

TITLE 6

ANIMALS

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Chapter 6.04

ANIMAL REGULATIONS

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6.04.010 Cruelty. No person shall cruelly treat any animal in the City in any way; any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this section. (Ord. 1973-5, S1, Oct. 15 1973)

6.04.050 Killing Dangerous Animals. The members of the police department or any other person in the City, are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property. (Ord. 1973-5, S5, Oct. 15, 1973)

6.04.060 Diseased Animals. No domestic animal affected with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the chief of police or the health officer.

It is hereby made the duty of the health officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection, except in cases where the state veterinarian is empowered to act. (Ord. 1973-5, S6, Oct. 15, 1973)

6.04.070 Housing. No person shall cause or allow any stable or place where any animal is or may be kept to become unclean, or unwholesome, and it shall be unlawful to keep any live swine or pigs in the City.

It shall be unlawful to keep or have any goats anywhere in the City, or any cattle or chickens within 150 feet of any residence, other than the residence of the person so keeping or having such animals, anywhere in the City. (Ord. 1973-5, S7, Oct. 15, 1973)

6.04.100 Dog Bites. Whenever any dog bites a person, the owner of the said dog shall immediately notify the chief of police who shall order the dog held on the owner's

premises or shall have it impounded for a period of two weeks. The dog shall be examined immediately after it has bitten anyone and again at the end of the two-week period. If at the end of two weeks a veterinarian is convinced that the dog is then free from rabies the dog shall be released from quarantine or from the pound as the case may be. If the dog dies in the meanwhile its head shall be sent to the state department of health for examination for rabies. (Ord. 1973-5, S10, Oct. 15, 1973)

6.04.110 Separability. If any section, part of section, or part of this Ordinance, shall be declared unconstitutional, unlawful or void, it shall not affect the validity or force of any other section, part of section, or part of this Ordinance, not so declared to be unconstitutional, unlawful or void. (Ord. 1973-5, S11, Oct. 15, 1973)

6.04.120 Ordinances or Resolutions in Conflict. All Ordinances, or parts of Ordinances, Resolutions or order or parts thereof, in conflict with the provisions of this Ordinance, or of said act, to the extent of such conflict are hereby expressly rescinded and repealed. (Ord. 1973-5, S12, Oct. 15, 1973)

6.04.130 Penalty. Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than \$1.00 nor more than \$100.00 and a separate offense shall be deemed committed on each day during, or on, which a violation occurs or continues. (Ord. 1996-1, Apr. 1, 1996) (Ord. 1973-5, S13, Oct. 15, 1973)

Chapter 6.05

LOOSE OR VICIOUS ANIMALS

Sections:

- 6.05.010 Conditions Prohibited**
- 6.05.020 Enforcement**

6.05.010 Conditions Prohibited.

- (1) The existence of dogs, cats, or any other animals, running at large and without restraint, within the corporate limits of the City.
- (2) The owning, keeping or harboring of any vicious animal, unless the animal is so restrained that it cannot harm any person on the premises where it is located. The definition of "vicious animal" includes, but is not limited to, any animal which has bitten a person. Proper restraint of a vicious animal includes, but is not necessarily limited to, containment inside a fenced enclosed of such design and layout that children cannot touch the animal. (Ord. 1997-6, Chapter VI, S1, Oct. 20, 1997) (Ord. 1973-5, S2 & 4, 8, Oct. 15, 1973) (Ord. Apr. 6, 1895)

6.05.020 Enforcement.

- (1) The City of Petersburg, Indiana does not have available a suitable place or structure of the impoundment of animals that are found to be in violation of this Ordinance, but the City has been informed that funds are now available to establish and maintain a county wide animal shelter at some suitable location in Pike County. Therefore, in the event an animal shelter is established in Pike County for the purpose of confining vicious or stray animals, then, any vicious animal not properly restrained; and any stray animal found in any alleys, streets, or other public places in the City, not in custody or in charge of the owner or someone deputized by the owner to be in charge of said animal; shall be impounded, transported to said Pike County Animal Shelter by the City Police, and confined therein pursuant to any and all rules, regulations, or ordinances applicable to said Pike County Animal Shelter. It shall be the duty of the City Police to seize and hold for impounding any such vicious or stray animal.

Until such animal shelter is in operation, any vicious animal not properly restrained shall, at the discretion of the Common Council of the City of

Petersburg, be destroyed in a humane manner or removed from the limits of the City. Any stray animal shall be removed from the limits of the City.

- (2) Any person who creates or maintains a nuisance prohibited by Section 6.05.020, and who fails or refuses to abate such nuisance as required by the notice given under Chapter 7.32, shall be fined in the sum of \$50.00. Each day the nuisance continues after the date in the notice, shall be deemed a separate offense. This penalty may be assessed instead of, or in addition to, the enforcement provisions of subsection (1) of this Section 6.05.020. (Ord. 1997-6, Chapter VI, S2, Oct. 20, 1997) (Ord. 1973-5, S5, Oct. 15, 1973)

Chapter 6.07

NOISE FROM ANIMALS

Sections:

- 6.07.010** **Acts Prohibited**
- 6.07.020** **Enforcement**

6.07.010 Acts Prohibited. The owning, keeping or harboring of any dog, cat, or other animal, which, by frequent or habitual howling, yelping, barking, or making of any similar noise, annoys or disturbs one or more of the inhabitants of two or more separate residences within the corporate limits of the City of Petersburg. (Ord. 1976-6, Chapter VII, S1, Oct. 20, 1997) (Ord. 1973-5, S3 & S9, Oct. 15, 1973)

6.07.020 Enforcement. Any person who creates or maintains a nuisance prohibited by Section 6.07.010, and who fails or refuses to abate such nuisance as required by the notice given under Chapter 7.32, shall be fined in the sum of \$50.00. Each day the nuisance continues after the date in the notice, shall be deemed a separate offense.

The City of Petersburg shall also have the power, instead of, or in addition to, the \$50.00 fine, to abate such a nuisance, under Indiana Code 36-1-6-4, by bringing a civil action to enjoin the violation. (Ord. 1997-6, Chapter VII, S2, Oct. 20, 1997)