

Vigo County Code
Amendment to Chapter 49
Animal Control Ordinance

3-49-1 Purpose

It is the purpose of this ordinance to encourage responsible pet ownership and to encourage the spaying or neutering of "Companion Animals" (pets) to minimize the unwanted or unplanned pet population, to provide for the humane care of all animals as outlined by Code of Federal Regulations, 9 CFR 3.1, IN 345 IAC 14, IC 35-46-3, and to provide for the public welfare and safety under Federal, State and Local guidelines. The Ordinance also establishes an Animal Control and Education Commission. This ordinance does not supersede *Chapter 6, Article 4, et al., of the Terre Haute City Code* and individuals are not required to register their pet, or pets, with both the City of Terre Haute and Vigo County.

3-49-2 Definitions

1. **Altered Animal.** Any animal that has been sterilized by spaying or neutering and can no longer procreate.
2. **Animal Control and Education Commission.** The Advisory commission is concerned with the terms, enforcement, and education of the public with regard to this Ordinance.
3. **Animal at Large.** Any animal that is allowed to run at will and is not under restraint. An animal that is allowed to leave the property of the owner. *Ref. IC15-17-18-8; IC8-17-1-2.1.*
4. **Animal Rescue.** Any registered person/s or Organization who house and provide intermediate care or aid for animals while awaiting permanent placement
5. **Animal Shelter.** Any facility operated by a humane society, municipal agency or its authorized agents, for the purpose of impounding or caring for animals held under the authority of Ordinance or State Statute.
6. **Animal Welfare Organization.** Any not-for-profit organization working to improve the quality of life for animals (incorporated under state statutes).
7. **Attack.** An unprovoked attack in an aggressive manner on a human or other animal that includes a bite, or causes a scratch, abrasion , bruising, or any other bodily harm that might require first aid, medical treatment, veterinary care, or death. *Ref. IC 15-20-1-4.*

