



STIPULATION

This Stipulation concerns the Restraint Order issued by the Animal Control Officer for the Town of Prospect on April 23, 2013 imposing conditions on a female German Shepard named "Coco," owned by Quazibe Topciu of 6 Holly Lane, Prospect, CT ("Restraint Order)." A copy of the Restraint Order is attached as Exhibit A. The parties hereto enter this Stipulation in full and final settlement of the administrative appeal presently pending before the Department of Agriculture, regarding the Restraint Order.

WHEREFORE, the parties agree as follows:

1. The Restraint Order shall remain in full force and effect and shall be adhered to at all times, except as expressly set forth herein.
2. Coco is permitted to visit the private residence located at 240 Sperry Road, Bethany, Connecticut ("Sperry Road Residence").
3. Coco is permitted to run without leash or muzzle at the Sperry Road Residence, but only within the 6 ½ foot high metal fenced-in area surrounding the pool, and only if the following requirements are met:
 - a. That Coco is attended to at all times by a person who is physically capable of controlling her;
 - b. That both gates to the metal fence are locked with a padlock at all times that Coco is in the designated area;
 - c. That conspicuous signs are posted on both gates to the metal fence warning that a dog is on the premises;
 - d. That the metal fence is kept in good condition;
 - e. That Coco receives annual veterinary examinations, vaccinations and remain licensed;
 - f. That Ms. Topciu discusses with Coco's veterinarian the behavioral benefits of spaying and that she follow the veterinarian's recommendation;
 - g. That Ms. Topciu continue obedience training with Coco at a dog training facility that is licensed by the Connecticut Department of Agriculture for such purpose; and
 - h. That Ms. Topciu provides a copy of the Restraint Order and this Agreement to the Animal Control Officer having jurisdiction over the town of Bethany.
4. Ms. Topciu acknowledges that, pursuant to the terms of the Restraint Order, Coco is not permitted to visit the Country Corner Diner in Bethany, Connecticut.

5. The privileges set forth in Paragraph 3 will automatically be revoked upon the occurrence of either of the following:
 - a. Any violation of the Restraint Order and/or this Agreement; or
 - b. Any escape by Coco from the Sperry Road Residence.

6. Ms. Topciu hereby releases the Prospect Animal Control Officer, Mayor Bob Chatfield and the Town of Prospect from any and all claims she presently has, known or unknown, concerning Coco, the Restraint Order and/or this Agreement.

LJT
18
7.



8. This Agreement does not prohibit the Animal Control Officer from taking any future action regarding Coco that is authorized by law.

9. The parties understand and agree that this is a full and final disposition of this matter, that they will take whatever actions are necessary to effectuate the final disposition of this matter, up to and including withdrawal of the action, and that they they are waiving their right to appeal.

10. This stipulation is subject to approval by the Commissioner of the Department of Agriculture

[Handwritten signature]
LJT

Agreed to this 8th day of January, 2015.

[Handwritten signature]

Quazibe Topciu, Owner of Coco
6 Holly Lane, Prospect, CT

[Handwritten signature]

Norreo Gabriel
Animal Control Officer, Town of Prospect

[Handwritten signature]

Attorney Rob Serafinowicz

[Handwritten signature]

Attorney Lauren J. Taylor

EXHIBIT A



RESIDENT STATE TROOPERS OFFICE

8 CENTRAL STREET, PROSPECT, CT 06712-0009

NON-EMERG. TELEPHONE: 758-6150

FAX: 758-5312

E-MAIL: prospect03@SNET.net



R-9

RESTRAINT ORDER

Date 4 / 23 / 2013

Pursuant to Section 22-358, Quarantine of Biting Dogs, "The Commissioner, the chief animal control officer, any animal control officer, any municipal animal control officer or any regional animal control officer may make any order concerning the restraint or disposal of any biting dog as he deems necessary".

Dog Owner or Keeper Quazibe Topciu

Address [REDACTED] Town Prospect

As the owner or keeper of the dog described below, you are ordered to continually restrain your dog as of this date according to the conditions listed below because of the following bite incident.

Date of Bite 4/9/2013 Date of Quarantine 4/9/2013

Person Bitten Jeffrey Sherman D.O.B. 3/31/1960

Address [REDACTED] Town Prospect

Description of Dog:

Name COCO Breed German Shepard Color black/gray

Age 15 months Sex female License # 754 Town Prospect

Conditions of restraint:

1. Dog owner Quazibe Topciu shall be the only person to handle dog.
2. Dog shall not go outside of house unless owner has muzzle, and leash on dog that gives the owner total control over dog.
3. Dog shall not be allowed to roam freely on exterior property or taken off of property, the only exception would be for veterinary care. DOG SHALL NOT BE WALKED ON ANY PUBLIC STREET, ROAD PARK OR AREA OPEN TO THE GENERAL PUBLIC.
4. When outside the home, owner shall muzzle and leash the dog from the house and be placed and secured in an approved chain link fenced in area. While the dog is in the locked pen, the owner must be physically near the pen.
5. Chain link fenced pen must be secured to the ground to prevent any possible escape.

Continued on page 2

Section 22-358 of the Connecticut General Statutes also states, "Any person aggrieved by any order of any municipal animal control officer, the chief animal control officer, any animal control officer or any regional animal control officer may request a hearing before the commissioner within fourteen days of the issuance of such order."

Commissioner of Agriculture
165 Capitol Avenue
Hartford, Connecticut 06106
860-713-2506


John J. Salvi
PROSPECT A.C.O.

BVH
copy

R-9

Quazibe Topciu
Continuation of restraining order
page 2

- 6. The top of the chain link fenced pen must be secured with a chain link top cover to prevent the dog from climbing or jumping out.
- 7. Prior from dog being removed from the pen, owner will reattach muzzle and leash to the dog and it will remain on the dog, until the dog is secured in the house.
- 8. Dog shall be secured inside of house by owner in an area away from any guests or service people that may enter the home, and shall remain in said secured area until all guests and or service people are off the property.
- 9. ANY ESCAPE by dog to be REPORTED to POLICE IMMEDIATELY QT


 Signature: Quazibe Topciu

4/23/13 QT
 Date


 Signature: Ofc. Gabriel

4/23/13 QT
 Date