



**BURLINGTON POLICE DEPARTMENT  
DEPARTMENT DIRECTIVE  
DD34 Animal Control**

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**POLICY:** To provide care, assistance, and enforcement in regulated matters regarding domestic and wild animals.

**PURPOSE:** To establish a procedure for the enforcement of all City Ordinances and applicable State Statutes pertaining to animals and to institute a policy for the investigation of animal related complaints.

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**I. DEFINITIONS**

**Abandoned:** forsaken or deserted, unrestrained.

**Animal Control Officer (ACO):** A designated civilian employee, such as a Community Service Officer (CSO), who is specially trained and equipped to handle all aspects of animal control and may issue violation tickets as outlined in Section 1-9(b) of the Code of Burlington City Ordinances and State Statutes – Title 13, Humane Treatment of Animals, Title 20, Chapter 191 Domestic Pets and Wolf Hybrids.

**Confinement:** keeping an animal on the owner's property in an escape proof building or enclosure approved by the Community Service Officer (CSO) (e.g. a house, garage, or pen). The animal must be confined so as not to escape and bite or expose anyone during the ten day confinement period.

**Impound facility:** the current authorized kennel duly appointed by the City to care for all impounded animals.

**Injured:** "wounded or harmed; hurt."

**Non-bite:** scratches received from an animal, or scratches, abrasions, open wounds or mucous membranes contaminated with an animal's saliva or neural tissue (e.g. touching a pet shortly after it has been bitten by a suspected rabid animal and getting wet saliva **from the suspect animal** in an open cut on a person's hand). If the material containing the virus is dry, it can be considered non-infectious.

**Non-exposure:** Contact with the urine of an animal does not constitute exposure, and therefore, does not require post-exposure vaccination.

**Quarantine:** keeping an animal in a facility approved by the CSO. The first option for quarantine is the Department's current designated kennel.

**Stray:** any animal off the owner's premise and not in the presence of or under the direct active control of the owner or another by leash, cord, chain, or other similar means of restraint.

**Suspected rabid animal:** any wild or domestic animal exhibiting rabies symptoms or posing a threat to public safety or any domestic animal whose vaccination history is unknown.

**Unlicensed:** a domestic dog more than four months old which is not properly licensed in Burlington.

## II. DUTIES

- A. The CSO will perform those duties solely related to animal control, but not limited to:
1. Public education, law enforcement, and associated record keeping.
  2. Investigation of all incidents involving animals that occur during his/her duty hours and shall respond while off duty when called by the Officer in Charge or his/her designee.
  3. Maintain a close working relationship with the kennel keeper to ensure efficient methods for impounding and disposing of animals in accordance with State Statutes and City Ordinances.
  4. Receive copies of all animal related complaints and conduct follow up investigation as necessary.
  5. Follow up on all animal bite investigations to ensure compliance with Department policies and State and local laws.
  6. Be aware of available resources for capturing, controlling, and managing all animals.
- B. When the CSO is not on duty, routine animal complaints may be investigated by on duty patrol officers and enforcement action is to be taken when appropriate. All investigated animal complaints shall be transferred to the CSO for follow up investigation if appropriate.

## III. PROCEDURES FOR IMPOUNDING ANIMALS

### A. Impounding Cats

1. The City of Burlington does not accept cats to be impounded as a stray. A cat can only be impounded if it was involved in a police related event, animal cruelty incident, or left in a vehicle that is being towed away.

### B. Investigative procedures for dogs:

1. If the dog has a collar, check for a City of Burlington license tag. The tag will show a year and license number. Ask an Emergency Communications Specialist (ECS) to check the city database records for the owner's details.
2. Check with the ECS to determine if the dog matches the description of any animals reported missing.
3. Any violation of Chapter 5 of the city ordinance allows a dog to be impounded, however, a warning may be issued at the CSO's or officer's discretion.
4. A Municipal Ordinance Complaint Ticket (VMC), or if warranted, a criminal citation may be issued when an officer observes a violation or when a witness is willing and able to provide a sworn statement.
5. Efforts must be made to inform the dog owner of impound within 24 hours. Owners are not to be told of the pound's name or location, they are to be directed to contact the next CSO on

duty. If the CSO is unavailable/ill/on vacation for more than 24 hours, please see Section VI for the procedure on contacting the owner for retrieval.