8. **Bite Reporting.** A bite to a human or domestic animal including livestock by a dog must be reported to local law enforcement. *Ref. IC 35-47-7-4 (only applies to dogs)*
9. **Breeder.** Any person or entity that intentionally or unintentionally causes or allows the breeding of any cat or dog. Makes any cat or dog available for breeding or offers for sale, sells, or trades, receives any compensation for, or gives away any cats or dogs. Does not include livestock, birds, fish, reptiles or insects.
10. **Hobby Breeder.** Any person or entity who owns a maximum of three breeding age dogs or cats who desires to produce a limited number of offspring as a hobby or to enhance the characteristics of the breed, or to ensure the lineage of the animal.
11. **Commercial Breeder.** Any person or entity engaged in reproducing dogs or cats for a profit.
12. **Companion Animal/Pets.** Any dog or cat that reasonably appears to be a pet. For the purpose of this Ordinance this definition does not include small rodents, reptiles, insects, fish or birds. Any animal which is used for food purposes or the health or well being of the animal's owner/custodian, is not a companion animal.
13. **Commercial Animal Establishment.** Any pet shop, pet grooming shop or kennel used to board or care for pets for a fee. This definition does not include veterinary offices or hospitals.
14. **Coydog.** An animal created by breeding a domesticated dog with a coyote or animal that is the offspring of a coyote. *Ref. IC 15-20-1-5*
15. **Constricting snake.** Any snake that captures its prey by constricting its body and /or bite to kill or injure its victim. *Ref. US code Title 18 Section 42(a) (1).*
16. **Cruelty.** To beat, torture, mutilate, overload, overwork, cruelly treat or otherwise abuse any animal so as to result in serious bodily injury or death of the animal. Procedures performed by a licensed veterinarian, or a person operating an agricultural business, using generally accepted practices related to animal husbandry, at the request of the owner or veterinarian, which are cosmetic or for any other legitimate reason, other than to inflict bodily harm on the animal, is not cruelty. *Ref. IC 35-46-3, 345 IAC14-2-1 thru 5*
17. **Dangerous Animal.** Any animal which presents a substantial threat of bodily harm to any person or animal in its vicinity or if it was to escape its primary enclosure or escape from the control of its owner or custodian. Such determination is to be made from past acts of aggressive behavior justifying the determination that it is a dangerous animal. A dog's breed shall not be considered in determining whether or not it is dangerous. 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 and keeper of the dog. Also if the person was teasing, tormenting, abusing or assaulting the dog or has in the past, been observed and reported to have teased, tormented, abused or assaulted the dog or was committing or attempting to commit a crime on the property of the owner.
- 18. Dog-fighting.** Any fighting contest between dogs either for profit or not for profit in which dogs are intentionally used to provide entertainment to spectators or any event promoting organizing or staging a dog fight, or attends a dog fight with an animal in possession. *Ref. IC35-46-3-9*
- 19. Possession of Dog fighting paraphernalia.** A breaking stick, cat mill, spring pole, weighted or non-weighted chain collar weighing (10) pounds or more, leather collar with a strap more than two inches in width, fighting pit/ring, controlled substance or prescription drug that has not been prescribed by a licensed veterinarian. *Ref. IC 35-46-3-8.5*
- 20. Dog Running at Large.** Any dog not under immediate control of its owner and not confined within the property limits of the dog's owner. *Ref. IC 15-17-18-8*
- 21. Emergency Action Plan.** A detailed plan to describe what resources, personnel and procedures are to be used in case of release of exotic or wild animal/s from the confines of owner's primary enclosure for said animal/s or escape of animal from property of owner. This plan is to include how and what method/s to be used to re-secure the animal/s in their primary enclosure.
- 22. Exotic Animal.** Exotic animal means any animal whose normal native habitat is not indigenous to the United States. Exotic animals shall not include any animal which has been domesticated and are regularly sold by commercial animal establishments and are regularly accepted as pets. *Ref. Wildlife Safety Act, the Wild Bird Conservation Act and the Endangered Species Act, 312 IAC 9-11-1, IND. ADMIN. CODE tit. 312, r. 9-11-8 - Class III*
- 23. Farming Operation.** Any operation that sells at least one thousand dollars of agricultural commodities or that would have sold that amount of produce under normal circumstances.
- 24. Feral Cat.** A cat that is un-socialized to humans, whose temperament is one of extreme fear and avoids contact with humans.
- 25. Fighting Dog.** A dog that is intentionally bred, trained, or actually used in a dog fight. A dog does not constitute a fighting dog based solely on its breed.
- 26. Harboring/Owner.** The actions of any person that habitually permits any animal to remain, lodge or feed within his home, store, enclosure, yard, or place of business or premises on which such person resides or controls. Any animal shall be considered harbored/owned if it is sheltered for five (5) days. Those who temporarily keep animals, such as pet shops, veterinarians, kennels, shelters, rescues, or stables, shall not be considered owners.

- 27. Immunizations.** The administering of normally accepted vaccines to an animal to prevent the introduction of disease that is common in a certain type of animal specifically, dogs or cats, which is approved by USDA or by the Indiana Board of Animal Health.
- 28. Microchip.** A microchip RFID (Radio Frequency Identification Device) is a computer chip implanted under the skin of an animal (in the universal position between the scapulas) which contains information relating to that animal.
- 29. Pet Shop.** Any retail establishment engaging in the purchase and / or sale of cats and dogs, either solely or in addition to the purchase and / or sale of any other species of animal, excluding fish.
- 30. Poisonous snakes or reptiles.** Any snake or reptile that is capable of introducing poison into a human body by biting, scratching or spraying.
- 31. Public Nuisance.** Any animal that is unrestrained, interferes with vehicular traffic, trespasses, damages property, creates excessive noise, generates foul or noxious odors, or chases pedestrians.
- 32. Rabies Vaccination.** Is an injection by a licensed veterinarian of a dog, cat or ferret with a rabies vaccine licensed by the USDA and approved by the Indiana Board of Animal Health (BOAH) according to the compendium for rabies published yearly.
- 33. Rescue.** Any non-profit organization that is properly licensed and registered to provide immediately needed essential services to animals to prevent or relieve suffering or abuse and to provide care to animals when intervention is necessary.
- 34. Registration.** The process in which animals, breeders, rescues, sanctuaries, commercial animal establishments provide necessary information to comply with this ordinance. Does not include livestock, Pet stores or veterinary offices.
- 35. Restraint.** The securing of an animal by a leash or lead or confining it within the real property of the owner.
- 36. Sanctuary.** A facility that rescues and provides shelter and care for animals that have been abused, injured, abandoned or are otherwise in need, where the welfare of each individual animal shall be the primary consideration in all sanctuary actions.
- 37. Stray.** Any animal that does not appear, after reasonable inquiry, to have an ascertainable owner.
- 38. Vicious Animal.** Any animal that display an intensely aggressive behavior toward humans or other animals and makes repeated attempts to attack without provocation.
- 39. Wild Animal.** Any animal that is indigenous to the continental United States and usually found in the wild, but has been taken into captivity. *Ref. 312 IAC 9-11-2, IND. ADMIN. CODE tit. 312, r. 9-11-8 - Class III, IC 14-22-6-3.*

