

1
2
3
4
5
6
7
8

9
10
11
12
13
14
15
16
17
18
19

S.145

Introduced by Senators Pollina, Cummings, and Doyle

Referred to Committee on

Date:

Subject: Crimes and criminal procedure; humane and proper treatment of
animals; shelter of animals

Statement of purpose of bill as introduced: This bill proposes to change the
requirements for structures housing dogs outside and tethering dogs.

An act relating to the tethering and sheltering of dogs

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

Sec. 1. 13 V.S.A. § 365 is amended to read:

§ 365. SHELTER OF ANIMALS

* * *

(e) A dog maintained out-of-doors must be provided with suitable housing
that: ~~assures that the dog is protected from wind and draft, and from excessive
sun, rain and other environmental hazards throughout the year.~~

(1) assures that the dog is protected from wind and draft and from
excessive sun, rain, and other environmental hazards throughout the year;

(2) is fully enclosed on three sides with a roof and solid floor;

1 (3) has an entrance which allows a dog's entry and exit and blocks entry
2 of weather elements;

3 (4) has clean bedding;

4 (5) is small enough to allow a dog to retain its body heat and large
5 enough to allow the dog to stand, lie down, and turn comfortably;

6 (6) is in good repair; and

7 (7) has suitable drainage for water and waste.

8 (f) A dog kept out of doors shall not be tethered to a stationary object by a
9 chain, rope, or other device as a means of keeping the dog under control:

10 (1) if unattended between the hours of 10:00 p.m. and 6:00 a.m.; or

11 (2) during periods of heat above 90 degrees Fahrenheit or cold below
12 zero degrees Fahrenheit or when a weather advisory or warning has been
13 issued by the National Oceanic and Atmospheric Administration; or

14 (3) if the dog is under the age of six months.

15 (g) A dog chained to a shelter must be on a tether chain at least four times
16 the length of the dog as measured from the tip of its nose to the base of its tail,
17 ~~and~~ shall allow the dog access to the shelter, and shall employ a collar pursuant
18 to subsection (h) of this section. The length of the tether shall not allow the
19 dog to reach any object that poses a substantial risk of injury or strangulation
20 to a dog if a dog jumps over that object.

1 (h) A dog collar shall be a well-fitting, flat buckle type collar and shall not
2 be able to choke, pinch, or prong the dog's throat.

3 (i) A dog tether must have swivels on both ends to prevent twisting and
4 tangling. The tether shall not have weights attached and chain links must be no
5 more than one-eighth inch thick.

6 ~~(g)~~(j) A cat, over the age of two months, shall be provided minimum living
7 space of nine square feet, provided the primary structure shall be constructed
8 and maintained so as to provide sufficient space to allow the cat to turn about
9 freely, stand, sit, and lie down. Each primary enclosure housing cats must be
10 at least 24 inches high. These specifications shall apply to each cat regardless
11 of whether the cat is housed individually or with other animals.

12 ~~(h)~~(k) Notwithstanding the provisions of this section, animals may be
13 temporarily confined in a space sufficient for them to stand and turn about
14 freely, provided that they are exercised in accordance with accepted
15 agricultural or veterinarian practices, and are provided sufficient food, water,
16 shelter, and proper ventilation.

17 ~~(i)~~(l) Failure to comply with this section shall be a violation of subdivision
18 352(3) or (4) of this title.

19 ~~(j)~~(m) Notwithstanding the provisions of this section, an animal may be
20 sheltered, chained, confined, or maintained out-of-doors if doing so is directed

1 by a licensed veterinarian or is in accordance with accepted agricultural or
2 veterinarian practices.

3 (n) Notwithstanding the provisions of this section, a dog may be sheltered,
4 chained, confined, or maintained out of doors if doing so:

5 (1) is part of any lawful exhibition, show, contest, or other temporary
6 event in which the skill, breeding, or stamina of the dog is judged or
7 examined; or

8 (2) is part of any exhibition, class, training session, or other temporary
9 event in which the dog is used in a lawful manner to hunt; or

10 (3) is the temporary tethering of a dog at any camping or recreation area
11 as expressly authorized by law or regulation.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2013.