

Section

General

- 90.01 Definitions
- 90.02 Running at large
- 90.03 Dangerous or vicious animals
- 90.04 Loud or unusual noises
- 90.05 Destruction of dangerous animals
- 90.06 Impoundment
- 90.07 Humane treatment
- 90.08 Animal fighting prohibited
- 90.09 Kennels, farm animals, zoning requirements
- 90.10 Rabies immunization required
- 90.11 Spread of disease; special proclamation
- 90.12 Destruction of rabid dogs
- 90.13 Classifications of violations
- 90.14 Schedule of fees for impoundment

Animal Control Board

- 90.20 Joint City-County Board created
- 90.21 Composition of Board' compensation
- 90.22 Officers
- 90.23 Powers
- 90.24 Budget
- 90.25 Acceptance of gifts

- 90.99 Penalty

General

90.01 DEFINITIONS

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“DOG.” All animals, regardless of sex, of the canine species.

“DOMESTIC ANIMAL.” Dogs, cats, and any other type of animal or fowl normally maintained as a household pet or guardian.

“VICIOUS ANIMAL” or “DANGEROUS ANIMAL.” Any animal that has at any time bitten any human being, or that has demonstrated a dangerous propensity.
(’76 Code, 5-1, 5-3)

90.02 RUNNING AT LARGE.

- (A) No person who owns, keeps, or harbors a domestic animal shall cause or permit such animal to run at large within the city.
(’76 Code, 5-2)

2002 S-22

90.03 GREENSBURG – ANIMALS

- (B) It shall be unlawful for any person owning or having control of any chickens, ducks, geese, or turkeys, to allow or permit the same to run at large on any grounds or premises in the city other than the grounds or premises of their owners or keepers. Such running at large is declared to be a nuisance, provided, however, this section shall not apply to any fowl being kept in any public park in the city.
(’76 Code, 5-14)
Penalty, see 90.99

90.03 DANGEROUS OR VICIOUS ANIMALS.

- (A) No person shall own, keep, or harbor a dangerous or vicious animal within the city, unless the person shall keep the animal safely and securely confined so as to protect from injury any person or child who lawfully comes on the premises in the vicinity where the animal may be located. Adequate warning by signs, or otherwise, shall be given to all persons lawfully coming on the premises in the vicinity of any vicious or dangerous animal so confined.
(’76 Code, 5-3)
- (B) It shall be unlawful for any person keeping, owning, or harboring any vicious dog in the city to allow such dog on the streets of the city unless the dog is securely muzzled so as to effectually charge of its owner or some other authorized person.
(’76 Code, 5-28) (Ord. passed 4-4-10)
Penalty, see 90.99

90.04 LOUD OR UNUSUAL NOISES.

- (A) It shall be unlawful for the owner or person in charge or control of any animal or for any person who has the authority or power to prevent the same, to permit any such animal to disturb the peace or quiet of any place, neighborhood, family or person in the city by barking, howling, crying, or other distressing or loud or unusual noise. The disturbing of the peace or quiet of any such, place neighborhood, family or person in the city by any such animal is declared to be a nuisance.
- (B) This provision shall not apply to properly zoned and constructed kennels, animal hospitals, and pounds.
(’76 Code, 5-4) Penalty, see 90.99

90.05 DESTRUCTION OF DANGEROUS ANIMALS.

- (A) If any dangerous, fierce, or vicious animal cannot safely be impounded, such animal may be destroyed by any police officer. The disposition of the destroyed animal shall be in accordance with the provisions of law.
(76 Code, 5-8)

GREENSBURG – ANIMALS

90.08

- (B) In case any animal shall disturb the peace or quiet of any chapter, the animal may be destroyed.
(76 Code, 5-5)
Penalty, see 90.99

90.06 IMPOUNDMENT.

Impoundment of animals, when necessary for the public health, safety, and welfare, shall be a function of the Greensburg-Decatur County Animal control Board.

