

ARTICLE VI. MOHEGAN ANIMAL CONTROL ORDINANCE

Sec. 6-130. Establishment of Mohegan Animal Control Ordinance.

This ordinance is established for the management and regulation of wildlife and domestic animals on the Mohegan Indian Reservation. The Mohegan Indian Reservation is home to a variety of wildlife and domestic animals. On occasion, wildlife enters public areas and may become endangered or endanger people, and domestic animals may become lost or homeless. While all means shall be taken to safely remove and relocate wildlife and uncontrolled domestic animals from public areas whenever possible, at times unhealthy or dangerous animals must be managed by other means.

Sec. 6-131. Definitions.

- (a) *Mohegan Indian Reservation* includes all land taken into trust by the United States for the benefit of the Mohegan Indian Tribe and any land within the exterior boundaries of the Mohegan Reservation. Of particular concern are the following public areas on the Mohegan Reservation: Mohegan Sun Casino and related properties; Warehouses I, II & III; Mohegan Tribal Government Building/Community Center; residential properties; Shantok – Village of Uncas; Fort Hill Retirement Community; Mohegan Church; Tantaquidgeon Indian Museum; any other area open to the public.
- (b) *Wildlife* includes raccoons, foxes, skunks, coyotes, deer, fisher cats, bats and any other undomesticated animal that lives in the wild.
- (c) *Nuisance Wildlife* includes all free roaming animals that:
 - (1.) Appear to be injured;
 - (2.) Appear to be sickly;
 - (3.) Demonstrate unprovoked aggressive behavior;
 - (4.) Appear to be confused;
 - (5.) Exhibit any other atypical behavior, for example:
 - i. nocturnal animal active during the daylight;
 - ii. animal stumbling or walking in a circle;
 - iii. animal approaching people when normally it would run or exhibit fear.

- (d) *Domestic Animal* includes all animals normally owned by a person and kept primarily on private property and under the control of a person, such as cats, dogs, small reptiles, rodents, and other common household pets.

Sec. 6-132. Procedures.

(a) Roaming Dog.

- (1) Any person who sees a roaming dog on the Mohegan Indian Reservation shall promptly report such sighting to the Tribal Police Department.
- (2) Any Mohegan Tribe or Mohegan Sun employee who hears a report of a roaming dog on the Mohegan Indian Reservation shall promptly report such information to the Tribal Police Department.
- (3) Upon receiving such report, the responding officer shall contact the agency designated by the Public Safety Department to respond to the situation.

(b) Dog left in vehicle or tied without access to food/water/shelter.

- (1) Any person who sees a dog that has been left in a vehicle or tied without access to food/water/shelter shall promptly report such sighting to the Tribal Police Department.
- (2) Any Mohegan Tribe or Mohegan Sun employee who hears a report of a dog that has been left in a vehicle, tied without access to food/water/shelter shall promptly report such sighting to the Tribal Police Department.
- (3) If the responding officer finds that the dog is in danger, the officer shall follow established Tribal Police procedure to manage the situation.

(c) Roaming Cat.

- (1) Any person who sees a cat in the Mohegan Sun Casino, Mohegan Sun parking garages, Mohegan Sun hotels or any other non-residential Mohegan Tribe building, shall promptly report such sighting to the Tribal Police Department.
- (2) Any Mohegan Tribe or Mohegan Sun employee who hears a report of a cat in the Mohegan Sun Casino, parking garage, hotel or other non-residential Mohegan Tribe building, shall promptly report such sighting to the Tribal Police Department.
- (3) Upon receiving such report, the responding officer shall contact the person or agency designated by the Public Safety Department to respond to the situation.

(d) Confined Cat.

- (1) Any person who finds a cat confined in an enclosed space, whether the cat has been left there by an owner or has crawled into such space, shall promptly report such finding to the Tribal Police Department.
- (2) Any Mohegan Tribe or Mohegan Sun employee, who hears a report of a cat confined in an enclosed space, shall promptly report such finding to the Tribal Police Department.
- (3) Upon receiving such report, the Tribal Police Department shall send a responding police or security officer to assess the situation.
 - (i) If the officer confirms that a cat has been left in a confined space by an owner, the officer shall follow established Tribal Police procedure to manage the situation.
- (4) If the officer confirms that a cat has crawled into a confined space, the officer shall refer the matter to the person or agency designated by the Public Safety Department to respond to the situation.

(e) Nuisance Wildlife (may include cat or dog).

