

CHAPTER 95: ANIMAL REGULATIONS

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§ 95.01 FOOTAGE RESTRICTION REGARDING THE KEEPING OF ANIMALS.

(A) It shall be unlawful and declared a nuisance to erect, construct, or move any building or buildings or structure of any kind, to be used for the purpose of keeping any horses, cattle or other animals, the keeping of which is detrimental to the public health, within 200 feet of any private dwelling house within the corporate limits of the town.

(B) For any violation of this section, the Town Council may take any action as it shall deem necessary to abate and remove the nuisance.

(`86 Code, § 6-16) (Ord. 55, passed 9-18-34) Penalty, see § 95.99

§ 95.02 LIVESTOCK REGULATIONS.

It shall be unlawful for any person to lead or drive any livestock on any sidewalk within the corporate limits of the town, except in the necessary acts of crossing the same.

(`86 Code, § 6-17) (Ord. 34, passed 10-5-14) Penalty, see § 95.99

§ 95.03 LEAVING HORSE TEAMS UNATTENDED.

It shall be unlawful for any person to leave unattended any horse or horses or other animals hitched to any vehicle in any of the streets or alleys of the town without securely fastening the horse or horses or other animals to some object to prevent the animals from running away.
(`86 Code, § 6-18) (Ord. 26, passed 7-6-09) Penalty, see § 95.99

§ 95.04 HORSES ON SIDEWALKS.

It shall be unlawful for any person to tie any horse or horses or other animals within the town without securing the same so that it cannot go upon or over any sidewalk within the town.
(`86 Code, § 6-19) (Ord. 26, passed 7-6-09) Penalty, see § 95.99

§ 95.05 HITCHING TO SHADE TREES.

It shall be unlawful for any person to hitch any horse or horses or other animals to any shade tree upon or along the streets or alleys of the town.
(`86 Code, § 6-20) (Ord. 26, passed 7-6-09) Penalty, see § 95.99

§ 95.06 VICIOUS DOGS.

(A) *Prohibition.* It shall be unlawful for any person to keep, harbor or suffer to run at large any cross, vicious or unruly dog within the town.

(B) *Definition.* A **VICIOUS DOG** is any dog of any breed that:

- (1) When unprovoked, exhibits behavior that requires a defensive action by any person to prevent bodily injury or property damage;
- (2) When unprovoked, inflicts a bite, bites on or attacks a human being, either on public or private property;
- (3) Attacks another animal on property other than that of the owner of the attacking dog; or
- (4) Has a known propensity, tendency or disposition to attack without provocation, to cause injury, or to otherwise endanger the safety of human beings or domestic animals.

(C) *Exemptions.* No dog shall be deemed vicious if it:

(1) Bites, attacks or menaces anyone who has tormented or abused it; or

(2) Is a professionally trained dog for law enforcement guard duties.

(`86 Code, § 6-21) (Ord. 26, passed 7-6-09; Am. Ord. 2006-5, passed 6-6-06) Penalty, see § 95.99

§ 95.07 ANIMALS AT LARGE.

It shall be unlawful for the owner or person having the care, custody and control of any dog, cat, cow, horse, mule, swine, or other livestock, or chickens, ducks, geese, turkeys, other poultry, or any other animal described in I.C. 15-2.1-2-15, to permit the animal or animals to be or remain at large upon any of the streets, alleys or public grounds, or unenclosed lots within the town.

(`86 Code, § 6-22) (Ord. 99-2, passed 2-2-99) Penalty, see § 95.99

§ 95.08 NUISANCE CONDITIONS PROHIBITED.

No person shall keep or harbor any animal or fowl in the town so as to create noises, odors, or unsanitary conditions which are a menace to the health, comfort, or safety of the public, and shall constitute a public nuisance.

(`86 Code, § 6-23) Penalty, see § 95.99

§ 95.99 PENALTY.

(A) The penalty for violating any provision of §§ 95.01 to 95.05, § 95.07 and § 95.08 shall be a fine of not more than \$100 per occurrence. The penalty for violating § 95.06 shall be a fine of not more than \$100, and an additional ordinance violation shall be charged against any person for each week such person is in violation of § 95.06.

(B) The town shall be permitted, by its employees and designees, to capture and destroy any animals at large, as defined and set forth in § 95.07, and if necessary, to establish, maintain and operate animal shelters, and to transfer any animals so captured to similar private organizations.

(`86 Code, § 6-24) (Ord. 99-2, passed 2-2-99; Am. Ord. 2006-5, passed 6-6-06)