

ORDINANCE 76-14

AN ORDINANCE AMENDING BLOOMINGTON MUNICIPAL CODE
TITLE 7, ENTITLED "ANIMALS"

WHEREAS, Indiana state law already covers large areas of animal control so the City of Bloomington is precluded from adopting ordinances on those areas, and

WHEREAS, the City is specifically empowered to legislate on animals by Indiana Code 18-1-1.5-7 in areas not already dealt with by state law, and

WHEREAS, the Bloomington Animal Control Commission has studied the animal problem in Bloomington for approximately three years, and

WHEREAS, the Animal Control Commission has prepared the following ordinance and recommends it to the Common Council of the City of Bloomington for passage,

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

SECTION I. That Title 7 of the City Code of Bloomington, Indiana, is repealed and re-enacted as follows:

TITLE 7: Animals

Chapters:

- 7.01 Definitions
- 7.04 Animal Control Commission
- 7.08 Humane Officer and Staff
- 7.12 Licensing
- 7.16 Commercial Animal Establishment Permits
- 7.20 Noncommercial Animal Permits
- 7.24 Restraint
- 7.28 Nuisance
- 7.32 Impoundment
- 7.36 Animal Care
- 7.40 Wild Animals
- 7.44 Rabies
- 7.48 Adopted Animals
- 7.52 General Provisions

CHAPTER 7.01
DEFINITIONS

7.01.010 Definition of Terms. As used in this Title the following terms mean, unless otherwise designated:

- (a) Amateur Breeder: Any person, not a commercial animal establishment, who allows his dog or cat to breed with another and does not keep the offspring or give them to the Animal Shelter.
- (b) Animal: Any live, non-human vertebrate creature, domestic or wild.
- (c) Animal Shelter: Any facility operated by a humane society or municipal agency, or its authorized agents for the purpose of impounding or caring for animals held under the authority of this ordinance or of state law.
- (d) At Large: Any animal shall be deemed "at large" when it is not under restraint.

- (e) Auctions: Any place or facility where animals are regularly bought, sold, or traded, except for those facilities otherwise defined in this ordinance.
- (f) Circus: A commercial variety show featuring animal acts for public entertainment.
- (g) Commercial Animal Establishment: Any pet shop, auction, riding school or stable, zoological park, circus or performing animal exhibition.
- (h) Domestic Animals: Any animal that is a member of one of the following species:
 - dog (Canis familiaris)
 - cat (Felis cattus or Felis domesticus)
 - cattle (Bos domesticus or Bos taurus or Bos indicus)
 - horse (Equus caballus)
 - donkey (Equus asinus)
 - pig (Sus scrofa)
 - sheep (Ovis aries)
 - goat (Capra hircus)
 - rabbit (Oryctolagus cuniculus)
 - mouse (Mus musculus)
 - rat (Rattus rattus)
 - guinea pig (Cavis procellus)
 - chinchilla (Chinchilla laniger)
 - hamster (Mesocricetus auratus)
 - gerbil (Gerbillus gerbillus)
- (i) Harboring: The actions of any person that permit any animal habitually to remain or lodge or to be fed within his home, store, enclosure, yard or place 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 [3] consecutive days.
- (j) Kennel: An establishment wherein any person engages in boarding, breeding, buying, keeping, letting for hire, training for a fee, or selling dogs and/or cats. Anyone keeping a total of five [5] or more dogs and/or cats six [6] months of age or older shall be deemed a kennel operator.
- (k) Owner: Any person owning, keeping, or harboring one or more animals.
- (l) Performing Animal Exhibition: Any spectacle, display, act, or event other than circuses, in which performing animals are used.
- (m) Person: Any individual, firm, association, joint stock company, syndicate, partnership, or corporation.
- (n) Pet: Any animal kept for pleasure rather than utility.
- (o) Pet Shop: Any person, whether separately or in connection with another business enterprise except for a kennel, that buys, sells, or boards any species of animal.
- (p) Public Nuisance: Any animal or animals that:
 1. molests passersby or passing vehicles
 2. attacks other animals
 3. damages public property or private property
 4. barks, whines or howls in an excessive or continuous fashion

