

**ORDINANCE NUMBER 2009-4A**  
**AN ORDINANCE FOR THE REGULATION OF ANIMALS IN THE**  
**TOWN OF REDKEY, INDIANA**

WHEREAS, the Town Council of the Town of Redkey, Indiana has determined there is a need to adopt regulations addressing animals located in the Town of Redkey;

NOW THEREFOR, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF REDKEY, INDIANA THAT:

Section 1. For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- a. At Large. Off the premises of the owner or keep and not under the control of the owner or keeper either by leash, cord, chain or other physical restraining device.
- b. Animal. Animal is defined as any vertebrate of any family, genus, phyla whatsoever, excluding fishes, which may be kept by any person for any purpose whatsoever.
- c. Harboring. Any person who shall permit any animal to frequent or remain on or within his house, building premises or enclosure and who shall keep, lodge or otherwise maintain an animal.
- d. Humane Officer. That person appointed by the Town Board charged with enforcing this ordinance.
- e. Owner. Any person owning, possessing, feeding, keeping or harboring an animal whether or not such person claims title to, property in, or maintains such animal.
- f. Service Animal. An animal that is trained to provide service for human beings.

Section 2. It shall be unlawful for any person being the owner or keeper of any animal to cause, allow, suffer or permit such animal to run at large in the corporate limits of the Town of Redkey, whether upon public or private property, at any time.

Section 3. No animal of fierce, dangerous or vicious propensities shall be allowed to run at large. If any fierce, dangerous or vicious animal found at large cannot be safely taken and impounded, such animal may be slain by any humane officer or police officer.

Section 4. No person shall harbor or keep any animal which by loud, frequent or habitual barking, howling, yelping or any animal noises shall caused serious annoyance or disturbance to the neighborhood. Harboring or keeping an animal of this nature shall be deemed a public nuisance.

Section 5. An owner or keep of any animal shall provide access to proper shelter, potable water and food for such animal according to its need, including veterinary care when needed to prevent suffering. Any animal kept outside shall have access to a shelter of sufficient size and protection. No person may keep or harbor an animal at a residence or house that is not occupied.

Section 6. No animal shall be hitched, tied or fastened with any rope, chain, cord or choker collar that is directly attached to the animal's neck. Any animals that need to be tied, hitched or fastened in order to restrain them must wear a properly fitted collar or harness made of leather or nylon and not of the choking kind. This is not to prohibit the proper use of a choker collar with a lease in the training of animals.

Section 7. Every female animal in heat shall be confined in a building or secure human enclosure in such a manner as not to come in contact with another animal except for the planned breeding thereof, and then shall be kept in such a manner as not to become a public nuisance.

Section 8. No person shall resist or obstruct the Human Officer or his agent in the exercise of his duties.

Section 9. No person shall permit their animal to attack, threaten attack, bark, intimidate or harass any service animal, regardless of whether the service animal is performing service or not.

Section 10. If an animal is believed to have been bitten by an animal suspected of having rabies, such animal shall be confined to prevent it from biting another animal or person, or shall be securely and effectually muzzled in such a manner as to make it impossible for it to bite any person or other animal. No muzzle is lawful unless it is of such form, material and strength, and so attached and fastened as to effectually prevent such animal from biting while fastened by a leash or chain on the owner's or keeper's premises. Such animal shall be placed under observation of a veterinarian at the expense of the owner for a period of ten to fourteen days. The owner shall notify the Humane Officer that this animal has been exposed to suspected rabies, the suspected source, and at his discretion the Humane Officer is empowered to have such animal removed from the owner's or keeper's premises.

Section 11. No person knowing or suspecting an animal as having rabies shall allow such animal to be taken off his premises or beyond the limits of the Town without written permission of the Humane Officer.

Section 12. No owner of keep of an animal shall keep, maintain or harbor such animal unless it shall have been vaccinated by a licensed veterinarian with anti-rabies vaccine within one year preceding the date on which such animal is kept, maintained or harbored and shall be prepared to display the animal's shot record, or a letter from a licensed veterinarian stating that such vaccination for the animal in question is unnecessary, to the Humane Officer or Police Officer upon demand.

Section 13. After the passage of this ordinance, the keeping or harboring of the following animals shall be prohibited within the corporate limits of the Town:

- (a) Horses;
- (b) Cattle, including but not limited to cows, oxen, bullocks and bison;
- (c) Sheep;
- (d) Goats;
- (e) Swine; or
- (f) Poultry, including chickens, turkeys, ducks, geese, pigeons and rabbits, except that rabbits not intended to be raised for food or fur purposes may be kept if done in conformity with this ordinance.

Section 14. The Town of Redkey may enter into a contract with a third party for the purpose of catching and controlling the roaming pets located within the Town of Redkey.

Section 15. The owner of the dog or cat caught roaming the streets, alleys or private yards of the Town by the third party animal control contractor shall pay to the Town the amount the Town is charged for by the third party animal control contractor for each of their animals that have been caught by the third party animal control contractor.

Section 16. (A). In lieu of or in addition to the impounding an animal at large, the Humane Officer, his agent or a Police Officer may issue to any person found to be in violation of this ordinance a notice of ordinance violation.

(B). Any person found to be in violation of this ordinance shall be fined not less than Fifty Dollars (\$50.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00)

(C). Each day during which an owner or keep of an animal violates this ordinance shall constitute a separate offense.

Dated this 23 day of April, 2009.

Doug Stanley  
Council Member

David P. ...  
Council Member

Jeri Taylor  
Council Member

Charles ...  
Council Member

Rettie ...  
Council Member

ATTEST:

Sandra S. Kirby  
Clerk-Treasurer