40. Wolf Hybrid. An animal created by breeding a domesticated dog with a wolf or animal that is the offspring of a wolf. *Ref. IC 15-20-1-5*

3-49-3 Registrations

- 1. Pet registration.** Pet owners must register their pets with the county. For the purpose of this section "Pet" is limited to dogs, cats and ferrets. Registration fee is five dollars (\$5.00) for each animal they own to be paid annually. Upon renewal of the pet's registration any animal that has been spayed or neutered will be exempt from the renewal fee. Owner will receive a tag that must be displayed on a collar on each animal or have another means of identifying the animal such as a microchip. Feral cats are exempt from this section.
- 2. Rescue Registration.** Any rescue having more than ten (10) animals must be registered with the county. There is an annual registration fee of twenty-five dollars (\$25.00). A rescue operation may not contact Vigo County requesting pick up or disposal of an animal under their control unless the rescues is prepared to pay the cost Vigo County will incur boarding or disposing of the animal. This registration amount will be pro-rated for the calendar year 2012, when this ordinance takes effect.
- 3. Sanctuary Registration.** Any sanctuary having more than ten (10) animals must register with the county. There is an annual registration fee of twenty-five dollars (\$25.00). A sanctuary operation may not contact Vigo County requesting pick up or disposal of an animal under their control unless the sanctuary is prepared to pay the cost Vigo County will incur boarding or disposing of the animal. This registration amount will be pro-rated for the calendar year 2012, when this ordinance takes effect.
- 4. Commercial Animal Establishment Registration.** Individuals or corporations owning or operating a commercial animal establishment must register their business with the county. The cost of registration is one hundred dollars (\$100.00), to be paid annually. This registration amount will be pro-rated for the calendar year 2012, when this ordinance takes effect.
- 5. Special Registrations.** Owners who possess: Exotic animals, Wild animals, Poisonous Snakes, Reptiles and Constricting Snakes are required to register their animal or animals with the Vigo County Sheriff's Office. The cost is twenty-five (\$25.00) per site, to be paid annually. This registration amount will be pro-rated for the calendar year 2012, when this ordinance takes effect.
- 6. Inspection.** All registrations, and the property associated with those registrations, in sections 2 thru 5 of this section are subject to periodic inspections by animal control, or law enforcement, who believe there may be an ordinance violation occurring on

the property, as well as Code of Federal Regulations, 9 CFR 3.1 thru 3.19 and guidelines as set forth by the Indiana State Board of Animal Health.

7. **Renewal Date** – January 1 shall be the renewal date for all registrations under this section.
8. **Location for Registration.** Registration Forms will be located at the office of the Vigo County Sheriff, 201 Cherry St., Terre Haute, IN 47807. After completion, the forms can be returned with any required registration fee to the office of the Vigo County Sheriff. All registrations, and any required registration fee, shall be returned to the office of the Vigo County Sheriff within 90 days from the enactment of this ordinance. Any person who is found in possession of an un-registered animal after 90 days from enactment of this ordinance, may be subject to a fine of up to Twenty Five Dollars (\$25.00).

3-49-4 General Animal Care

1. **Food and Water.** Owner must provide a sufficient supply of fresh potable water and an adequate supply of nutritional food for the species.
2. **Shelter.** Owners of Companion Animals, Horses, and Goats must provide adequate shelter to protect the animal from sun, heat, cold, rain, ice, snow, wind and dampness, etc. Shelter should be located in a shady area and provide reasonable protection from the weather. Cardboard or fiberboard would not provide acceptable protection.
3. **Environment.** Animals that are confined within a kennel, cage, pen, building, shed, coop, etc. or tethered to a limited area shall not be forced to sit, stand, walk or lay in their own excrement. Areas where animals are confined shall be kept free of trash, junk and debris that could cause injury to the animal and shall be kept clean to prevent the spread of disease.
4. **Veterinary Care.** If animal is sick or diseased owner has the responsibility to provide care as necessary to prevent suffering. Owners may be given twelve (12) hours notice to provide veterinary care for a sick or injured animal before being cited by the Ordinance Officer or Sheriff's Deputy. Any animal observed to be in immediate danger may be removed from such situation by the quickest and most reasonable means available. Treatment and boarding of the animal shall be at the owners expense
5. **Rabies vaccine.** Companion animals (including ferrets) must be vaccinated for rabies by six (6) months of age and re-vaccinated within twelve (12) months of prior vaccination. Owner must be able to provide proof of vaccination on request. Only a licensed veterinarian can provide the vaccine.

