

ORDINANCE 75-61

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

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
BLOOMINGTON, INDIANA:

Section One. That the following repeal and supersede Title 7 of
the City Code of Bloomington:

TITLE 7: Animals

Chapters:

- 7.01 Definitions
- 7.04 Animal Control Commission
- 7.08 Humane Officer
- 7.12 Licensing
- 7.16 Permits
- 7.20 Restraints
- 7.24 Impoundment
- 7.28 Animal Care
- 7.32 Wild Animals
- 7.36 Performing Animal Exhibitions
- 7.40 Rabies
- 7.44 Adopted Animals
- 7.48 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, while not a commercial animal establishment, who allows his dog or cat to breed with another and does not give the offspring 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, grooming shop, auction, riding school or stable, zoological park, circus or performing animal exhibition.
- (g) 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) Grooming shop: A commercial establishment where animals are bathed, clipped, plucked, or otherwise groomed.

(j) Harboring: The actions of any persons which 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, shall be considered harboring such animal. An animal shall be presumed harbored if it is fed or sheltered for three consecutive days.

(k) Humane Society: Any organization for the prevention of cruelty to animals incorporated under the laws of the State of Indiana.

(l) 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 more than a total of five (5) or more dogs and/or cats six (6) months of age shall be deemed a kennel operator. Specifically excluded are groups of cats all of which are altered and all of which are confined to the owners premises.

(m) Owner: Any person, partnership, or corporation owning, keeping, or harboring one or more animals.

(n) Performing Animals Exhibition: Any spectacle, display, act, or event other than circuses, in which performing animals are used.

(o) Person: Any individual, firm, association, joint stock company, syndicate, partnership, or corporation.

(p) Pet: Any animal kept for pleasure rather than utility.

(q) Pet Shop: Any person, partnership, or corporation, whether separately or in connection with another business enterprise except for a licensed kennel, that buys, sells, or boards any species of animal.

(r) Public Nuisance: Any animal or animals which:

1. molests passersby or passing vehicles
2. attacks other animals
3. is repeatedly at large
4. damages public property or private property
5. barks, whines or howls in an excessive or continuous fashion

(s) Restraint: Any animal secured by a leash or lead or within the real property limits of its owner. An animal not physically confined to the owners property shall be presumed not to be under restraint.

(t) Riding School or Stable: Any place which has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule, or burro.

(u) Senior Humane Officer: The person employed under this title whose duties shall include, among others, the enforcement of the provisions included in this title.

(v) Stray: Any animal which does not appear, upon reasonable inquiry, to have an owner.

(w) Veterinary Hospital: Any establishment maintained and operated by a veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

(x) Vicious animal: Any animal that, by its behavior constitutes an immediate and serious physical threat to human beings or animals.

(y) Wild Animals: Any animal not a domestic animal, with the exception of small, non-poisonous aquatic or amphibious animals and small cage birds.

(z) Zoological Park: Any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of non-domesticated animals operated by a person, partnership, corporation, 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
- 7.04.060 Compensation

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 the 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/or actions of the Senior Humane Officer 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 10 days after said action is taken or said decision is made.
- (f) Make recommendations to the Common Council of the City of Bloomington as to necessary ordinances concerning the care, treatment and control of animals. (Ord. 75-8 § 1)

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. (Ord. 75-8 § 2)

7.04.030 Terms. Appointments shall be made as provided in Section 7.04.020 on or before the 15th 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 two year terms 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 Council Affairs Committee, 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. (Ord. 75-8 § 4)

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 herein above set forth in Section 7.04.010. (Ord. 75-58 5)

7.04.060 Compensation. The compensation of members of the Commission shall be fixed by the Mayor and approved by the Common Council. (Prior Code 5-6)

CHAPTER 7.08
HUMANE OFFICER

- 7.08.010 Position Created - Appointment - Duties generally
- 7.08.020 Compensation

7.08.010 Position Created - Appointment - Duties Generally. The office of Senior 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 carry out and supervise the enforcement of this Title. The Senior Humane Officer shall hold office under the provisions of the regulations of the City.

