

AN ORDINANCE REGARDING DOMESTIC ANIMALS

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BE IT ORDAINED, by the Town Board of the Town of Summitville, Madison County, Indiana, as follows:

SECTION ONE: DEFINITIONS

In this section the following terms shall be defined in this manner:

- (2) Animal: Any live, non-human vertebrate creature, domestic or wild.
- (b) At large: Not under restraint, as defined in this section.
- (c) Domestic Animal: A domestic animal, as defined by state law, but not a dog used to aid a blind person.
- (d) Harboring: Permitting any animal to remain or to be fed within any person's enclosure, place of business, residence or any premises controlled by that person for more than three (3) consecutive days.
- (e) Owner: Any person harboring an animal.
- (f) Person: A person, as defined by state law.
- (g) Public Nuisance: Any animal which is at large; or which attacks or molests other animals, humans, or passing vehicles; or which damages property; or which disturbs a reasonable person with continuous or excessive noise.
- (h) Restraint: Confinement within the property of the owner or securing by a lead or leash.
- (i) Stray: Any animal whose owner cannot be identified following reasonable inquiry.
- (j) Vicious Animal: Any animal constituting an immediate and serious danger to humans or to other animals.

SECTION TWO: VACCINATIONS

- (a) No person shall harbor any animal within the limits of the Town without first obtaining any required license therefore.

(b) Any person harboring any dog shall on or before the first Monday in May of each year have the dog registered in the office of the Trustee of Van Buren Township and shall pay on or before the time the tax levied by Van Buren Township, in its annual tax levy, upon the dog harbored.

(c) No person harboring a licensed dog shall permit such animal to run at large within the Town without a substantial collar of leather, iron, copper, brass or other durable material to which shall be attached its numbered licence tag.

(d) No person shall permit any dog to wear any other tag than the one issued by the Township Trustee for that particular dog.

(e) No person other than the owner of the dog shall remove either the collar or the license check from any licensed dog except with the consent of or upon the order of the party to whom the license was issued.

(f) No person shall refuse to exhibit any license required by this section to any town official, police officer, or law enforcement agency.

(g) No person shall harbor any cat or dog which is six (6) months or older and which has not been vaccinated against rabies. A rabies vaccination tag is issued by a licensed veterinarian, an identification tag designating the owner of the animal and the owner's address, and a dog tag issued by the Madison County Assessor's Office shall be deemed proof of compliance with this section.

(h) Any domestic animal which has bitten a person shall be impounded at the expense of the owner for a period of not less than fourteen (14) days and until the County Health Officer can determine if the animal is rabid. If the animal dies while impounded, a test shall be conducted at the expense of the owner to determine if the animal was rabid. The death of any animal suspected to have been rabid shall be reported to the County Health Officer immediately following the discovery of its death.

(i) Any domestic animal which has been bitten by an animal suspected to be rabid shall be confined for a period of six (6) months at the expense of the owner or shall be destroyed.

(j) No person who knows or suspects that an animal under his or her control is rabid shall allow that animal to leave his or her control except to be taken to an animal shelter or a veterinarian. Any person who knows or suspects that an animal is rabid shall immediately notify the Police Department or the Madison County Health Officer.

(k) No person harboring a dog shall allow the dog to run at large during the prevalence of rabies, after the Board has issued and posted a proclamation requiring the confining or muzzling of dogs. Any dog found running at large, during the period stated in the proclamation for which they are ordered muzzled, may be humanely euthanized by the Police Department.

SECTION THREE: RESTRAINT, ABUSE, AND PENALTIES

RESTRAINT:

(a) The owner shall exercise due care to prevent his or her animal from becoming a public nuisance. All animals, except cats, shall be kept under restraint. Each female animal in estrus shall be confined to prevent it from mating. Nonetheless, the owner may allow mating for planned breeding.

(b) The Police Department shall order the confinement of any animal determined by the Department to be vicious. Any vicious animal shall be confined within a building or secure enclosure by its owner and shall be caged or securely muzzled unless on the property of its owner.

(c) No person shall incite or cause dogs to fight.

(d) Any animal constituting a public nuisance shall be taken by the Police Department or the appropriate law enforcement agency to an animal shelter. No animal shall be released from custody until the owner pays in full any expenses of veterinary treatment deemed necessary by the animal shelter and obtains a dog tag license from the Madison County Assessor's Office if required to obtain a tag by state law.

(e) Any person who wished to register a complaint concerning an animal deemed a public nuisance shall contact the Police Department.

The Police Department shall notify the owner of the animal concerning the complaint.

ABUSE OF ANIMALS:

(a) When the operator of a motor vehicle strikes an animal he or she shall stop at once and render all possible assistance. The operator of a motor vehicle shall immediately report the injury or death of the animal to its owner. If the owner cannot be immediately ascertained and located, the operator of the motor vehicle shall report the incident immediately to the Police Department.

(b) No person shall knowingly expose a poisonous substance, whether mixed with food or not, which can be eaten by any animal. However, a person may expose a common rat or mouse poison, unmixed or mixed with vegetable substances on his or her property.

PENALTIES:

(a) This article shall be enforced by the Police Department and appropriate law enforcement agencies. Any person who violates any provision of this section shall be fined a sum not to exceed Twenty-five Dollars (\$25.00). Each day a violation continues constitutes a separate offense.

SECTION FOUR:

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

SECTION FIVE:

This Ordinance shall be in full force and effect from and after its passage.

ADOPTED this 24 day of April, 1983.

TOWN BOARD OF SUMMITVILLE
MADISON COUNTY, INDIANA

Allen Eastburn, President, Member

Jackson Hoppes, Member

Mary Barnhart, Member

ATTEST:

Janet Eastburn
Clerk-Treasurer