6. **Animals in Vehicles.** No animal shall be left unattended in a vehicle when the conditions in the vehicle would constitute a health hazard to the animal (extreme heat or cold).
7. **Transport of Animals.** No animal is to be transported in an open vehicle or trailer unless confined in an appropriate manner intended to prevent the animal from jumping or being thrown from the vehicle in an accident or rapid stop or other use of the vehicle which could cause injury to the animal. No animal shall be transported in the trunk of a vehicle. Companion animals transported in the open bed of a vehicle must be restrained in a manner that is not life threatening to the animal and protects the safety of the animal.
8. **Abandonment.** No owner of an animal shall abandon said animal.
9. **Animal in Heat.** A female companion animal in heat must be confined in a building or secure enclosure in such a manner that the animal cannot come in contact with a male of the same species, except for planned breeding (permit required).
10. **Wire Cages.** Animals housed in wire cages must have a resting area where the animal is not exposed to the wire floor. Animals must have an area large enough in which to receive the proper exercise.
11. **Disposal of Dead Animals.** Any animal that expires by any known or unknown means while under the care, custody or control of the owner, must be disposed of within twenty-four (24) hours of time of death. Disposal is to be according to the guidelines set forth by the Indiana Board of Animal Health (BOAH) *ref: IC 15-17-11.*
12. **Farm Operations.** Any person operating a farming operation shall be deemed in compliance with this section if they are using generally accepted practices for a farming operation.
13. **Violations.** Persons violating the items in this section shall be fined up to three hundred dollars (\$300.00).

3-49-5 Public Nuisances

1. **Animal Running at Large.** Animals shall not run unrestrained away from owner's property and control.
2. **Interfering with Traffic.** Owners shall prevent animals from interfering with passerby or passing vehicles by entering upon roadway or shoulder of roadway.
3. **School Grounds.** Owners shall not allow animals to trespass or enter upon the grounds of a school unless animal is restrained and under the owners direct control.
4. **Property Damage.** Owners shall not allow animal to cause damage to public or private property. Owner will be responsible for cost to repair damages.

5. **Noise.** Owners shall not allow animal when confined to bark, whine, howl, or make other sounds common to its species in an excessive or continuous manner.
6. **Odors.** Owners are to prevent foul or noxious odors from the excrement or other waste materials from their animal/s which offends residents in the neighborhood. This does not include odors produced by normal farm operations using industry approved sanitation methods approved by the Indiana Department of Environmental Management.
7. **Fines.** Each violation of 5 and 6 of this section will result in a fine of up to fifty dollars (\$50.00) plus court costs. Each violation of 1, 2, 3, and 4 of this section will result in a fine of up to one hundred dollars (\$100.00) plus court costs. After the first citation for an animal running at large, any unaltered animal/s must be spayed or neutered within ninety (90) days at the owner's expense. If owner appears in court and provides proof of the animal/s being altered the fine will be reduced by fifty dollars (\$50.00).
8. **Fee for Returned Animal.** Any companion animal found running at large and has proper registration will be returned its registered owner without being placed in the care of the Terre Haute Humane Society and if no other costs were incurred by the county, and the owner is at the animals registered address, the fee will be twenty-five dollars (\$25.00). This fee will be per occurrence per animal.
9. **Time for Violations.** Each twenty-four (24) hour period that a violation occurs will be considered a separate offense and cited as such.

3-49-6 Vicious or Dangerous Animals.