7.08.020 Compensation. The salary of the Senior Humane Officer shall be recommended by the Commission, fixed by the Mayor and approved by the Common Council. (Prior Code 5-6)

CHAPTER 7.12
LICENSING

- 7.12.010 Licensing
- 7.12.020 Obtaining a License
- 7.12.030 Licensing Period
- 7.12.040 Licensing Exceptions
- 7.12.050 Tags
- 7.12.060 Fees
- 7.12.070 Use of License
- 7.12.080 Violations
- 7.12.090 Revocation of License

7.12.010 Licensing. Any person owning, keeping, harboring, or having custody of any dog or cat over six (6) months of age within this municipality must obtain a license as herein provided.

7.12.020 Obtaining a license. Applications for a license shall be made to the Senior Humane Officer or the City Controller's Office or any authority deemed appropriate by the Commission. The application, one per animal, shall include the name and address of the applicant(s), a description of the animal, the appropriate fee, and a rabies certificate issued from a veterinarian. Application for a license must be made when the animal reaches the age of six months. In the case where a person obtains an animal older than six months, a license must be applied for within twenty (20) days.

7.12.030 Licensing period. If not revoked, licenses for the keeping of all animals shall be for one (1) year and must be purchased on or before May 30 each year unless the animal is obtained after that date or reaches age six (6) months thereafter in which case the provisions in 7.12.020 shall apply.

7.14.040 Licensing - Exceptions. License fees shall not be required for seeing eye dogs.

7.12.050 Tags. Upon acceptance of the license application and fee the Senior Humane Officer or the City Controller shall issue a durable tag or identification collar, stamped with an identifying number and the date of issuance. Animals must

wear such tags at all times when off the premises of the owner. The licensing agent shall maintain a record of the identifying number of all tags issued.

7.12.060 Fees. A license shall be issued only 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 1.00
- (f) for each neutered male cat 1.00
- (g) for each spayed female dog 1.00
- (h) for each spayed female cat 1.00

A duplicate license may be obtained for a fee of \$1.00. If an animal is neutered or spayed after the license fee has been paid, a refund of 75% of the original license fee can be obtained from the Senior Humane Officer upon presentation of a veterinarian's written statement. The owner of any animal deemed by a veterinarian to be unfit to undergo a spaying or neutering operation shall be, upon presentation of a written statement by said veterinarian, charged the fee for spayed or neutered animals.

7.12.070 Use of License. No person shall use any license for any animal other than the animal for which it was used.

7.12.080 Violation. Persons who violate any of the provisions of this chapter will be subject to a fine of up to \$25.00 for each offense.

7.12.090 Revocation of License. The Senior Humane Officer may revoke any license if the person holding the license refuses or fails to comply with any part of this Title, or of the regulations promulgated by the Senior Humane Officer and the Commission, or of any law governing the protection and keeping of animals. The Senior Humane Officer shall provide ten (10) days notice to the owner prior to revoking the license, after which time the license shall be revoked and the animals owned, kept or harbored by such person shall be humanely disposed of by either the person himself or the Senior Humane Officer and no part of the license fee shall be refunded. If said person refuses to dispose of the animals, the Senior Humane Officer shall do so and the cost of disposal shall be borne by the person in offense. If the applicant has withheld or falsified any information on the application, the Senior Humane Officer or City Controller shall refuse to issue a license. No person who has been convicted of cruelty to animals shall be issued a license without review by the Animal Control Commission.

CHAPTER 7.16
PERMITS

- 7.16.010 Permits - General
- 7.16.020 Regulations
- 7.16.030 Obtaining a Permit
- 7.16.040 Permit Period
- 7.16.050 Fees
- 7.16.060 Kennel Permit
- 7.16.070 Reclassification
- 7.16.080 Violations
- 7.16.090 Revocation of Permits

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 Regulations. The Senior Humane Officer, with the approval of the Commission, shall promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this ordinance and other applicable laws. Such regulations may be amended with the approval of the Commission.

7.16.030 Obtaining a Permit. Upon showing by an applicant for a permit that he is willing and able to comply with the regulations promulgated under the authority 7.16.020 of this Code, the Senior Humane Officer or City Controller may issue a permit upon payment of the applicable fee. If there is a change in ownership of the commercial animal establishment, the new owner may have the current permit transferred to his name upon payment of a \$10 transfer fee.