- (q) Research Laboratory: Any animal research facility registered with the United States Department of Agriculture under authority of the Federal Laboratory Animal Welfare Act, 71 U.S.C. §2132 et seq.
- (r) Restraint: Any animal secured by a leash or lead or within the real property limits of its owner or accompanying its owner within fifteen feet and under control of the owner. An animal not physically confined to the owners property shall be presumed not to be under restraint.
- (s) Riding School or Stable: Any place that has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule or burro.
- (t) Stray: Any animal that does not appear, upon reasonable inquiry, to have an owner.
- (u) Veterinary Hospital: Any establishment maintained and operated by a veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.
- (v) Vicious Animal: Any animal that by its behavior constitutes an immediate and serious physical threat to human beings or animals.
- (w) Wild Animals: Any animal not a domestic animal, with the exception of small, non-poisonous aquatic or amphibious animals and small cage birds.
- (x) Zoological Park: Any facility, other than a pet shop or kennel, displaying or exhibiting, without the predominant purpose of selling, one or more species of non-domesticated animals operated by a person or government agency.

CHAPTER 7.04
ANIMAL CONTROL COMMISSION

- 7.04.010 Created - Duties
- 7.04.020 Membership
- 7.04.030 Terms
- 7.04.040 Meetings
- 7.04.050 Budget

7.04.010 Created - Duties. There is hereby created and established an Animal Control Commission of the City of Bloomington, Indiana, which Commission shall have authority and responsibility to:

- (a) Formulate, adopt, and implement policies, principles, and standards for humane treatment and control of all animals in the City of Bloomington.
- (b) Enforce statutes, regulations, and ordinances concerning the care, treatment and control of all animals in the City of Bloomington.
- (c) Employ personnel to carry out the purposes herein set forth, except that the Senior Humane Officer shall be appointed by the Mayor with the advice and consent of the Commission.
- (d) Negotiate contracts and other agreements to carry out the purposes set forth herein, as a representative of the City of Bloomington.
- (e) Review the decisions and actions of the Senior Humane Office in any matter related to the enforcement of this Title, if a written request for a hearing is received from the complaining animal owner within ten [10] days after that action is taken.

- (f) Make recommendations to the Common Council of the City of Bloomington as to necessary ordinances concerning the care, treatment and control of animals.

7.04.020 Membership. The Animal Control Commission shall be composed of seven members as follows:

- (a) Three shall be citizens selected by the members of the Common Council of the City of Bloomington.
- (b) One shall be selected by and represent the Monroe County Board of Commissioners.
- (c) Three shall be appointed by the Mayor of the City of Bloomington, one of whom shall be a qualified veterinarian.

7.04.030 Terms. Appointments shall be made as provided in Section 7.04.020 on or before the fifteenth of July of each appropriate year except in the event of vacancy on the Commission for any reason, the members appointed shall fill such vacancy by majority vote and such appointee shall then hold the office for the duration of the term of the member whose vacancy is so filled. Initially appointments will be made as follows: one of the Common Council appointees shall hold a one year term and two shall hold a two year term. Two of the appointees of the Mayor shall hold a two year term and one shall hold a one year term. The member selected from the Monroe County Board of Commissioners shall hold a one year term. Thereafter, all appointments shall be made for two years.

7.04.040 Meetings. The Commission shall hold a meeting during the month of July of each year and at such meeting shall elect a Chairperson of the Commission who shall hold said office until the next annual meeting in July of the subsequent year. Meetings of the Animal Control Commission shall be held every other month as called by the Chairperson and any special meeting may be called by the Mayor, the Common Council, the Chairperson, or by any four [4] members of the Commission requesting such a meeting in writing to the Chairperson. Upon receipt of such a request, the Chairperson shall thereafter call such a special meeting to be held within twenty [20] days.

7.04.050 Budget. The Animal Control Commission shall prepare and submit to the Common Council of the City for approval an annual budget of funds to be expended in carrying out the purposes set forth in Section 7.04.010.

CHAPTER 7.08 HUMANE OFFICER AND STAFF

- 7.08.010 Position Created - Appointment
- 7.08.020 Senior Humane Officer - Regulations
- 7.08.030 Humane Officers - Duties, Jurisdiction and Powers
- 7.08.040 Interference with Humane Officer a Misdemeanor - Penalty
- 7.08.050 Humane Officers - Compensation

7.08.010 Position Created - Appointment. The position of Senior Humane Officer and Staff Humane Officer is created. The Senior Humane Officer shall be appointed by the Mayor with the advice and consent of the Animal Control Commission and shall hold office under the provisions and regulations of the City. He shall be authorized to appoint Staff Humane Officers with the advice and consent of the Animal Control Commission.

