

TITLE 7

ANIMALS

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Chapters:

7.04 Control and Regulation of Animals

Chapter 7.04

CONTROL AND REGULATION OF ANIMALS

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7.04.010 Definition. The term “owner” as used in this chapter shall mean: Any person having the right of property in or custody of an animal. (Ord. 2010-2, S1, June 9, 2010)

7.04.020 Restraint. Any animal on property other than that of its owner shall be accompanied by a responsible person and under the person’s control, so as to prohibit such animal from becoming a nuisance. (Ord. 2010-2, S2, June 9, 2010)

7.04.030 Animals on Leashes and Excrement Removal in Public Places. No one shall allow an animal to pass through or upon any street, sidewalk, public park property, other municipally owner property, or any other public place unless it is on a leash. It shall be unlawful for any person to fail to retrieve and remove from any public park property or any other municipally owner property the excrement from any animal in his or her possession or custody.

It is hereby declared a public nuisance and unlawful for any person or persons to keep in any lot or enclosure within the corporate limits of said Town of Richland, Indiana, any cattle, hogs, sheep, or other livestock in any number, or any erection or modification of future boiler houses or other means of confinement for the purpose of raising geese, chickens, ducks, turkeys, other fowl, or rabbits, exceeding ten (10) in number, or any dogs or cats exceeding five (5) in number. (Ord. 2014-03, S3, May 14, 2014) (Ord. 2010-2, S3, June 9, 2010)

7.04.040 Nuisance. It shall be a violation of this chapter for any animal owner to fail to restrain an animal to prevent it from becoming a public nuisance. A nuisance may include, but is not limited to: molesting passersby or those upon the owner’s premises by invitation, express or implied, chasing vehicles, habitually attacking other domestic animals, trespassing upon public or private property, or the accumulation of animal excrement on the owner’s or

neighbor's property to the extent the amount of excrement is unreasonable. (Ord. 2010-2, S4, June 9, 2010)

7.04.050 Noises. It shall be unlawful for any person to own, keep, or harbor any animal which, by frequent or habitual howling, yelping, barking, or other noise, shall cause unreasonable annoyance or disturbance to any family, other than that of the owner. (Ord. 2010-2, S5, June 9, 2010)

7.04.060 Animal Bites. The owner of any animal which has bitten a person or other animal shall immediately report the same to the Spencer County Sheriff's Office. (Ord. 2010-2, S6, June 9, 2010)

7.04.070 Penalties. The owner or harbinger of said animal shall be required to pay the sum of Twenty-five Dollars (\$25.00) for a violation of this chapter. The owner or harbinger of an animal shall be required to pay the sum of One Hundred Dollars (\$100.00) for a second violation of this chapter occurring within one year of the previous violation. The owner or harbinger of said animal shall be required to pay the sum of One Hundred Fifty Dollars (\$150.00) for a third or any subsequent violation of this chapter occurring within one year of the previous violation. (Ord. 2010-2, S7, June 9, 2010)

7.04.080 Official Citation. All violations of this chapter shall be issued in writing upon the owner, if known, on an "Official Citation" form in essential conformity with the form attached hereto as Appendix A. A copy of the citation shall be filed with the Town's Clerk-Treasurer. (Ord. 2010-2, S8, June 9, 2010)

7.04.090 Payment to Clerk-Treasurer. Said monies shall be paid, within ten (10) days of the issuance of the notice, to the Town's Clerk-Treasurer, who shall issue a receipt in duplicate to the owner. (Ord. 2010-2, S9, June 9, 2010)

7.04.100 No Release or Waiver of Penalties. Nothing contained in this chapter shall be construed as a release or waiver of any penalties which may be imposed as a result of a violation of any applicable state statute. (Ord. 2010-2, S10, June 9, 2010)

7.04.110 Recovery of Expenses. The Town may collect in addition to any monies owed to the Town pursuant to ordinance, all costs and attorney fees incurred to enforce this chapter or to defend the Town regarding any suits brought against the Town in connection with action taken by the Town pursuant thereto. (Ord. 2010-2, S11, June 9, 2010)

7.04.120 Conflicting Ordinances. The provisions of this chapter shall be deemed as requirements that are in addition to, not in substitution of, other requirements contained in other applicable ordinances. In the case of conflicting ordinances, the most restrictive shall apply. (Ord. 2010-2, S12, June 9, 2010)