Passed: 7-0

ORDINANCE 98-27

TO AMEND TITLE 7 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ANIMALS"
(Adding Ferrets as a "Domestic Animal," Lowering the Age Limits for Vaccinations and Other Purposes, and Amending Procedures for Bite Cases to Conform with State Law)

WHEREAS, Title 7 of the Bloomington Municipal Code sets forth the definitions of domestic animals as applicable to the Bloomington Municipal Code; and

WHEREAS, there now exists an approved rabies vaccine for ferrets; and

WHEREAS, the Indiana Administrative Code cites the Compendium of Animal Rabies Control (Compendium) as guidelines for handling animal bite cases; and the 1998 Compendium includes a protocol for handling ferret bite cases; and

WHEREAS, on May 13, 1998, the Animal Control Commission approved adding domestic ferrets to the Title 7 definition of "Domestic animals;"

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 7.01.010 "Definition of terms", Part (a) "Amateur breeder" shall be amended to add the words "or ferret" after the wording "dog or cat."

SECTION 2. Section 7.01.010 "Definition of terms", Part (h) "Domestic animals" shall be amended to add the words "ferrets (Mustela putorius furo)" to the bottom of the list of species defined as domestic animals.

SECTION 3. Section 7.01.010 "Definition of terms", Part (j) "Kennel" shall be amended to delete the words "dogs and/or cats" wherever they appear and add the words " dogs, cats or ferrets" in their place; and to delete the words "six months" and to add the words "three months" in their place, so that this section now reads:

> Section 7.01.010 "Definition of terms". (j) "Kennel" means an establishment wherein any person engages in boarding, breeding, buying, keeping, letting for hire, training for a fee, or selling dogs, cats or ferrets. Anyone keeping a total of five or more dogs, cats or ferrets three months of age or older shall be deemed a kennel operator.

SECTION 4. Section 7.20.010 Noncommercial animal permits required shall be amended to add the words "and ferrets" after the words "dogs and cats".

SECTION 5. Section 7.20.040 Obtaining a kennel permit shall be amended to add the words "or ferret" after the words "dog or cat" wherever they appear.

SECTION 6. Section 7.20.070 Fees, Part (b) shall be amended to add the words "or ferrets" after the words "dogs or cats".

SECTION 7. Section 7.20.070 Fees, Part (c) shall be amended to add the words "or ferrets" after the words "dogs or cats".

SECTION 8. Section 7.20.070 Fees, Part (d) shall be amended to add the words "or ferrets" after the words "dogs or cats".

SECTION 9. Section 7.44.010 Rabies vaccination required shall be amended to delete the words "dog or cat" and add the words "dog, cat or ferret" in their place; and to delete the words "six months" and to add the words "three months" in their place, so that this section now reads:

> Section 7.44.010 Rabies vaccination required. It is unlawful to own or harbor a dog, cat or ferret over the age of three months without a valid rabies vaccination.

SECTION 10. Section 7.44.020 Animals biting persons shall be amended to replace the word "animal" in many instances with the words "dog, cat or ferret;" and to replace the words "of the owner's choice" with the words "approved by the animal control officers;" and to add the sentence "Other animals should be handled in accordance with the current Compendium for Animal Rabies Control, with all expenses being the responsibility of the animal's owner" at the end of this section, so that this section now reads:

> Section 7.44.020 Animals biting persons. If an owned dog, cat or ferret has bitten a person, it shall be impounded in the City animal shelter, veterinary hospital, or kennel approved by the City animal control officer, at the animal owner's expense. This impoundment shall be for a period of ten days in order to determine whether or not the dog, cat or ferret has rabies. If the dog, cat, or ferret dies during this ten day period it shall, at the animal owner's expense, be sent to the proper authorities to determine whether or not it was rabid. Other animals which have bitten a person shall be handled in accordance with the current Compendium for Animal Rabies Control, with all expenses being the responsibility of the animal's owner.

SECTION 11. Section 7.44.030 Disposition of exposed animals shall be deleted in its entirety and reference to this section shall be deleted from the Table of Contents for Chapter 7.44.

SECTION 12. Section 7.44.040 Duties of the owner of a suspect animal shall be deleted in its entirety and reference to this section shall be deleted from the Table of Contents for Chapter 7.44.

SECTION 13. Section 7.44.050 Euthanization of stray animals shall be amended to delete the word "stray animal" wherever they appear and to add the words "stray dog, cat or ferret" in their place, so that this section now reads:

> Section 7.44.050 Euthanization of stray animals. If a stray dog, cat or ferret has bitten a person it shall be confined in the City animal shelter for five days only. At the end of the five day period, if unclaimed, the animal shall be euthanized, and its brain sent to the Indiana Department of Health Rabies Laboratory for diagnostic tests.

SECTION 14. Section 7.48.010 Spaying and neutering of adopted animals shall be amended to delete the words "dog or cat" wherever they appear and to add the words "dog, cat or ferret" in their place, so that this section now reads:

> Section 7.48.010 Spaying and neutering of adopted animals. Any dog, cat or ferret adopted from the city animal shelter must be spayed or neutered by a veterinarian. If the dog, cat or ferret is an adult, such operation shall be performed within one month of adoption. If the dog, cat or ferret is young, it shall be neutered by a veterinarian by the age of eight months if male, or spayed by the age of six months if it is female. Any dog, cat or ferret not so neutered or spayed within those time periods may be reclaimed by the senior animal control officer without refund to the adopter, except if a veterinarian should determine that the dog, cat or ferret is physically unable to undergo such an operation within the time limitations, in which case the dog, cat or ferret is to be neutered or spayed as soon as the veterinarian determines it is able.

SECTION 15. Severability. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid section, sentence, provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 16. This ordinance shall be in full force and effect on and after its passage by the Common Council of the City of Bloomington and approval by the Mayor of the City of Bloomington.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 15th day of July, 1998.

S. Patricia Cole
TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 16th day of July, 1998.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 17 day of July, 1998.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance makes three kinds of amendments to Title 7 of the Bloomington Municipal Code. First, it includes ferrets as a domestic animal and treats them in the same way as cats and dogs. Second, it reduces the age for vaccinating certain domestic animals from six months to three months. This age also becomes that age at which animals are counted when determining whether the owner is operating a kennel. And lastly, the ordinance changes certain provisions regarding "bite" cases to conform with the state's "Compendium of Animal Rabies Control."

Signed copies to:
Animal Control
Legal - 5
BMC File
Clerk / CACA