7.08.020 Senior Humane Officer - Regulations. The Senior Humane Officer, with the approval of the Commission, shall promulgate regulations for the issuance and maintenance of licenses and permits and adoption of animals from the City Animal Shelter and shall include requirements for humane care of all animals and for compliance with the provisions of this Title.

7.08.030 Humane Officers - Duties, Jurisdiction and Powers. The Senior and Staff Humane Officers shall carry out and supervise the enforcement of this Title within the City of Bloomington unless otherwise provided. All those powers ordinary and necessary to carry out their duties shall be vested in them. These powers shall specifically include, but not be limited to, the power to enter private real property in fresh pursuit of an animal to enforce this Title. In performing their duties, the Humane Officers shall, however, be specifically prohibited from: entering a dwelling unit without either the dwelling unit owner's permission or being accompanied by a uniformed law enforcement officer with a warrant authorizing the entry; carrying firearms; or making arrests of human beings.

7.08.040 Interference with Humane Officer a Misdemeanor - Penalty. Whoever forcibly assaults, resists, opposes, obstructs, prevents, impedes or interferes with any Humane Officer while that Officer is engaged in the execution of any duties required of Humane Officers under this Title shall be guilty of a misdemeanor and shall be fined not to exceed one thousand dollars [\$1,000] or imprisoned not more than six [6] months, or both.

7.08.050 Humane Officers - Compensation. The salaries of the Senior Humane Officer and his staff shall be recommended by the Commission, fixed by the Mayor and approved by the Common Council.

CHAPTER 7.12 LICENSING

- 7.12.010 Licensing Required - Exceptions
- 7.12.020 Obtaining a License
- 7.12.030 Tags
- 7.12.040 Fees
- 7.12.050 License Period
- 7.12.060 Use of License for Another Animal
- 7.16.070 Violation

7.12.010 Licensing Required - Exceptions. Any person owning, keeping, harboring, or having custody of a dog or cat over six [6] months of age within the City of Bloomington must obtain a license for it under this Chapter unless that person owns this animal under authority of either a kennel or commercial animal establishment permit. No license shall be required for seeing eye dogs.

7.12.020 Obtaining a License. Applications for a license shall be made to the Senior Humane Officer or the City Controller or any authority deemed appropriate by the Commission. The application, one per animal, shall include the name and address of the applicant, a description of the animal, a current rabies certificate issued by a veterinarian, and information whether the applicant has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq. If the applicant withholds or falsifies any information of the application, no license shall be issued, and any licenses issued upon false or withheld information shall be null and void. No person who has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq. shall be issued a license without review by the Animal Control Commission. Application for a license must be made when the animal reaches the age of six [6] months. When a person obtains an animal older than six [6] months, a license must be applied for within twenty [20] days.

7.02.030 Tags. Upon acceptance of the license application and fee, there shall be issued to the applicant a durable tag stamped with an identification number and month of issuance. Animals must wear such tags at all times when off the premises of the owner, or on the real property of the owner but not under restraint. The licensing agent shall maintain a record of the identifying number of all tags issued.

7.12.040 Fees. A license shall be issued after payment of the applicable fees and the receipt of all application materials. Fees shall be as follows:

- (a) for each unneutered male dog . . . \$5.00
- (b) for each unneutered male cat . . . \$3.00
- (c) for each unspayed female dog . . . \$5.00
- (d) for each unspayed female cat . . . \$3.00
- (e) for each neutered male dog . . . \$.50
- (f) for each neutered male cat . . . \$.50
- (g) for each spayed female dog . . . \$.50
- (h) for each spayed female cat . . . \$.50

A duplicate license may be obtained for a fee of \$1.00 upon the owners certifying that the original tag is lost. If an animal has been spayed or neutered after the license fee has been paid, the difference between the spayed and unspayed or neutered and unneutered rate for that year shall be refunded upon presentation of a veterinarian's written certification of the operation. The owner of any animal deemed by a veterinarian to be unfit to undergo a spaying or neutering operation shall be, upon presentation of written certification to that effect by a veterinarian, charged the fee for spayed or neutered animals.

7.12.050 License Period. Licenses for dogs and cats shall be for one year from the last day of the month of issuance.

7.12.060 Use of a License for Another Animal. No person shall use a license for any animal other than the animal for which it was issued.

7.12.070 Violation. Persons who violate any provision of this chapter shall be subject to a fine of up to twenty-five dollars [\$25.00] for each offense.

