

Ordinance No. 2017- 6A

AN ORDINANCE REGARDING ANIMAL CONTROL

Be It Ordained by the Board of Commissioners of Hancock County, Indiana, That

Section I

Chapter 90 of Title IX of the Hancock County Code is amended by the addition of new sections as follows:

**§90.04 RESTRAINT**

- (A) *Animal at large.* It shall be unlawful for an owner or person having custody or control of any animal to run at large.
- (B) To allow such animal to repeatedly run at large, whether wearing a collar and tag or not, throughout the county constitutes a public nuisance. Any and all animals found running at large shall be immediately impounded by officer of Animal Management or any sheriff. The officers may pursue the animal onto private property to capture such animal.
- (C) It shall be the duty of every owner or custodian of any animal to exercise reasonable care and take all necessary steps and precautions to restrain their animal so as to protect other people, property, and animals from injuries or damage which might result from the animal's behavior. If the owner or custodian or any animals is a minor, the parent or guardian of such minor shall be jointly responsible for the minor's violation of this chapter.
- (D) It shall be the duty of every owner or custodian of any animal to ensure that the animal is kept under restraint and that reasonable care and precautions are taken to prevent the animal from leaving the real property limits or its owner, possessor, or custodian, and to ensure that the animal is:
  - (1) Securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own violation.
  - (2) Securely and humanely restrained by chain or tether not weighing more than 1/8 of the pet's body. The chain or tether shall be at least ten (10) feet in length and have swivels on both ends, as to reduce the likelihood of entanglement. Any chain or tether must be attached to a properly fitting buckle-type collar or harness worn by the animal, and may not be wrapped around the animals neck.
  - (3) No pet shall be tethered more than 12 hours in a 24 consecutive hour period. Dogs under the age of six (6) months shall not be tethered for more than one hour and shall be under the direct supervision of the owner or person having custody at all times while being on a tether.
- (I) *Annoyance or disturbance created by animal.* It shall be unlawful for any person to keep or harbor within the County any animals that creates a nuisance, or

which by loud, frequent or habitual barking, howling or yelping causes annoyance or disturbance to the area within which the barking, howling or yelping may be heard.

#### **§90.05 Animal Care and Treatment**

(A) *Provision of care.* No owner or person having custody of such animal shall fail to provide his or her animal with sufficient and wholesome food and clean potable water, protection from the weather and reasonable care, including veterinary treatment, as may be necessary to prevent suffering. This division (A) shall also apply to animals kept at an animal shelter operated by Animal Management or by anyone in the county.

#### **§90.06 Impoundment.**

(A) *Notification and redemption of impounded animal.* Whether an impounded dog, cat or other animal may be redeemed, shall be within sole discretion of the Animal Management Director; however any dog, cat or other animal that has been impounded on three (3) or more occasions may not be redeemed or reclaimed.

(B) *Fees for redemption of impounded animal.* An owner or person having custody of an impounded dog, cat or other animal who has been notified that such animal may be reclaimed or redeemed, may reclaim or redeem the same upon payment of the following fees and upon fulfillment of the following obligations:

- 1) Before the dog or cat shall be released, the owner or person having custody of such animal shall have the dog or cat inoculated against rabies, and certify the same to Animal Management Director or his/her designee.
- 2) All dogs, cats or other animals reclaimed must be micro-chipped at the owner's expense before it will be released back to the owner or person having custody.

(C) *Failure to reclaim or redeem impounded animal.* It shall be unlawful for an owner or person having custody of an impounded dog, cat or other animal, who has been notified that such animal may be reclaimed or redeemed, fail to reclaim the same on or before the last day of impoundment before the disposition of such dog, cat or other animal.

- 1) All dogs, cats or other animals impounded under this chapter and not redeemed shall be disposed of in a humane manner or placed for adoption after the expiration or the following time periods:
  - a) Five (5) days after impoundment.
  - b) After the animal has been impounded for a third time within a 12-month period.
- 2) Provided, however, that the dog, cat or other animal which appears to be suffering from injuries or contagious diseases, except rabies

may be disposed of immediately upon impoundment, as authorized by Animal Management Director.

Section II

Section 90.03 of Chapter 90 of Title IX of the Hancock County Code is amended as follows:

**§ 90.03 STRAY DOGS PROHIBITED ANIMAL CONTROL FINE PROCEDURE**

- (A) ~~The owner of any dog found off of its owner's property, unless it is on a leash,~~  
Any person who violates any provision of this chapter shall be fined an amount of \$50.00 for the first violation. The fine for subsequent violations shall be increased by \$50.00 for each violation to a maximum of \$2,500.00. If a lawsuit is filed to collect the fine and the person is found to be in violation, then reasonable attorney fees shall be assessed in addition to the fine.
- (B) Fines shall be paid to the Hancock County Treasurer within 30 days of issuance. The sum of \$100.00 shall be added to fines not paid within 30 days.
- (C) A notice of violation of this ordinance may be issued by a deputy sheriff or an employee of the Greenfield/Hancock County Animal Management Department.

Section III

Sections 90.01 and 90.02 are repealed.

Adopted this 20 day of June, 2017.

Board of Commissioners  
Hancock County, Indiana

Attest: Robin D. Towder  
Hancock County Auditor

[Signature]  
President  
[Signature]  
[Signature]