As defined in 3-49-2

1. **Confinement.** Vicious or dangerous companion animals must be humanely confined inside a pen or kennel of adequate size. The pen or kennel may not share common fencing with the area or perimeter fence. The pen or kennel must have secure sides at least six (6) feet high and a top attached to all sides. The sides must be buried two (2) feet into the ground or sunken into a concrete pad. The gate to the pen or kennel shall be of the inward opening type and shall be locked, except when tending to the animals need. A perimeter fence is required that surround the primary pen or kennel and cannot be common to any side of the primary pen.
2. **Fine.** A violation of the specifications of confinement of a vicious or dangerous animal will be fined up to five hundred dollars (\$500.00) and court costs. The animal will be impounded by animal control at the owner's expense.
3. **Destruction of Animal.** A vicious or dangerous companion animal may be destroyed by Ordinance Enforcement Authorities at the expense of the owner if

destruction is necessary to preserve the public health, safety, and welfare of the community.

3-49-7 Wolf Hybrids and Coy dogs.

Pursuant to the authority granted under Indiana Code 15-20-1-5(e):

Definitions as set forth in I.C. 15-20-1-5 apply.

Prohibited.

Pursuant to I.C. 36-1-3-8(a), wolf hybrids and coydogs are prohibited within the incorporated and unincorporated areas of Vigo County. Any person found to be in possession of a wolf hybrid or coydog within the incorporated or unincorporated areas of Vigo County shall be fined up to the limits set forth in Indiana Code 36-1-3-8(a)(10)(B).

3-49-8 Bite Reporting/Quarantine

1. All animal bites must be reported to local law enforcement, county Sheriff or Animal Control authority. Upon receiving a report of a bite, the animal may be quarantined for ten (10) days with the place of confinement to be at the discretion of the local health officer, local law enforcement, county Sheriff or Animal Control authority. During the quarantine period, the animal is to be securely and humanely confined and be kept from contact with any other animal. If the animal is confined in a manner other than the owner's home, then said owner shall pay all cost incurred during that confinement.
2. If an animal is not immunized for rabies, the owner will have twenty (20) days to have the animal vaccinated and will be cited for harboring a non-immunized animal with a fine of up to three hundred dollars (\$300.00), plus court costs. Owners will be responsible for any costs a victim incurs as a result of the bite. This would include costs for another animal's treatment. Owner will also be

responsible for all costs encountered by the County Animal Control to affect control of the animal. Ordinance 3-49-6 (3) may be applied at a deputy or animal control officers discretion.

3-49-9 Cruelty to an Animal

1. Cruelty to an animal is considered to exist whether "active" as in torture, torment, deprivation of necessary sustenance, failure to provide necessary veterinary care, use of physical blows (beating), mutilation (destruction of body parts), killing for any reason other than self-protection, or to protect another human or animal from injury, or in some way acting as a causative agent in the infliction of cruelty or passive cruelty as when there is any omission resulting in the occurrence of pain, suffering (from any cause), or death. Procedures performed by a licensed veterinarian, or a person operating an agricultural business, using generally accepted practices related to animal husbandry, at the request of the owner or veterinarian, which are cosmetic or for any other legitimate reason, other than to inflict bodily harm on the animal, is not cruelty.
2. It shall be unlawful to be responsible for or to permit an act of cruelty toward an animal resulting in serious injury or death to the animal.
3. No person shall expose any known poisonous substance, whether or not mixed with food, so it shall be liable to be eaten or drank by any animal. However, it will not be unlawful for a person to expose, on their property, poison to a common rat or mouse by mixing poison with any food substance.
4. It shall be unlawful for anyone to neglect or willfully fail to provide food, potable drinking water, shelter or reasonable protection from the weather thereby inflicting unnecessary cruelty on any animal.
5. Hoofed animals shall not be forced to stand in ground with inadequate drainage if it may result in injury or disease to the animal.
6. If an animal is tied out, it shall be considered cruelly treated if it is hitched, tied, or fastened by a choker collar which permits possible strangulation. The device securing the animal should be at least five (5) times the length of the animal as measured from the nose to the base of the tail, allowing access to shelter, shade and freedom of movement. The device should be located in such a manner to prevent tangling.
7. An individual lawfully live-trapping an animal must monitor their traps every twenty-four (24) hours.
8. It is also cruelty to leave an animal inside a vehicle in weather that is too extreme for the safety of the animal (hot or cold)
9. It shall be considered cruel to deny an animal proper veterinary care.