CHAPTER 7.16
COMMERCIAL ANIMAL ESTABLISHMENT PERMITS

- 7.16.010 Permits - General
- 7.16.020 Inspection of Animals and Premises Authorized
- 7.16.030 Obtaining a Permit
- 7.16.040 Commercial Animal Establishment Permit Period
- 7.16.050 Fees
- 7.16.060 Reclassification
- 7.16.070 Violation

7.16.010 Permits - General. No person shall operate a commercial animal establishment, kennel or animal shelter, except for the City Animal Shelter, without first obtaining a permit in compliance with this chapter. Every facility regulated by this ordinance shall be considered a separate enterprise and shall require an individual permit.

7.16.020 Inspection of Animals and Premises Authorized. It shall be a condition of the issuance of any permit required by this chapter that the Senior and Staff Humane Officer shall be permitted to inspect at any time all animals and the premises where such animals are kept.

7.16.030 Obtaining a Permit. Applicants must apply for permits required by this chapter with the City Controller or the Senior Humane Officer. The application must contain, in addition to information whether the applicant has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq., a statement that the applicant complies and will comply with the regulations promulgated under authority of 7.08.020 of this code, and that he authorizes the Senior and Staff Humane Officers to inspect his facilities and animals. The permit shall be issued when the applicant complies with the laws and regulations pertaining to the issuance of permits, and pays the fee required. If the applicant withholds or falsifies any information on the application, the permit shall not be issued, and any permit issued upon false or withheld information shall be null and void. No permit to operate a commercial animal establishment shall be issued to an applicant who has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq. without review by the Commission.

7.16.040 Commercial Animal Establishment Permit Period. The Commercial Animal Establishment Permit period shall begin on January 1 and shall run for one year. Applicants requiring a permit during the year shall pay a prorated fee for the remaining portion of the year. Applications must be made within ten [10] days of the establishment of a commercial animal establishment. For the year 1976, all commercial animal establishments must have a permit by 1 April, 1976; fees for 1976 to be three-quarters of the normal rate.

7.16.050 Fees. Fees for permits shall be as follows:

- (a) for each pet shop \$ 75.00
- (b) for each riding stable \$ 75.00
- (c) for each auction \$ 25.00
- (d) for each zoological park \$100.00
- (e) for each circus \$ 25.00

No fee shall be required of any veterinary hospital, animal shelter, research laboratory, or government-operated zoological park.

7.16.060 Reclassification. Any person who has a change in the category under which the Commercial Animal Establishment Permit was issued shall report the change to the city and apply for the new permit required. Appropriate changes, including pro rata credit for the previous permit, shall be made by the city.

7.16.070 Violation. Any person who violates any provision of this chapter shall be subject to a fine of up to two-hundred dollars [\$200.00].

CHAPTER 7.20
NONCOMMERCIAL ANIMAL PERMITS

- 7.20.010 Noncommercial Animal Permits Required
- 7.20.020 Obtaining an Amateur Breeder Permit
- 7.20.030 Amateur Breeder Permit Period
- 7.20.040 Obtaining a Kennel Permit
- 7.20.050 Kennel Permit Period
- 7.20.060 Fees
- 7.20.070 Reclassification
- 7.20.080 Violation

7.20.010 Noncommercial Animal Permits Required. No person shall be an amateur breeder or operate a kennel without obtaining a permit in compliance with this chapter. Dogs and cats housed in a kennel need not have licenses issued under Chapter 7.12 of this Title; dogs and cats of an owner holding an Amateur Breeder Permit must be licensed under Chapter 7.12 of this Title.

7.20.020 Obtaining an Amateur Breeder Permit. Applications for an Amateur Breeder Permit shall be made to the Senior Humane Officer or the City Controller or any authority deemed appropriate by the Commission. The application shall include, at a minimum, the name and address of the applicant, and information whether the applicant has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq. If the applicant withholds or falsifies any information, no permit shall be issued, and any permit issued upon false or withheld information shall be null and void. No person who has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq. shall be issued a permit without review by the Commission. An owner must apply for an Amateur Breeder Permit within twenty [20] days of his becoming an amateur breeder.

