

**TOWN OF RUSSIAVILLE
ORDINANCE 2021-03
AMENDING ORDINANCE 2018-05
CONTROLLING ANIMALS**

Power of town to regulate, license, and prohibit animals, see IC 36 – 8 – 2 – 6
Prohibition against livestock or poultry at large, see IC 15 – 2.1 – 21 – 8

Section 1.0 Definition

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

1.1 Animal

Any live, non – human vertebrate creature, domestic or wild.

1.2 Animal Shelter

Any facility operated by a humane society or a municipal agency, or its authorized agents for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

1.3 At Large

Elsewhere than on the Owner’s premises, and:

1.3.1 Not restrained by a leash; or

1.3.2 Not under the immediate and complete control of a person capable of controlling such animal.

1.4 Authorized Agent

Law enforcement officer, authorized employees of the humane society, or any duly authorized employees of the town.

1.5 Cat

All members of the feline animal group.

1.6 Dog

All members of the canine animal group.

1.7 Harbor

The actions of any person who permits any animal to remain or lodge or to be fed within the persons home, store, enclosure, yard, or places of business, or any premises on which such person resides or controls. An animal shall be presumed harbored if it is fed or sheltered for three consecutive days or more.

1.8 Kennel

A facility operated principally for the purpose of boarding, housing, grooming, breeding or training dogs or cats. The facility must be located a minimum of 500 feet from the closet dwelling.

1.9 Owner

Any person or persons owning or having the care, custody, or control or any animal.

1.10 Pet Shop

Any person or entity engaged in the humane care and possession for sale, display, and sale of pets.

1.11 Public Nuisance

Any animal that:

- 1.11.1 Attacks passersby or passing vehicles;
- 1.11.2 Attacks other animals; or
- 1.11.3 Damages public or private property.
- 1.11.4 Any female dog or cat not confined while in estrus (heat).
- 1.11.5 Barks, whines, or howls in an excessive or continuous fashion, unreasonable under the circumstances, as to violate the peace and quiet of the neighborhood.
- 1.11.6 Causes foul or noxious odors, which offend residents in the neighborhood.

1.12 Restraint

The securing of an animal by leash or confining it within the real property limits by its owner.

1.13 Stray

After reasonable inquiry any animal that does not appear to have an owner.

1.14 Vicious Animal

Any animal that exhibits aggressive or threatening behavior and constitutes a physical threat to harm human beings or other animals.

1.15 Wild Animals

Any non – domesticated animal, with the exception of small nonpoisonous aquatic or amphibious animals and small cages birds.

Section 2.0 Licensing and Registration of Dogs

2.1 All dogs kept, harbored, or maintained by their owner in the town shall be:

- 2.1.1 Licensed by their owner by February 1st of each year.
- 2.1.2 Currently vaccinated for rabies if the dog is more than six months of age.

2.2 Dog licenses shall be valid for one calendar year or until February 1st of the following year of the date of issuance. The licenses shall be issued by the Town Clerk or person designated by them. A license fee of \$ 3.00 shall be collected for each dog and presentation of a tag, hereinafter referred to as the rabies vacation tag, showing that dog to have been vaccinated for rabies within the current year or the immediately preceding year. The owner shall state at the time of making application for such license and on the forms provided for such purpose, the owner's name and address and the dog's name, breed, color, and sex.

2.3 The provisions of this section shall not apply to any dog show, nor to seeing – eye dogs trained to assist blind persons, when such dogs are actually used for such purposes, and not to dogs kept in kennels licensed by the state while those dogs are actually in such kennel.

Penalty, See Section 11.0

Statutory reference:

State licensing and taxation of dogs; see IC 15 – 5 – 9 – 1 et seq.

Section 3.0 Tags and Collar