

ORDINANCE NO: 98-14

**AN ORDINANCE OF THE COUNCIL OF THE
CITY OF LOOGOOTEE, INDIANA**

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF LOOGOOTEE, INDIANA, THAT:

SECTION I - DEFINITIONS

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

ANIMAL. Any vertebrate.

DOMESTIC ANIMAL. Livestock or animals belonging to species normally kept, harbored and maintained by persons as pets, regardless of the particular reason for which an animal is kept or maintained.

RECKLESS. With clear and deliberate or grossly negligent disregard for the safety and welfare of persons and property.

TO RUN AT LARGE. The term means for an animal to be loose upon public property or in a public area, or upon private property other than that of the animal's owner or keeper and without the consent of the owner or tenant of that private property, without direct and responsible human control and supervision.

WILD ANIMAL. Any animal which is not a domestic animal.

SECTION II - GENERAL REGULATIONS.

No person having ownership or custody of an animal shall, within the corporate limits of the city:

(A) Knowingly or negligently permit a domestic animal to run at large or to destroy or deface shrubbery, lawns, flowers, gardens or other property.

(B) Keep any animal which, by barking, howling, yelping or making any other noise disturbs the peace and quiet of any neighborhood, or which, by foul and noxious odors detracts from the use, enjoyment and value of surrounding properties.

(C) Keep any animal known to be dangerous, other than securely confined in an enclosed area on the premises of the owner and clearly visible signs posted to warn persons of the presence of that animal.

(D) Knowingly or negligently permit an animal to kill or injure livestock or other domestic animals, or to attack or injure any person who is engaged in lawful pursuits.

(E) Knowingly or negligently permit any animal to chase or harass vehicles or pedestrians on public streets and sidewalks or obstruct the normal use of streets and sidewalks.

(F) Walk any dog on the streets or other public places, except on a leash controlled by the dog's owner or other responsible person, and when not on a leash the dog shall be confined to the property of its owner.

SECTION III - ENFORCEMENT PROCEDURE; REMEDIES.

To secure the proper enforcement of this ordinance the appropriate authorities of the city may pursue any or a combination of the following remedies as they deem most appropriate to the case:

(A) Taking into custody and impounding any animal found to be kept in violation of any provision applicable under this ordinance; and/or

(B) If the violation is a violation only of a city regulation applicable under Section II, citing the owner or keeper of the animal for city ordinance violation and upon conviction therefore be liable to a fine in the amount of \$25.00 for the first offense, and in the amount of \$50.00 for any subsequent offenses.

SECTION IV - IMPOUNDMENT PROCEDURE; NOTIFICATION OF OWNER.

When an animal is impounded under Section 3, the appropriate officer may retain the animal in his or her custody for the period of time the Officer determines that it will be feasible to properly confine, shelter and care for the animal at any city facilities available for that purpose. If the owner or keeper of an impounded domestic animal is known, the Officer shall notify the owner of the animal's impoundment. If the owner or keeper is not known, the Officer shall post a notice describing the animal, the time and place of its impoundment and the reason therefore, at the City Hall.

SECTION V - TIME PERIOD FOR RETAINING ANIMALS IN CUSTODY.

An impounded domestic animal shall be kept by the appropriate officer for at least five days. However, if the animal is a dog and the only reason for its impoundment was a failure to have dog tax tag, the dog shall be kept for at least 20 days or for the minimum period then required by IC 15-5-9-14. After the applicable time period has expired, the Officer or pound may humanely destroy or otherwise lawfully dispose of the animal unless that disposal is enjoined by a court, the County Health Officer or the state veterinarian.

SECTION VI - REDEMPTION PROCEDURE; FEES.

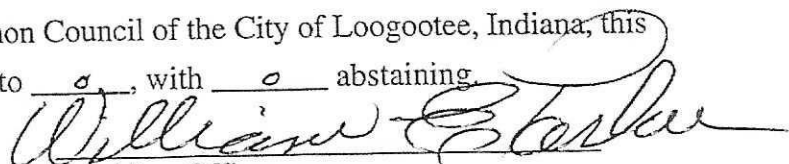
(A) Unless a court, the Officer or the state Veterinarian orders the continued detention of an animal, the owner or keeper of an impounded domestic animal, other than an animal impounded

for violation of IC 35-46-3-2 may reclaim the animal at any time while the same is in the custody of the Officer by paying to the city the following fees:

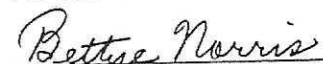
(1) Any veterinarian expenses;

(2) \$5 per day for boarding and feeding the animal (but only .25¢ per day or the maximum amount then permitted by IC 15-5-9-14, if the only reason for impounding the animal was failure to have a dog tax tag).

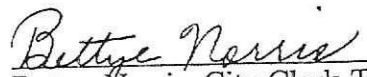
PASSED AND ADOPTED by the Common Council of the City of Loogootee, Indiana, this 9th day of November, 1998, by a vote of 4 to 0, with 0 abstaining.


Presiding Officer

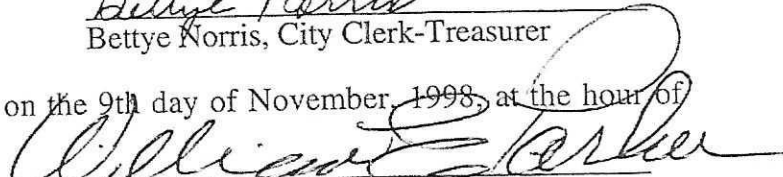
ATTEST:


Bettye Norris, City Clerk-Treasurer

Presented by me to the Mayor of the City of Loogootee, Indiana, on the 9th day of November, 1998, at the hour of 8:00 P.M.


Bettye Norris, City Clerk-Treasurer

This Ordinance approved and signed by me on the 9th day of November, 1998, at the hour of 8:00 P.M.


William E. Parker, Mayor