10. Violation of this chapter will result in a fine of up to five hundred dollars (\$500.00) plus court costs for each offense. In case of animal cruelty, the owner will pay the fine and court costs and the animal may be removed and impounded at the local shelter. The owner shall pay all costs incurred during the impoundment.
11. Any person who is legally hunting or trapping an animal cannot be charged with a violation of this ordinance.

If animal control or Sheriff's Deputy observes an animal that appears to be sick or injured, the owner may be ordered to get veterinary care for said animal within 12 hrs. from the time notified to do so.

Any animal observed by animal control officers or Sheriff's Deputy to be in immediate danger may be removed from such situation by the quickest and most reasonable method available and impounded. Any veterinary care needed or provided to said animal shall be at the owner's expense.

In the event an animal is impounded by a deputy or animal control officer pursuant to this Chapter and, in addition to any other penalty set out in the section above or court costs, the owner may be required to post a three hundred dollar (\$300.00) bond with the Clerk of the Court in which the ordinance violation statute is filed for the costs associated with providing shelter for each impounded animal at an animal control facility or humane society. The cost for providing shelter shall be the amount approved annually by the County Commissioners. After disposition of the underlying case, the bond money posted will be deposited in the fund which the bill for the animal was paid from.

3-49-10 Animal Fighting

1. Ordinance enforcement authorities. The owner must be notified of the animal's impoundment and shall pay any costs as a result of impoundment.
2. It is illegal to own or have on the premises a breaking stick, cat mill, spring pole, weighted or non-weighted chain collar weighing ten (10) pounds or more, leather or mesh collar with a strap more than two (2) inches in width, fighting pit/ring, controlled substance, or prescription drug that has not been prescribed by a licensed veterinarian.

Persons violating Chapter 3-49-10 will be fined up to five hundred dollars (\$500.00) for each offense and pay court costs.

Breeder's Permits for Companion Animals

3-49-11 Hobby Breeder

1. Will have a maximum of one unaltered female over the age of six (6) months, and one unaltered male
2. Will allow only one litter per year, unless permitted in writing by a licensed veterinarian.
3. Will follow all sections under Commercial Breeder.
4. Will pay twenty-five dollars (\$25.00) annually for a Hobby Breeder's permit.

3-49-11.1 Commercial Breeder

1. Will have a minimum of two (2) and a maximum of thirty (30) unaltered females over the age of six (6) months.
2. Will allow only one litter per year for each unaltered female, unless permitted in writing by a licensed veterinarian.
3. Show evidence of an exercise area on the grounds.
4. Provide all animals with comfortable accommodations allowing for free movement.
5. Will not sell, trade, or give away an animal before eight (8) weeks of age, and ensure that the offspring, cat or dog has received their initial immunizations.
6. Be in compliance with all sections of Chapter 3-49-4, General Animal Care.
7. All breeders will allow a periodic inspection of their facility.
8. Will purchase an annual Commercial Breeder's Permit for one hundred dollars (\$100.00).

Each violation of this section shall be considered a separate offense and subject to a fine of up to one hundred dollars (\$100.00), plus court costs.

3-49-12 Exotic/ Wild Animals

It is unlawful for a person to possess within the incorporated or unincorporated boundaries of Vigo County, Indiana any dangerous exotic or wild animal listed as a class 2 or 3 animal (ref. 312 I.A.C. 9-11-7 and 9-11-8 as amended) that are not properly licensed by the Federal Government, State of Indiana, or the State in which the owner of the exotic animal resides and could be a threat to public safety or welfare.

Additionally, any person who does possess a wild or exotic animal not governed by the Federal Government, State of Indiana, or the State in which the owner of the exotic animal resides must comply with the following requirements:

- A. Register the wild or exotic animal with Vigo County Animal Control; see Section 3-49-3-5 of this ordinance;

- B. Provide an emergency action plan in the event of an accidental release and provide proof of liability insurance;

It is unlawful to purposefully or negligently release a wild or exotic animal into the wild.

Wild or Exotic animals do not include small exotic non poisonous reptiles, birds, fish or aquatic life normally accepted as pets.

Any person deemed in violation of the exotic or wild animal provision shall be subject to a monetary fine pursuant to the following schedule.