B. A dog may be impounded when:

1. It is stray, abandoned, or injured.
2. A bite has occurred.
3. It is abused/neglected – as defined in Title 13, Subsection 352 of the Vermont State Statutes or City Ordinance Violation 5-26 Cruelty to Animals.
4. It is unlicensed.
5. It barks, whines, or howls in an excessive, continuous or timely fashion as to disturb the peace and quiet of any neighborhood or to materially disturb or annoy any person in the neighborhood.
6. It fits the definition of a nuisance animal as defined in Section (5-4) 1-5 of Code of City Ordinances.

#### **IV. TRANSPORTATION OF IMPOUNDED ANIMAL**

Every animal brought into custody by the Burlington Police Department shall be cared for in a humane fashion. Animals transported to the impounding facility shall be transported in a timely fashion. No animal shall be kept in the confines of a police cruiser or building for longer than four (4) hours, if feasible. No domestic or wild animals shall be confined to a Police Cruiser or any area maintained by the Department that will jeopardize the animal's welfare (i.e. extreme heat or freezing temperatures).

#### **V. DELIVERING AN IMPOUNDED ANIMAL TO THE KENNEL**

- A. Locate directions to the kennel.
- B. Impoundment forms shall be filled out and a copy left with the CSO and the kennel.
- C. Know the proper procedures for entering and exiting the facility prior to transportation to the kennel.
- D. Ensure the animal is clean and healthy, deemed by the responsible officer. If the animal is not healthy, the animal must be taken to a nearby emergency veterinarian hospital (BEVS, 200 Commerce St, Williston). If the animal is not clean, the responsible officer must make an effort to clean the animal and notify the kennel manager (i.e. sprayed by a skunk).
- E. The animal must either be leashed or in a crate when transported to the kennel.
- F. Animals shall be securely contained in a pen, cage, or crate in a room specifically designated for impounded animals. No food or water is to be left for impounded animals .
- G. If an issue should arise at the kennel facility, call the kennel number first. If there is no answer, leave a message and the kennel manager will return the call the next day.

#### **VI. CONTACTING THE OWNER FOR RETRIEVAL**

- A. Notify the owner of the reason(s) for the impound.
- B. Explain to the owner that they need to contact the CSO when he/she is on shift to retrieve their animal.
- C. If there is no CSO available, dispatch or a responsible officer will do the following:
  1. Collect the owner's contact and email information and forward that to the CSO to follow up on.

2. Direct the owner to City Hall to pay for the boarding fees and any other additional fees. Inform the owner to bring a vaccination record to City Hall.  
City Hall hours: M-F 8AM-4:30PM
  3. After the owner pays all fees at City Hall, the ECS or the responsible officer may inform the owner they can pick up their dog from the kennel.
- D. The animal will not be released if these steps are not completed.

## VII. SICK OR INJURED WILDLIFE OR DOMESTIC ANIMAL

- A. If the CSO is not on duty, a police officer shall be dispatched to the scene to evaluate the circumstances.
1. If the officer determines that the animal needs to be destroyed, but it is **not** an emergency involving threat to human or domestic life, the CSO shall be contacted to respond.
  2. If the situation constitutes an emergency, the officer shall immediately dispatch the animal. Officers should avoid handling or disposing of wildlife, as they have not been inoculated.
    - a. When dispatching a sick or injured animal, officers shall use a .22 caliber rifle unless the situation makes it impractical to wait for the procurement of this weapon. In the absence of a .22 caliber rifle, the officer shall use his/her duty weapon.
  3. Any wild animal (except skunks, raccoons, and foxes) that has visible injuries and appears to be in discomfort or pain may be transported to a veterinarian or a State Licensed Wildlife Rehabilitator to be evaluated.
- B. Any **domestic** animal that appears to be sick or injured shall be evaluated by a licensed Veterinarian. If the animal is needlessly suffering and its injuries are so severe and beyond medical treatment; and it is not feasible for a Veterinarian to respond to give this determination, the officer may dispatch the animal **with permission** from the Officer in Charge.

### C. **Dead animal removal**

#### **1. Dead Animal on Private Property**

Upon receipt of a call, the ECS shall advise the property owner or tenant that dead animals on private property are the responsibility of the homeowner. Recommended procedure for removal includes the use of a shovel and protective gloves, placing the carcass in a plastic bag, and disposing in the trash receptacle. Shovels or tools used should be disinfected with a diluted bleach solution.