Cross-reference:

Animal Control Board, see 90.20 – 90.25

90.07 HUMANE TREATMENT

- (A) All dogs or small domestic animals when tied shall have not less than six feet of chain or rope attached to a collar. Fresh water shall be available at all times to any confined or tied animal, bird, or domestic pet.
(B) Shelter from freezing weather, snow, and rain must be provided. Tied animals must have access to a shaded area at all times.
(C) No animal shall be left in an automobile or similar enclosure without proper ventilation.
(D) No female animal in heat shall be tied out unguarded or allowed to run loose.
(E) No animal shall be abuse, kicked, beaten, or cruelly treated.
(F) Living quarters and enclosures for animals shall be kept dry, clean, and free of drafts and vermin. Houses or shelters for animals shall have such materials as straw, hay, shavings, or some other such material for the winter bedding.
(76 Code, 5-11) Penalty, see 90.99

90.08 ANIMAL FIGHTING PROHIBITED

Any person who keeps or uses or is in any way connected with the management of any room, place, building, enclosure, or other premises, kept or used for the purpose of fighting or baiting any dog, cock, or other animal, or who shall permit such place to be kept or used on premises owned, rented, or controlled by him, or who shall frequent or be found therein, shall be guilty of a violation of this chapter.
(76 Code, 5-12 Penalty, see 90.99

90.09 KENNELS, FARM ANIMALS, ZONING REQUIREMENTS.

(A) No one shall raise animals or fowl for sale within the city limits nor keep for profit any kennel for the boarding of animals unless the animals are raised, sold, or boarded on property properly zoned for such purpose.

('76 Code, 5-15)

(B) Farm animals, which shall include but not be limited to horses, cattle, swine, and fowl, shall not be permitted in the city, except on property zoned as farms.

('76 Code, 5-16)

Penalty, see 90.99

Cross-reference: Zoning code, see ch. 15

90.10 RABIES IMMUNIZATION REQUIRED.

It shall be unlawful for any person to harbor any dog which is over the age of six months and which is not presently immunized against rabies and to allow such dog to run loose, with the result that bodily injury is inflicted on a human being.

('76 Code, 5-36 and 5-37) Penalty, see 90.99

90.11 SPREAD OF DISEASE' SPECIAL PROCLAMATION

Whenever the Mayor or Chief of Police apprehends that there is danger of the existence or spread of hydrophobia or other dangerous disease within the city, either shall issue a proclamation ordering and requiring all persons owning, possessing, or harboring any member of the canine family within the city limits to:

(A) Confine or muzzle such animal for a term of not less than 30 nor more than 90 days following the date of such proclamation;

(B) Cause such uninoculated animal to be inoculated with antirabies serum by a registered veterinary surgeon;

(C) Cause such animal to be effectively secured and muzzled during the period of the proclamation so as to prevent the animal from biting human and other animals.

('76 Code, 5-38) (Ord. passed 5-13-10)

Cross Reference:

Civil emergencies, see ch. 91

Health and sanitation, see ch. 94

Statutory reference:

Quarantines, see IC 36-8-2-5

90.12 DESTRUCTION OF RABID DOGS.

Any member of the canine family which may be found in violation of the provisions of the proclamation issued pursuant to 90.11 shall be destroyed by order of the Chief of Police.

('76 Code, 5-39)

90.13 CLASSIFICATIONS OF VIOLATIONS.

(A) 90.02, Running at Large, shall be classified as follows:

- (1) A domestic animal which is permitted to run at large within the city without causing damage or injury shall be considered a Class C violation with a fine of \$25 for each offense.
- (2) A domestic animal running at large which causes damage to property of any nature shall be considered a Class B violation with a fine of \$50 for each violation.
- (3) A domestic animal running at large which causes personal injury to any individual shall be considered a Class A violation with a fine of \$100 for each violation.

(B) Any person who violates 90.03, Dangerous or Vicious Animals, 90.07, Humane Treatment, 90.08, Animal Fighting Prohibited, 90.11 Spread of Disease; Special Proclamation shall commit a Class A violation of the City of Greensburg Code of Violations with a fine of \$100 for each violation.