- A. The first offense shall be a fine of up to five hundred dollars (\$500.00)
- B. All subsequent offenses shall be a fine of up to fifteen-hundred dollars (\$1500.00)
- C. If, after notice, a person fails to comply with the provisions regarding exotic animals and such violation continues for a period of fourteen (14) days, Vigo County Animal Control, with approval of the Court with jurisdiction, shall have the right to enter onto said premises for the purpose of taking custody over the animal and destroying the animal.

3-49-13 Reserved for Future Legislation

3-49-14 Reserved for Future Legislation

3-49-15 Inspection

1. Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by the Ordinance or when there is reasonable cause to believe that there exists in any building or upon any premise any violation of the provisions of this Ordinance or of the Indiana Code, the animal control officer, health officer or sheriff's deputy is authorized at all reasonable times to inspect the same for compliance with the provisions of this Ordinance, or any state law, provided that:

- A. If the property is occupied, the officer shall first present the proper credentials to the occupant and request entry explaining the reasons therefore; and,
- B. If the property is unoccupied, the officer shall make a reasonable effort to locate the owner or other persons having control of the property and request entry explaining the reasons therefore; and
- C. If the property owner, or his/her representative, is on site and objects to the inspection or cannot be located with reasonable effort, a valid warrant shall be required prior to inspection.

- 2. Whoever forcibly assaults, resists, opposes, obstructs, prevents, impedes, or interferes with any Ordinance enforcement authority while that officer is engaged in the execution of the duties required of Ordinance enforcement authorities under this provision may be subject to a one hundred dollar (\$100.00) fine and court costs.

3-49-16 Repealer

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3-49-17 Severability Clause

Should any section, provision, or part of the Ordinance be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

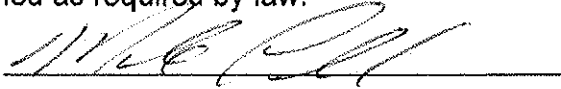
3-49-18 Disposition of Monies

All monies generated or collected by virtue of the provisions of this Ordinance are to be set aside and shall be placed in a non-reverting Animal Control Fund to be used exclusively for animal welfare and control. Monies located within the fund shall be appropriated by the Animal Control Commission making a recommendation to the Vigo County Commissioners.

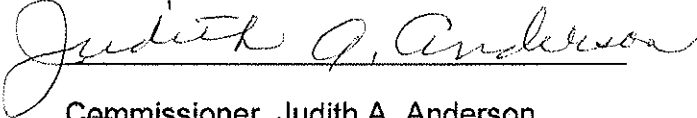
3-49-19 Animal Control and Education Commission – Establishment; Duties

1. There is created and established an Animal Control Commission of Vigo County which shall have the authority and responsibility to make recommendations to the County Council and the County Commissioners as to necessary ordinances concerning animal issues.
2. The Animal Control Commission shall consist of five (5) members as follows;
 - A. Three (3) members shall be selected by the County Commissioners
 - B. Two (2) members shall be selected by the County Council
3. Each member will serve a three (3) year term. Appointments shall be made on or before January 1st of each year or within sixty (60) days of enactment, for the initial term. A member continues to serve until a successor is appointed and qualified. Selection of the Commission members should be based on the applicant's understanding of Vigo County's animal issues and concerns for the welfare of animals.
4. The Commission shall elect a Chair, Vice-Chair, and a Secretary from among its members.
5. The Commission shall meet a least once every other month and at other times as determined by the Chair or upon written request to the Chair by three (3) members.
6. Three (3) members of the Animal Control Commission will constitute a quorum to do business.
7. In case of vacancy in office due to death, resignation, incapacity, removal, or otherwise, the appointment to fill the vacancy so occurring shall be made by the original appointing body for the unexpired term only.

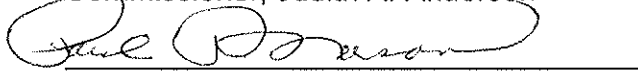
This Ordinance shall take effect on April 3, 2012, as it has been passed and published as required by law.



Commissioner, Mike Ciolli

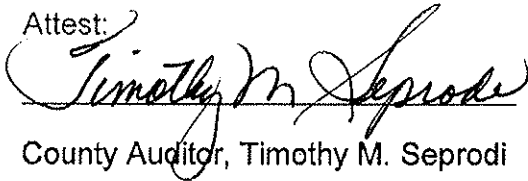


Commissioner, Judith A. Anderson



Commissioner, Paul Mason

Attest:



County Auditor, Timothy M. Seprodi