- (1) Any person who sees nuisance wildlife shall promptly report such information to the Tribal Police Department.
- (2) Any Mohegan Tribe or Mohegan Sun employee who hears a report of nuisance wildlife shall promptly report such information to the Tribal Police Department.
- (3) Upon receiving such report, the Tribal Police Department shall send a responding officer to assess the situation. If the officer finds nuisance wildlife, the officer will follow established Tribal Police procedure to manage the situation.

(f) Quarantine and euthanasia of biting/scratching animals.

- (1) Any person who is bitten, scratched or attacked by a dog, cat or other animal may use any reasonable means necessary to defend against such dog, cat or other animal during such attack. Such person shall promptly report the circumstances of the attack to the Tribal Police Department.
 - i. The Tribal Police Department shall immediately investigate such report.
 - ii. If the Tribal Police Department finds that the complainant has been bitten, scratched or attacked by such dog, cat or other animal, the matter shall be referred to the Public Health Department, which shall order the quarantine of such dog, cat or other animal in an

appropriate facility or order the owner or keeper to quarantine it in a veterinary hospital, kennel or other building or enclosure approved by the Public Health Department for such purpose. If such dog, cat or other animal has bitten a person on the premises of the owner or keeper of such dog, cat or other animal, the Public Health Department may choose to order the quarantine of such dog, cat or other animal on the premises of the owner or keeper of such dog, cat or other animal.

- iii. On the fourteenth day of such quarantine, the dog, cat or other animal shall be examined by a person designated by the Public Health Department to determine whether such quarantine shall be continued or removed.
- iv. The Public Health Department may make any order concerning the restraint or disposal of any biting dog, cat or other animal as the Public Health Department deems necessary.
- v. Notice of any such order shall be given to both the person bitten/scratched or attacked by such dog, cat or other animal, and any ascertainable owner of such dog, cat or other animal, within twenty-four hours.
- vi. The owner of such animal shall pay all associated fees.
- vii. Any owner or keeper of such dog, cat or other animal who fails to comply with such order shall be fined not more than five hundred dollars.
- viii. If an owner or keeper fails to comply with quarantine or other order made pursuant to this subsection, the Public Health Department may order the seizure of the dog, cat or other animal to insure such compliance and the owner or keeper shall be responsible for any expenses resulting from such seizure.
- ix. Any person aggrieved by an order of the Public Health Department may request a hearing before the Executive Director of Health and Human Services within fourteen days of the issuance of such order.
- x. After such hearing, the Executive Director may affirm, modify or revoke such order as deemed proper.
- xi. Any person who kills any dog, cat or other animal in accordance with the provisions of this ordinance shall not be held criminally or civilly liable for such action.
- xii. The owner of any dog, cat or other animal which has bitten or attacked a person and has been quarantined pursuant to this section

may authorize the humane euthanization of such dog, cat or other animal by a licensed veterinarian at any time before the end of the fourteenth day of such quarantine. Any such dog, cat or other animal so euthanized before the end of the fourteenth day of quarantine shall be examined for rabies by a designated laboratory authorized by the Department of Public Health to perform rabies examinations. The veterinarian performing the euthanasia shall be responsible for ensuring that the head of the euthanized animal is delivered by him or his designated agent within forty-eight hours to an appropriate laboratory designated by said department for rabies examination.

- (2) A person who sustains damage by a dog to property shall make a complaint to the Department of Public Safety.
 - i. The Tribal Police Department shall immediately investigate such complaint.
 - ii. If the Tribal Police Department finds that the complainant's property has been damaged by a dog when the property was not on the premises of the owner or keeper of the dog and provided the complainant's property was under the control of the complainant or on the complainant's property, the Department of Public Safety may make any order concerning the restraint or disposal of such dog as the Department of Public Safety deems necessary.
 - iii. An owner or keeper of such dog who fails to comply with such order shall be fined not more than five hundred dollars.
 - iv. If the owner or keeper of such dog fails to comply with an order made pursuant to this subsection, the Department of Public Safety may seize the dog to ensure such compliance, and the owner or keeper of such dog shall be responsible for any expenses resulting from such seizure.
 - v. A person aggrieved by an order of the Department of Public Safety made pursuant to this subsection may request a hearing before the Executive Director of Public Safety not later than fourteen days after the issuance of such order. After such hearing, the Executive Director may affirm, modify or revoke such order as deemed proper.

(g) Feeding Animals.

- (1) No person shall feed any wildlife or free roaming animal on the Mohegan Indian Reservation without the express permission of the Mohegan Tribal

Council. The Tribal Council shall provide a Guidance Memorandum to the Department of Public Safety with regard to the care and feeding of wildlife and free roaming animals on the Reservation, which shall be updated on an as needed basis.