7.20.030 Amateur Breeder Permit Period. Amateur Breeder Permits shall last one year from date of issuance.

7.20.040 Obtaining a Kennel Permit. Applicants must apply for Kennel Permits with the City Controller. The application must contain, in addition to whether the applicant has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq., a statement that the applicant complies and will comply with the regulations promulgated under authority of 7.08.020 of this code, the number, breed, color and sex of each dog or cat held and the location in the city at which the animals will be housed. If the applicant withholds or falsifies any information, no permit shall be issued, and any permit issued upon false or withheld information shall be null and void. No person who has been convicted of cruelty to animals under Indiana Code 35-1-107-1 et seq. shall be issued a permit without review by the Commission. If the proposed or existing site of the kennel is not located in an area zoned for kennels, the Controller shall not accept the application. If not accepted because of zoning, the applicant must then within a period of two [2] months apply to the Board of Zoning Appeals for a variance and if such variance is granted, and all other requirements are met, the Controller shall accept the application.

7.20.050 Kennel Permit Period. The Kennel Permit period shall begin on January 1, and shall run for one year. Applicants requiring a permit during the year shall pay a prorated fee for the remaining portion of the year. Applications must be made within ten [10] days of the creation of a kennel. For the year 1976, all kennels must have a permit by 1 April 1976; fees for 1976 to be three-quarters of the normal rate.

7.20.060 Fees. Fees for Noncommercial Animal Permits shall be as follows:

- (a) for each amateur breeder \$25.00
- (b) for each kennel authorized to house less than fifteen [15] dogs or cats \$25.00
- (c) for each kennel authorized to house from fifteen [15] to fifty [50] dogs or cats. . \$50.00
- (d) for each kennel authorized to house more than fifty [50] dogs or cats \$100.00

7.20.070 Reclassification. Any person who has a change in the category under which the Noncommercial Animal Permit was issued shall report the change to the city and apply for the new permit required. Appropriate changes, including pro rata credit for the previous permit, shall be made by the city.

7.20.080 Violation. Any person who violates a provision of this chapter shall be subject to a fine of up to one hundred dollars [\$100.00].

Mary M. Collins, Dep. City Clerk

CHAPTER 7.24
RESTRAINT

- 7.24.010 General Requirements
- 7.24.020 Animals in Heat
- 7.24.030 Vicious Animals
- 7.24.040 Violation

7.24.010 General Requirements. All animals except licensed cats shall be kept under restraint.*

7.24.020 Animals in Heat. Every female animal in heat shall be confined in a building or secure enclosure in such a manner that such female animals cannot come into contact with another animal of the same species except for planned breeding.

7.24.030 Vicious Animals. Every vicious animal, as determined by the Senior Humane Officer, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of the owner.

7.24.040 Violation. Persons who violate any of the provisions of this chapter shall be subject to a fine of up to twenty-five dollars [\$25.00] for each offense.

CHAPTER 7.28
NUISANCE

- 7.28.010 Public Nuisance Prohibited - Violation
- 7.28.020 Discharging Excrement Prohibited - Violation

7.28.010 Public Nuisance Prohibited - Violation. No owner shall fail to exercise due care and control of his animals to prevent them from becoming a public nuisance. A violation of this section will result in a fine of up to twenty-five dollars [\$25.00] for each offense.

7.28.020 Discharging Excrement Prohibited - Violation. No dog, cat, cattle, horse, donkey, pig, sheep or goat shall discharge excrement on property not its owners unless the owner immediately cleans up that excrement. Owners whose animals violate this section shall be subject to a fine of up to five dollars [\$5.00] for each offense.

CHAPTER 7.32
IMPOUNDMENT

- 7.32.010 Animals to be Impounded - Period of Impoundment
- 7.32.020 Jurisdiction of Humane Officer for Impoundment
- 7.32.030 Notice of Impoundment - Reclaiming Fees

7.32.010 Animals to be Impounded - Period of Impoundment. At large animals, except licensed cats, and nuisance animals shall be taken by law enforcement or humane officers and impounded in the City Animal Shelter and there confined in a humane manner.

7.32.020 Jurisdiction of Humane Officer for Impoundment. The jurisdiction of Humane Officers for purposes of enforcing this chapter shall include, in addition to the municipality of Bloomington itself, all land within four miles of its corporate limits.

