

1 H.502

2 Introduced by Representatives Klein of East Montpelier, Canfield of Fair

3 Haven, Cheney of Norwich, Krawczyk of Bennington, Mitchell

4 of Barnard, Sharpe of Bristol and Weston of Burlington

5 Referred to Committee on

6 Date:

7 Subject: Public safety; domestic pet control; right to impound dangerous

8 domestic pets

9 Statement of purpose: This bill proposes to clarify the authority of municipal
10 law enforcement officials to immediately impound a domestic pet that has
11 attacked a person and continues to pose a threat to any person.

12 An act relating to authority to impound dangerous domestic pets

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 20 V.S.A. § 3546 is amended to read:

15 § 3546. INVESTIGATION OF VICIOUS DOMESTIC PETS OR
16 WOLF-HYBRIDS; ORDER

17 (a) When a domestic pet or wolf-hybrid has bitten a person while the
18 domestic pet or wolf-hybrid is off the premises of the owner or keeper, and the
19 person bitten requires medical attention for the attack, ~~such~~ that person may
20 file a written complaint with the legislative body of the municipality. The

1 complaint shall contain the time, date, and place where the attack occurred, the
2 name and address of the victim or victims, and any other facts that may assist
3 the legislative body in conducting its investigation required by subsection (b)
4 of this section. If law enforcement personnel determine that the domestic pet
5 or wolf-hybrid continues to pose a threat to any persons, the law enforcement
6 personnel may impound the domestic pet or wolf-hybrid immediately upon
7 receipt of the complaint and hold the animal until a hearing has been held and
8 an order issued.

9 (b) The legislative body, within seven days from receipt of the complaint,
10 shall investigate the charges and hold a hearing on the matter. If the owner of
11 the domestic pet or wolf-hybrid which is the subject of the complaint can be
12 ascertained with due diligence, ~~said~~ the owner shall be provided with a written
13 notice of the time, date, and place of hearing and the facts of the complaint.

14 (c) If the domestic pet or wolf-hybrid is found to have bitten the victim
15 without provocation, the municipal officials shall ~~make such~~ issue an order for
16 the protection of persons as the facts and circumstances of the case ~~may~~
17 require, including, ~~without limitation, that~~ muzzling, chaining, confining, or
18 humanely disposing of the domestic pet or wolf-hybrid ~~is disposed of in a~~
19 ~~humane way, muzzled, chained, or confined.~~ The order shall be sent by
20 certified mail, return receipt requested. A person who, after receiving notice,

1 fails to comply with the terms of the order shall be subject to the penalties
2 provided in section 3550 of this chapter.

3 (d) The procedures provided in this section ~~shall apply~~ applies only if the
4 domestic pet or wolf-hybrid is not a rabies suspect. If a member of the
5 legislative body or a municipal official designated by the legislative body
6 determines that the animal is a rabies suspect, the provisions of subchapter 5 of
7 this chapter and the rules of the department of health ~~shall~~ apply.

8 (e) The procedures provided in this section shall not apply if the voters of a
9 municipality, at a special or annual meeting duly warned for the purpose, have
10 authorized the legislative body of the municipality to regulate domestic pets or
11 wolf-hybrids ~~by ordinances that are inconsistent with this section~~, in which
12 case those ordinances shall apply.