

**TITLE 7**

**ANIMALS**

**TITLE 7**

**ANIMALS**

**Chapters:**

- 7.06 Running at large**
- 7.10 Cloven hooved animal regulation**

## Chapter 7.06

### RUNNING AT LARGE

#### Sections:

7.06.005	Stray dogs
7.06.010	Domestic animals running at large
7.06.020	Confined to premises
7.06.030	Impounding of animal
7.06.040	Notification to owner
7.06.050	Unknown owner/Notices
7.06.060	Selling of animal

**7.06.005 Stray dogs.** It is Class C infraction for an owner to allow his dog to stray beyond his premises, unless under the reasonable control of some person or when engaged in lawful hunting while accompanied by the owner or custodian. (Ord. 1991- , Sept. 4, 1991)

**7.06.010 Domestic animals running at large.** It shall be unlawful for any domestic animal to run at large or pasture on the streets, sidewalks, alleys or commons within said town. (Ord. 25, S1, April 3, 1906) (Ord. 24, S2, Aug. 7, 1905)

**7.06.020 Confined to premises.** Any person or persons who own or keep any domestic animal shall keep the same confined on his or her premises. (Ord. 25, S2, April 3, 1906) (Ord. 24, S1, Aug. 7, 1905)

**7.06.030 Impounding of animal.** It shall be the duty of the marshal of said town if he see or is notified of any domestic animal running at large on the streets, side-walks, alleys at commons of said town, to immediately take up and impound said animal. (Ord. 25, S3, April 3, 1906) (Ord. 24, S3, Aug. 7, 1905)

**7.06.040 Notification to owner.** It shall be the further duty of the marshal of the said town after impounding said animal, to notify the owner thereof in writing, if be known the owner of such animal impounded. (Ord. 25, S4, April 3, 1906)

**7.06.050 Unknown owner/Notices.** If the owner is not known to the marshal, he shall at once give notice of the impounding thereof by posting written or printed notices in three of the most public places in said town, giving the time of taking up, the description of, and the place where such animal is impounded, in said notices. (Ord. 25, S5, April 3, 1906)

**7.06.060 Selling of animal.** If at the expiration of ten (10) days from the giving of said notices the owner does not claim said animal and pay the cost for the taking up, and giving the notices, which shall be taxed at \$1.00 for the taking up, \$0.50 for the notices, and \$1.00 per day for the keeping thereof. Then the marshal shall sell the same at public out cry to the highest and best bidder after giving 5 days notice of such sale. (Ord. 25, S6, April 3, 1906) (Ord. 24, S4, Aug. 7, 1905)

## Chapter 7.10

### CLOVEN HOOVED ANIMAL REGULATION

#### Sections:

<b>7.10.010</b>	<b>Definitions</b>
<b>7.10.020</b>	<b>Unlawful to keep cloven hooved animals; exception</b>
<b>7.10.030</b>	<b>Penalty</b>
<b>7.10.040</b>	<b>Injunction</b>

#### **7.10.010 Definitions.**

- (1) For the purposes of this ordinance a cloven hooved animal is defined as an animal possessing a split hoof in its natural state and includes, but is not limited to, sheep, goats, pigs, cows and deer. (Ord. 2013-05, S1, Oct. 2, 2013)

**7.10.020 Unlawful to keep cloven hooved animals; exception.** It is hereby declared a nuisance and unlawful for individuals or entities to keep cloven hooved animals within town limits, unless the animal(s) are kept on property that has been used for and meets all criteria set forth for “agricultural use” as defined by Indiana Code 36-7-4-616 and meet all other requirements under the law. (Ord. 2013-05, S2, Oct. 2, 2013)

**7.10.030 Penalty.** The penalty for any owner of property in violation of the regulation listed in this ordinance shall be \$25.00 for a first offense. The fine shall be \$100 for a second offense and subsequent offense. This fine shall be paid to the Town Clerk-Treasurer or his/her approved designee within thirty (30) days of the issuance of the violation. Failure of the individual to pay the penalty within the thirty day time frame shall subject the landowner to suit for an ordinance violation as provided by Indiana law. In the event suit is filed, the individual found to have committed a violation of this Ordinance shall also pay all of the Town’s legal fees and costs in filing suit and prosecuting the matter. (Ord. 2013-05, S3, Oct. 2, 2013)

**7.10.040 Injunction.** In addition to any fines, the Town may also pursue an injunction and/or any other mechanism under the law to abate the nuisance against any property owner who fails to cease keeping and/or maintaining a cloven hooved animal or animals and the landowner shall be responsible for any administrative fees, legal fees and court costs accrued as a result of such action. (Ord. 2013-05, S4, Oct. 2, 2013)