7.32.030 Notice of Impoundment - Reclaiming. If by a license tag or other means the owner of an impounded animal can be identified, the Senior Humane Officer shall immediately upon impoundment notify the owner by telephone or mail. Animals whose owners are not identifiable or cannot be notified after reasonable effort shall be held for five days from impoundment before becoming the property of the city. Animals whose owners are notified shall be held for three days from actual notice to the owner before becoming property of the city. Animals that are property of the city may be placed for adoption or humanely euthanized. An owner claiming an impounded dog or cat shall pay a board fee of five dollars [\$5.00] plus two dollars [\$2.00] per day each day the animal was impounded. Any owner reclaiming an impounded dog or cat shall pay a board fee and daily charge in keeping with the size and needed care of the animal.

CHAPTER 7.36
ANIMAL CARE

- 7.36.010 Giving Animals as Prizes
- 7.36.020 Poisoning Animals
- 7.36.030 Motor Vehicle Accidents Involving Animals
- 7.36.040 Use of Devices to Induce Performance

7.36.010 Giving Animals as Prizes. No person shall give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter any contract, game, or other competition, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement in which the offer was for the purpose of attracting trade. Persons who violate this section shall be subject to a fine of up to fifty dollars [\$50.00] for each offense.

7.36.020 Poisoning Animals. No person shall expose any known poisonous substance, whether mixed with food or not, so that it shall be liable to be eaten by any animal; provided that it shall not be unlawful for a person to expose on his own property common rat or mouse poison, unmixed or mixed only with vegetable substances. Persons who violate this section shall be subject to a fine of up to one hundred dollars [\$100.00] for each offense.

7.36.030 Motor Vehicle Accidents Involving Animals. Any person who, as the operator of a motor vehicle, strikes a dog or cat, shall at once report the accident to the appropriate law enforcement agency or the City Animal Shelter. Persons who violate this section shall be subject to a fine of up to twenty-five dollars [\$25.00] for each offense.

7.36.040 Use of Devices to Induce Performance. No performing animal exhibition or circus shall be permitted in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner that is likely to cause physical injury or suffering. Persons who violate this shall be subject to a fine of up to one hundred dollars [\$100.00] for each offense.

CHAPTER 7.40
WILD ANIMALS

- 7.40.010 Keeping Wild Animals
- 7.40.020 Exceptions
- 7.40.030 Violations

7.40.010 Keeping Wild Animals. No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for fee, or to be sold or given away, except as provided in 7.40.020. This section shall not be construed to apply to zoological parks, circuses, performing animal exhibitions, or research laboratories.

7.40.020 Exceptions. Any person owning a wild animal prior to the enactment of this chapter shall be permitted to continue ownership of the animal, provided that he register the animal with the Animal Control Commission within six weeks after enactment of this chapter. A copy of this registration must be kept by the owner as evidence of possession of the animal prior to the enactment of this chapter.

7.40.030 Violations. Persons who violate any of the provisions of this chapter shall be subject to a fine of up to \$100.00 for each offense.

CHAPTER 7.44
RABIES

- 7.44.010 Rabies Vaccination Required
- 7.44.020 Animals Biting Persons
- 7.44.030 Disposition of Exposed Animals
- 7.44.040 Duties of the Owner of the Suspect Animal
- 7.44.050 Violations

7.44.010 Rabies Vaccination Required. It shall be unlawful to own or harbor a cat over the age of six [6] months without a valid rabies vaccination.

7.44.020 Animals Biting Persons. If an animal has bitten a person, the animal shall be impounded in the City Animal Shelter at the expense of the owner for a period, determined by the Senior Humane Officer, in order to determine whether or not it has rabies. If the animal dies during the period it shall, at the owner's expense, be sent to the proper authorities to determine whether or not it was rabid.

7.44.030 Disposition of Exposed Animals. Any animal that has been bitten by an animal known to have rabies shall be confined for a period of six [6] months at the owner's expense or be destroyed.

7.44.040 Duties of the Owner of a Suspect Animal. It is unlawful for any owner knowing an animal to have rabies to allow such an animal to leave his premises, except to be taken to the City Animal Shelter. Every owner, upon ascertaining an animal is rabid, shall immediately notify the Senior Humane Officer or the appropriate law enforcement agency.

7.44.050 Violations. Unless otherwise provided for by State statute, persons who violate any provision of this chapter shall be subject to a fine of up to fifty dollars [\$50.00] for each offense.