(C) Any person who shall violate 90.04, Loud or Unusual Noise, 90.09, Kennels, Farm Animals; Zoning requirements or 90.10, Rabies Immunization Required, shall commit a Class B violation of the City of Greensburg Code of Violations and be subject to a fine of \$50 for each offense or violation.

(D) When a citation is issued by the City of Greensburg with the violation noted, the fine applicable to the violation shall be paid within ten days to the City of Greensburg through the Office of the City Clerk-Treasurer. If a fine is not paid to the city and it becomes necessary for the city to file a legal cause of action to recover the fine, the city shall then be permitted to recover any reasonable and necessary legal expenses associated with the cause of action.

(Ord. 1999-10, passed 9-6-99)

90.15 SCHEDULE OF FEES FOR IMPONDMENT.

(A)The following schedule of fees is set for the impoundment of animals at the animal shelter:

<u>Impoundment</u>	<u>Fee</u>
Animals impounded for up to three days	\$20
Every day of impoundment after three days	8

2002 S-22

90.20 GREENSBURG – ANIMALS

(B) No animal shall be released to its owner unless the proper license has been obtained for the animal and the fees set by this section have been paid.

(C) The animal Control Board may establish a Schedule of Charges for adoption of animals which have not been claimed by their owners. The maximum charges for adoption of animals may not exceed \$100.
(Ord. 2001-21, passed 10-2-01)

ANIMAL CONTROL BOARD

90.20 JOINT CITY-COUNTY BOARD CREATED.

In order to promote the health, safety, and well-being of the residents of Decatur County, a joint Greensburg-Decatur County Animal Control Board is created.
(Ord. 1981-2, passed 7-7-81)

90.21 COMPOSITION OF BOARD; COMPENSATION.

The Joint Animal Control Board shall be composed of six members, one of whom shall be the Police Chief, one of whom shall be the Sheriff of Decatur County, two of whom shall be appointed the Mayor, and two of whom shall be appointed the County Commissioners. The four appointees shall be compensated from the funds budgeted by such Board at the rate of \$15 each per month.
(Or. 1981-2, passed 7-7-81)

90.22 OFFICERS

The Greensburg-Decatur County Animal Control Board shall elect a president and secretary from its membership who shall serve in such offices for a term of one year. Such officers shall be elected annually at a Joint Animal control Board meeting to be held in December of each year and such officers shall take office on the first Monday of the following year. On alternate years, the office of president shall rotate between an appointee of the city and appointee of the county.
(Ord. 1981-2, passed 7-7-81)

90.23 POWERS.

The Joint Animal Control Board shall be empowered with all powers granted to such boards the statutes of the State of Indiana.
(Ord. 1981-2, passed 7-7-81)

Statutory reference:

Interlocal cooperation act, see IC 36-1-7-1 et seq.

90.24 BUDGET.

- (A) The Joint Animal Control Board shall determine its total budget request and submit the same to the Board of County Commissioners and the City Council which shall determine the appropriation to be made.

2002S-22

GREENSBURG – ANIMALS

90.99

- (B) The budget for the Joint Animal Control Board shall be raised equally from the city and the county.
- (C) Moneys appropriated by the participation political subdivisions shall be deposited in a Joint City-County Animal Control board fund in the custody of the County Auditor. Moneys may be withdrawn only on vouchers signed by the president and secretary.
(Ord. 1981-2, passed 7-7-81)

90.25 ACCEPTANCE OF GIFTS.

The Joint Animal Control Board shall have the authority to accept gifts of money or property, and may accept such gifts subject of conditions imposed by the donor, if the board determines that acceptance of such gifts is in the public interest.
(Ord. 1981-2, passed 7-7-81)

90.99 PENALTY.

Whoever violates any provision of this chapter for which no penalty is otherwise provide, shall be fined not more than \$1,000. A separate offense shall be deemed committed on each day that a violation occurs or continues.

2002 S-22