#### **2. Dead Animal Euthanized by the Police Department**

If the animal is on private property, the responding member should assist the homeowner/tenant to the greatest extent possible with the procedure outlined above. If the animal was euthanized due to suspicion of rabies infection, the following procedure is required:

*A. The CSO or on duty officers will investigate reports of sick and/or injured wild animals* (indicators of sickness include seizures, convulsions, unprovoked aggression toward humans or domestic animals, etc.). If a sick and/or injured wild animal is located, and euthanasia is necessary, the Chittenden County Fish and Game Warden will be

contacted. If the officer determines that immediate action is required, or if the Warden is not available in a timely manner, the animal should be euthanized. If there was an exposure to human or domestic animals, the animal will be shot, avoiding the head and base of neck area, double bagged and placed into the approved rabies box. These boxes are located in the storage shed on top of the CSO refrigerator. The carcass will be transported to the Department of Health Lab during business hours or placed in the CSO refrigerator after business hours. All appropriate paperwork inside the rabies box will be filled out and submitted to the Health Lab along with the carcass for testing.

### **3. Dead Animal in the Roadway or other Public Right of Way**

Upon receipt of a call, the type of animal will be determined. The ECS will inquire if there was any known human or domestic animal exposure prior to the animal's death. If so, the CSO or officers on duty will be notified and the procedures noted in section 2A followed.

Dead animals in the public right of way are, absent aggravating circumstances, removed only during regular business hours Monday through Friday. Residents always have the option of removing the animal of their own accord as prescribed in section 2.

#### *A. Game Animals*

If the animal is a game animal (deer, bear, moose, etc.), the Game Warden will be contacted for removal.

#### *B. Domestic Animals*

If the animal is a domestic animal such as a dog or cat, the CSO should be notified to attempt to identify the owner. Generally, the CSO will remove these animals unless size or other factors (such as excessive decomposition or insect infestation) prohibit transport in a Department (enclosed) vehicle. In those cases, DPW should be contacted to transport in a non-enclosed vehicle. Additionally, in the CSO's absence, DPW may be contacted to remove the animal.

#### *C. Other Animals*

If the animal is a squirrel, skunk, raccoon, or other non-game, non-domestic animal, a list will be maintained in the Communications center. Each day, near mid-day, DPW shall be contacted and given the list of animals and their location. Crews will remove the animals as time permits during the course of the work day, generally in the afternoon.

Note – Callers should be advised that weekend and holiday removal of animals from the public right of way is generally not done. Additionally, that it may take some time (up to 24 hours during the work week) for the CSO or a crew to get to the removal of the animal.

## **VIII. ANIMAL BITES**

### **A. Investigative procedures:**

1. In cases where a domesticated animal bites a person, one of the following procedures shall be used.
  - a. If the owner of the animal is known and deemed competent by the investigating officer, and only if the animal is officially current in its rabies vaccination, the animal may be confined at home for the ten-day rabies incubation period.

- b. If the owner is unable to properly confine the animal at home, then the animal shall be transported to an approved quarantine facility at the owner's expense. If the owner is not a resident of the Burlington area, the animal should be impounded for the 10-day observation period.
- c. If the animal is not currently vaccinated for rabies, the animal shall be transported to an approved quarantine facility at the owner's expense.
- d. If the owner of the animal cannot be located, the animal should be transported to an approved quarantine facility.

At the end of the ten-day period, the investigating officer shall contact the owner or kennel, and include in the report, an explanation of the animal's health.

2. In cases where a wild animal bites a person or a domestic pet, or if there is a possible rabies exposure, the CSO shall be notified.
3. In all cases where an animal has bitten a person, an "Animal Bite Report Form" shall be completed. All paper work relative to a bite should be given to the CSO as soon as it can be completed.


#### IX ANIMAL CONTROL VEHICLE

1. The Department maintains a vehicle for the purposes of animal control. Responsibility for the maintenance and care of the vehicle lies with the CSO.
2. The CSO vehicle may be used as a general-purpose vehicle. All Department employees that have a valid Vermont Operator's License may operate the CSO vehicle.

#### X. ANIMAL CONTROL EQUIPMENT

- A. The following equipment is to be kept in the CSO vehicle.
  1. a rabies pole (loop snare)
  2. a net
  3. heavy-duty bite gloves
  4. at least one leash
  5. a bloodborne pathogen kit
  6. a laser thermometer for reading vehicle temperatures
- B. It will be the responsibility of the CSO to see that these items are in the vehicle. The CSO or any law enforcement officer may use the above listed equipment. If the Animal Control equipment is used, it will be the user's responsibility to return the equipment to the location from which it was taken.

*Reviewed and adopted by the Burlington Police Commission on June 23, 2015.*

  
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Michael E. Schirling, Chief of Police

6/24/15  
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Effective Date