CHAPTER 7.48
ADOPTED ANIMALS

- 7.48.010 Spaying and Neutering of Adopted Animals
- 7.48.020 Violation

7.48.010 Spaying and Neutering of Adopted Animals. Any dog or cat adopted from the City Animal Shelter must be spayed or neutered by a veterinarian. If the dog or cat is an adult, such operation shall be performed within fourteen days of adoption. If the dog or cat is young, it shall be neutered by a veterinarian by age eight [8] months if male, or by the age six [6] months if it is female. Any dog or cat not so neutered or spayed within those time periods shall be reclaimed by the Senior Humane Officer without refund to the adopter, except if a veterinarian should determine that the dog or cat is physically unable to undergo such an operation within the time limitations, in which case the dog or cat is to be neutered or spayed as soon as the veterinarian determines it is able.

7.48.020 Violation. Persons who violate any of the provisions of this chapter shall be subject to a fine of up to twenty-five dollars [\$25.00] for each offense.

CHAPTER 7.52

GENERAL PROVISIONS

- 7.52.010 Disposition of Funds
- 7.52.020 Animals Census
- 7.52.030 Conflicting Ordinances
- 7.52.040 Severability Clause

7.52.010 Disposition of Funds. All fees or monies collected shall be paid to the City Controller, the Senior Humane Officer, or his agents, or agents designated by the Animal Control Commission. Money so paid shall be transmitted to the City Controller and shall be placed in a special fund and shall be used in carrying out the provisions of this Title.

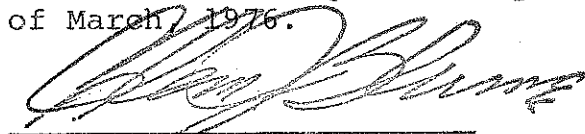
7.52.020 Animals Census. Upon enactment of this Ordinance, the City of Bloomington, at the direction of the Mayor with the approval of the Common Council, may instigate and carry out a city-wide census for the purpose of carrying out the provisions of this Ordinance. A census may be held once every two years thereafter at the request of the Mayor and Common Council. The Animal Control Commission shall administer the census.

7.52.030 Conflicting Ordinances. All other Ordinances of the City of Bloomington that are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

7.52.040 Severability Clause. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

Section II. This Ordinance shall be in full force and effect from and after its passage, promulgation, approval by the Mayor, and publication in accordance with the law.

PASSED and ADOPTED by the Common Council of the City of Bloomington upon the 16th day of March, 1976.



Clem J. Blume, President
Bloomington Common Council

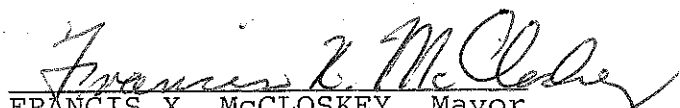
ATTEST:


Karel Dolnick, City Clerk

Presented by me to the Mayor of the City of Bloomington, Indiana, upon the 22 day of March, 1976.

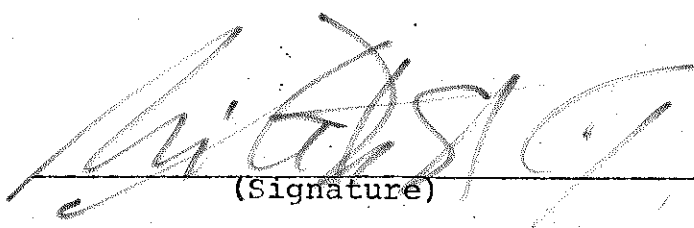

Nora M. Connors, Deputy City Clerk

SIGNED and APPROVED by me upon the 22 day of March, 1976, at the hour of 3 o'clock, p.m.


FRANCIS X. McCLOSKEY, Mayor
City of Bloomington

I HEREBY MOVE THAT ORDINANCE 76-14

BE INTRODUCED AND READ AT FIRST READING AT THE COUNCIL
MEETING HELD ON March 4, 1976


(Signature)

SYNOPSIS

ORDINANCE 76-14

ANIMAL CONTROL ORDINANCE

This Ordinance is a complete revision of Title 7 of the Bloomington Municipal Code, which deals with the City's regulation of animals. While many sections of the present City law on animals is simply incorporated and reorganized into this new Ordinance, there are also a number of substantive changes made in the present law. The Ordinance is nineteen pages long and is a comprehensive - and complicated - piece of legislation. It is composed of fourteen chapters, which are titled as follows: Definitions, Animal Control Commission, Humane Officer and Staff, Licensing, Commercial Animal Establishment Permits, Noncommercial Animal Permits, Restraint, Nuisance, Impoundment, Animal Care, Wild Animals, Rabies, Adopted Animals, and General Provisions.