygiene to help stop the spread at the entrance to your workplace and in other workplace areas where they are likely to be seen.
  ✓ Ensure that all employees who do not speak English as their first language are aware of procedures by communicating the procedures, either orally or in writing, in their native or preferred language.

  ✓ Each employee is required, per Executive Order 7BB-1, to wear a mask or other cloth material that covers his or her mouth and nose at all times while in the workplace. Towns shall issue such masks or cloth face coverings to their employees. In the event a town is unable to provide masks or cloth face coverings to employees because of shortages or supply chain difficulties, towns must provide the materials and CDC tutorial about how to create a cloth face covering, or compensate employees for the reasonable and necessary costs employees expend on such materials to make their own masks or cloth face coverings.

  ✓ Ensure that the office or kennel where the ACO is located has a sufficient number of personnel to control access, maintain order, and enforce social distancing of at least 6 feet. Increase ventilation rates and increase the percentage of outdoor air that circulates into the system where possible.

  ✓ Wherever possible, segment the workspace into discrete zones. Prohibit employees from entering into zones where they are not required to be to perform their jobs.

  ✓ To the extent workstations or equipment must be shared, employees should be provided CDC compliant disinfectant to disinfect work areas before finishing their shift. During this work, employees must sanitize the work areas upon arrival, throughout the workday, and immediately before departure. The Town should provide alcohol-based wipes for this purpose.

• In the field, in addition to normal safety gear, ACOs should adhere to all applicable CDC recommended protections.


  For any type of mask, appropriate use and disposal are essential to ensure that they are as effective as possible and to avoid any increase in transmission. WHO offers the following guidance on the correct use of masks, derived from best practices in health care settings:

  ✓ Perform hand hygiene before putting on the mask;
  ✓ Place the mask carefully, ensuring it covers the mouth and nose, adjust to the nose bridge, and tie it securely to minimize any gaps between the face and the mask;
  ✓ Avoid touching the mask while wearing it;
  ✓ Remove the mask using the appropriate technique: do not touch the front of the mask but untie it from behind;
  ✓ After removal or whenever a used mask is inadvertently touched, clean hands with an alcohol-based hand-rub, or soap and water if hands are visibly dirty;
ACIR

Best Practices Guidelines

✓ replace masks as soon as they become damp with a new clean, dry mask;
✓ do not re-use single-use masks;
✓ discard single-use masks after each use and dispose of them immediately upon removal.

☐ Adoptions
  • Online submission of adoption application permit portal or email from town/COG website
  • If paper is the only method, mail-in applications only
  • Payments received via online portal or mail-in checks - no cash
  • No in-person contact between the animal and a potential adopter - this must be done in accordance with social distancing - use video, if possible

☐ Inspections/Investigations
  • Outside only - conduct as normal with proper distancing
  • If interior - utilize virtual alternatives - conducted between a resident and ACO by using a video call on a smart phone or tablet. Generally:
    ✓ Inspection complexity will be determined by the ACO
    ✓ Customers must have a smartphone or tablet connected to WiFi or 4G wireless service with Google Duo (all devices), FaceTime (Apple OS devices), or Microsoft Teams (all devices) to host the video call.
    ✓ The inspector will determine if additional fee(s) for re-inspection is required.


What to do if you own pets

Until we learn more about how this virus affects animals, treat pets as you would other human family members to protect them from a possible infection.

Because there is a risk that people with COVID-19 could spread the virus to animals, CDC recommends that pet owners limit their pet’s interaction with people outside their household.

  • Keep cats indoors when possible and do not let them roam freely outside.
  • Walk dogs on a leash at least 6 feet (2 meters) away from others.
  • Avoid public places where a large number of people gather.
  • Do not put a mask on pets. Masks could harm your pet.

There is no evidence that the virus can spread to people from the skin, fur, or hair of pets. Do not wipe or bathe your pet with chemical disinfectants, alcohol, hydrogen peroxide, or other products, such as hand sanitizer, counter-cleaning wipes, or other industrial or surface cleaners. Talk to your veterinarian if you have questions about appropriate products for bathing or cleaning your pet.

Talk to your veterinarian if your pet gets sick or if you have any concerns about your pet’s health.

Protect pets if you are sick

If you are sick with COVID-19 (either suspected or confirmed by a test), you should restrict contact with your pets and other animals, just like you would with people. Until we know more about this virus, people sick with COVID-19 should avoid contact with pets and other animals.

  • When possible, have another member of your household care for your pets while you are sick.
  • Avoid contact with your pet including petting, snuggling, being kissed or licked, sharing food, and sleeping in the same bed.
  • If you must care for your pet or be around animals while you are sick, wear a mask and wash your hands before and after you interact with them.

If you are sick with COVID-19 and your pet becomes sick, do not take your pet to the veterinary clinic yourself. Call your veterinarian and let them know you have been sick with COVID-19. Some veterinarians may offer telemedicine consultations or other plans for seeing sick pets. Your veterinarian can evaluate your pet and determine the next steps for your pet’s treatment and care.

Stay healthy around animals

In the United States, there is no evidence that animals are playing a significant role in the spread of COVID-19.

Based on the limited information available to date, the risk of animals spreading COVID-19 to people is considered to
be low. However, because all animals can carry germs that can make people sick, it’s always a good idea to practice healthy habits around pets and other animals.

- Wash your hands after handling animals, their food, waste, or supplies.
- Practice good pet hygiene and clean up after pets properly.
- Talk to your veterinarian if you have questions about your pet’s health.
- Be aware that children 5 years of age and younger, people with weakened immune systems, and older adults are more likely to get sick from germs some animals can carry.

For more information, visit CDC’s COVID-19 and Animals webpage and Healthy Pets, Healthy People website.

Resources

- Connecticut Department of Agriculture - Animal Control Unit - https://portal.ct.gov/DOAG/Regulatory/Regulatory/Animal-Control-Division
- Connecticut Municipal Animal Control Officers Association - https://www.ctaco.org

The information contained in this document is not intended to provide legal advice and should be used only for guidance regarding various functions performed by municipalities. Individual questions regarding the applicability of Executive Orders should be directed to the Office of Policy and Management Intergovernmental Policy and Planning Division (IGPP) or the town’s legal representative.

The Advisory Commission on Intergovernmental Relations (ACIR) is a 24-member agency of the State of Connecticut created in 1985 to study system issues between the state and local governments and to recommend solutions as appropriate. The membership is designed to represent the state legislative and executive branches, municipalities and other local interests, and the general public.

The role of ACIR, as contained in Section 2-79a of the Connecticut General Statutes, is to: (1) serve as a forum for consultation between state and local officials; (2) conduct research on intergovernmental issues; (3) encourage and coordinate studies of intergovernmental issues by universities and others; and (4) initiate policy development and make recommendations to all levels of government.

For Further Information, Please Contact:
Bruce Wittchen: phone (860) 418-6323 e-mail bruce.wittchen@ct.gov

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