

CHAPTER 94: ANIMALS

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GENERAL PROVISIONS

§ 94.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONMENT. The voluntary relinquishment of possession by the owner with the intention of terminating his or her ownership but without vesting it in any other person.

ANIMAL, DOG and CAT. Both the male and female.

AT LARGE. Off the premises of the owner while not under the control of the owner or other person by leash, cord, chain or other device of actual physical restraint.

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EXOTIC ANIMAL. This term includes the following:

(1) Any poisonous snake or reptile other than reptiles sold by a pet store or pet sale business duly licensed for the sale and distribution of the animals to the general public by the state; and

(2) Any wild animal requiring now or hereafter a permit to possess by the Indiana Department of Natural Resources.

(I.C. 14-22-26-1 *et seq.*)

FARM ANIMAL. Any animal typically kept and raised for resale on an agricultural farm, including but not limited to, swine, fowl, sheep, goats, horses and domestically raised wild animals.

OWNER. Any person or persons, firm, association or corporation owning, keeping or harboring a dog, cat or other animal.

('97 Code, § 6-14) (Ord. 12, passed - -59; Am. Ord. 8-11-94(A), passed 8-11-94)

§ 94.02 CONTROL OVER ANIMALS.

A town may regulate the control of animals and may establish animal shelters.
(‘97 Code, 6-6)

Statutory reference:

Authority to establish animal-shelters, see I.C. 36-8-2-6

§ 94.03 IMPOUNDING OF DOGS.

(A) It shall be the duty of the person and agencies so authorized by the town to apprehend any dog running at large and to impound the dog. The Town Marshal or authorized person impounding the dog shall make a registry entering the breed, color, sex and license number (if known) of the dog.

(B) If the owner of the dog is known or ascertainable from the tag, if any, worn by the dog, the Town Marshal or duly authorized agent of the town shall enter the name and address of the owner. In the event that the ownership of the dog running at large shall be known to the Town Marshal, the dog need not be impounded, but the Town Marshal may in his or her discretion cite the owners of the dogs to appear in court to answer to charges of violation of this chapter.

(C) If any dog is impounded under this chapter, the dog shall be impounded in the County Human Society Shelter, as the society may provide.

(‘97 Code, § 6-19) (Ord. 12, passed - - 59)

§ 94.04 NOTICE TO OWNER; REDEMPTION.

(A) Not later than three days after the impounding of any dog which was wearing, at the time of capture or impounding, a town license tag, the caretaker shall notify the owner by ordinary United States mail. In the event the owner is unknown because of the dog's lack of a license tag or because of any other reason, no notice of any kind need be given.

(B) The owner of any impounded dog may reclaim the dog upon the payment to the caretaker of the following fees:

(1) Two dollars if the dog has been picked up or captured by a town employee or other authorized agent of the town.

(2) Five dollars if the dog has been picked up or captured by a town employee or other authorized agent of the town for a second or subsequent time within a 30-day period prior to the capture.

(3) In addition to the payments required in divisions (A) and (B) of this section, the sum of \$.75 per day for room and board for each day or fraction thereof during which the dog was impounded. ('97 Code, § 6-20) (Ord. 12, passed - - 59)

§ 94.05 DISPOSITION OF IMPOUNDED DOGS.

(A) It shall be the duty of the caretaker to keep a healthy licensed dog impounded for running at large for a period of five days unless the owner shall claim the dog and pay the fees provided in § 94.04.

(B) If, at the expiration of five days from the date of impounding, and after notice is given as provided in § 94.03, any unclaimed dog, any dog required herein to be licensed but not wearing a license tag and any dog which appears to be suffering from rabies, hydrophobia, mange or other infectious or contagious diseases need not be released but shall be destroyed forthwith.

(C) Notice of the destruction of any dog for the reason that the dog appears to be suffering from rabies, hydrophobia, mange or other infectious or contagious diseases shall be given forthwith to the County Health Director. ('97 Code, § 6-21) (Ord. 12, passed - - 59)

§ 94.06 QUARANTINE OF BITING DOGS.

It shall be the duty of the Town Marshal and all other persons and agencies so authorized by the town to impound and securely quarantine every animal which bites any person. The impounding and quarantine shall be at the responsibility of the owner of the animal. Upon demand made by the Town

Marshal, the owner of any such animal shall forthwith surrender the animal which has bitten a human or which is suspected of having been exposed to rabies for supervised quarantine in an approved veterinary hospital, boarding kennel or in the town pound. The animal may be reclaimed by the owner upon the expiration of 15 days if adjudged free of rabies upon payment of fees and upon compliance with all licensing provisions.

('97 Code, § 6-22) (Ord. 12, passed - -59)

REGULATIONS

§ 94.20 CONTROL MEASURES REGARDING BARKING, BITING AND DAMAGE.

(A) An owner shall keep his or her dog under control at all times.

(B) It shall be deemed that an owner does not have control of his or her dog if he or she permits the animal to:

(1) Damage or defile the premises or property of another;

(2) Bark or howl unduly, especially in the nighttime, so as to disturb the quiet of the neighborhood or any person;

(3) Bite, or attempt to bite, attack or belligerently pursue any persons; or

(4) Run at large at any time within the corporate limits of the town.

('97 Code, § 6-15) (Ord. 12, passed - -59)

§ 94.21 ABANDONMENT OF ANIMALS.

It shall be unlawful for any owner of any animal to abandon the same within the corporate limits of the town.

('97 Code, § 6-16) (Ord. 12, passed - -59) Penalty, see § 10.99

§ 94.22 RUNNING AT LARGE.

(A) No owner shall permit any dog, including dogs exempt from licensing, to run at large at any time. All dogs running at large shall be impounded.

(B) The Town Marshal is given authority to kill any dangerous, vicious or ferocious dog found at large which cannot be safely captured and impounded by ordinary means.
(‘97 Code, § 6-17) (Ord. 12, passed - -59)

§ 94.23 CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS.

(A) All owners shall confine within a building or secure enclosure every fierce, dangerous or vicious dog, cat or other animal and shall not remove the dog, cat or other animal from the enclosure at any time.

(B) Every female dog and cat when in heat shall be confined in a building or secure enclosure or in a veterinary hospital or boarding kennel in such a manner that the female dog, cat or other animal cannot come in contact with another animal except for breeding purposes.
(‘97 Code, § 6-18) (Ord. 12, passed - - 59)

§ 94.24 MUZZLING DOGS.

(A) It shall be unlawful for the owner, keeper or person harboring any dog to allow or permit the dog to run at large upon any public street, alley, highway or common within the town without being securely muzzled.

(B) The Town Marshal is directed to immediately capture all dogs found running at large in any public street, alley, highway or confinement to be provided by the Town Council and therein confine the same. Unless the dog shall be claimed within 48 hours thereafter the Marshal is ordered to cause the dog to be immediately killed but the owner, keeper or person harboring the dog may claim the same within the period of time and the dog shall be immediately delivered up if the owner, keeper or person harboring the dog shall muzzles the same before delivery.
(‘97 Code, § 6-23) (Ord. 12, passed - -59) Penalty, see § 10.99

