

# **Town Hall - Ordinances**

## **ANIMAL**

ORDINANCE # 2008-5

CONTROL OF DOGS & CATS

ORDINANCE NO. 96-1 **REPEALED**

WHEREAS, there is a need for an ordinance relating to the control of dogs or cats or other animals in the Town of Camden, Indiana, and,

WHEREAS, there is a need for said control without impacting on the right of persons to own dogs, cats or other animals so long as said right does not interfere with the enjoyment of other persons in said Town,

NOW THEREFORE, be it ORDAINED:

(1) Any animal that endangers the life or health of persons or other animals or substantially interferes with the rights of citizens, other than their owners, to the enjoyment of life or property is deemed to be a PUBLIC NUISANCE.

THE TERM PUBLIC NUISANCE ANIMAL shall include but not be limited to:

- (A) Any animal found running at large;
- (B) Any animal, whether or not on the property of its owner, that without provocation molests, attacks, or otherwise interferes with the freedom of movement of persons in a public right-of-way;
- (C) Any animal that chases or interferes with motor vehicles in a public right-of-way;
- (D) Any animal that attacks other animals;
- (E) Any animal that damages, soils, defiles, or defecates on any property other than that of its owner;
- (F) Any animal that makes disturbing noises, including but not limited to continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
- (G) Any animal that causes fouling of the air by noxious or offensive odors and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;

- (H) Any animal in heat that is not confined or restrained so as to prevent attraction or  
contact with other animals;
- (I) Any animal in any section of a public park, playground, school yard, or other recreational area that is found running at large;
- (J) Any animal that causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored;
- (K) Any animal that trespasses on the private property of persons other than the owner of the animal; or
- (L) Any animal determined to be a dangerous animal. A dangerous animal means any animal that attacks, bites or injures human beings, pets, companion animals or livestock or which, because of temperament, conditioning or training has a known propensity to attack, bite or injure human beings, pets, companion animals or livestock. No dog may be declared dangerous if a threat, injury or damage was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog or was teasing, tormenting, abusing or assaulting the dog or has, in the past, been observed or reported to have teased, tormented, abused or assaulted the dog or was committing or attempting to commit a crime. The definition shall not be construed to include dogs that are part of a governmental organization or a trained guard dog in performance of its duties.

(2) All dogs, cats and other animals that might constitute a public nuisance shall be confined within the limits of the real property occupied by its owner so that they do not interfere with other persons in Camden, Indiana.

(3) All dogs, cats and other animals that might constitute a public nuisance shall be secured by leash or lead at such times that they are not confined on the property occupied by their owner.

(4) Dogs and cats shall not be permitted to defecate on property other than that of the owner. When a dog is leashed and being walked, the person in charge shall dispose of any defecation and shall not permit it to remain on any property in the Town of Camden except the property occupied by the owner of the animal.

(5) Owners of all dogs and cats housed within the Town of Camden shall be assessed a yearly license registration fee set by the Town Council at the first yearly meeting in January of each year commencing in January 2009. Yearly license fees commencing in January 2009, shall be due each year on or before March 1<sup>st</sup>, and shall be \$3.00 (neutered) or \$5.00 (unneutered) per animal.

(6) Duty and responsibility of animal owners

Every owner of every animal kept in the town shall see that such animal:

- (A) Is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit or lie in its own excrement. The person responsible for the animal shall regularly and as often as necessary maintain all animal areas or areas of animal contact to prevent odor or health and sanitation problems;
- (B) Shall have proper and adequate food, fresh potable drinking water, shelter and ventilation;
- (C) Shall not be tethered by use of a choke collar or by any rope, chain or cord directly attached to the animal's neck;
- (D) Is protected against abuse, cruelty, neglect, torment, or any other mistreatment.

(7) Vaccination of dogs and cats:

- (A) All dogs and cats three months of age and older must be vaccinated against rabies. The rabies vaccination of a dog or cat shall be maintained by ongoing re-vaccination of the animal.

- (C) The owner of the animal is responsible for procuring the vaccinations required by this section.

(8) Disposal of dead animals:

- (A) Animal owners are responsible for disposal of any dead pets that they have maintained on their property.
- (B) Notify the Town Office of any dead animal body found on a town street. If the body is not claimed by its owner, the body will be removed by the Town Street Department.

(9) Penalties:

- (A) Warning for first citation/ticket.
- (B) \$25.00 fee for second citation/ticket
- (C) \$50.00 fee for third citation/ticket
- (D) If the violator has been remedial and no prior violation, the citation will be dismissed and no fee is owed.
- (E) Any violation not covered here as penalty for Camden is punishable under Indiana State Code as an infraction or misdemeanor

(10) This ordinance may be enforced by any person employed or appointed by the Town Council of Camden who is authorized to investigate and enforce violations relating to animal control under the provisions of this Ordinance, including but not limited to a Marshal or Animal Control Officer.

(11) Ordinance No. 96-1 is hereby repealed.

Dated: The \_\_\_\_\_ day of \_\_\_\_\_, 2008

INDIANA

THE TOWN COUNCIL OF CAMDEN,

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Pete Wagoner, President

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Richard Fite, Member

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Jeffrey "Andy" Kelly, Member

ATTEST:

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Patricia Casserly

Clerk-Treasurer