7.16.040 Permit Period. The permit period shall begin on January 1 and shall run for one year. Establishments wishing to seek a permit during the year shall apply as provided previously and pay a prorated fee for the remaining portion of the year. Yearly applications must be made before January 31 or within ten (10) days of the creation of such an establishment.

- 7.16.050 Fees. Fees for permits shall be as follows:
- (a) for each kennel authorized to house less than 15 dogs and/or cats \$25.00
 - (b) for each kennel authorized to house 15 to 50 dogs and/or cats \$50.00
 - (c) for each kennel authorized to house more than 50 dogs and/or cats \$100.00
 - (d) for each pet shop \$75.00
 - (e) for each riding stable \$75.00
 - (f) for each auction \$25.00
 - (g) for each zoological park \$100.00
 - (h) for each circus \$25.00
 - (i) for each performing animal exhibition. \$25.00
 - (j) for each grooming shop \$35.00
 - (k) for each amateur breeder \$25.00

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

7.16.060 Kennel Permit. It is unlawful for any person to operate a kennel without first having obtained a kennel permit as hereinafter provided. An application form for a kennel permit shall be obtained from the City Controller and such application, having set forth the number, breed, color, and sex of each dog and/or cat held and the location in the City at which such animals will be housed shall be submitted to the City Controller. In the event that the proposed or existing site of a kennel is not located in an area currently zoned for kennels (i.e., BA, BG, and RE), the City Controller shall not accept the application. The applicant(s) must then within a period of two months apply to the Board of Zoning Appeals for a variance and if such variance is granted, the City Controller shall accept the application.

The City Controller shall then forward any acceptable application to the Senior Humane Officer who, following appropriate investigation, shall transmit his recommendation to the Animal Control Commission. Approval or disapproval of the application shall rest with the Animal Control Commission. In making its decision the Commission shall be guided by the regulations set forth by the Senior Humane Officer according to 7.16.020, and shall make certain there will be no violation of applicable City ordinances, and shall judge that in general the presence

of a kennel will not endanger the peace and tranquility of the City.

Once approved by the Animal Control Commission, a kennel permit shall be issued to the applicant(s) by the City Controller according to the provisions of this chapter. This permit may at any time be revoked by the Commission if there is a violation of any applicable City ordinance or convincing evidence of mistreatment of animals or determination of deterioration of physical facilities.

Failure to comply with the provisions of this section shall constitute a misdemeanor, upon conviction for which a fine of up to \$100.00 may be levied.

7.16.070 Reclassification. Any person who has a change in the category under which the permit was issued shall be subject to reclassification and appropriate adjustments of the permit fee shall be made.

7.16.080 Violation. Any person who violates any provision of this chapter except 7.16.060 shall be subject to a fine of up to \$200.00.

7.16.090 Revocation of Permits. The Senior Humane Officer shall provide ten (10) days notice to the owner prior to revoking said permit, after which time the permit shall be revoked and the animals owned, kept or harbored by such person shall be humanely disposed of by either the person himself or the Senior Humane Officer and no part of the permit fee shall be refunded. It shall be a condition of the issuance of any permit to a commercial animal establishment that the Senior Humane Officer shall be permitted to inspect all animals and the premises where animals are kept at any time and shall, if permission for such inspection is refused, revoke the permit of the refusing owner. If the applicant has withheld or falsified any information on the application, the Senior Humane Officer or Controller shall refuse to issue a permit. No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal establishment without review by the Animal Control Commission.

CHAPTER 7.20 RESTRAINT

- 7.20.010 General Requirements
- 7.20.020 Animals in Heat
- 7.20.030 Vicious Animals
- 7.20.040 Violation

7.20.010 General Requirements. All animals except cats shall be kept under restraint. No owner shall fail to exercise due care and control of his animals to prevent them from becoming a public nuisance.

7.20.020 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.

7.20.030 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.

7.20.040 Violation. Persons who violate any of the provisions of this chapter shall be subject to a fine of up to \$25.00 for each offense.

CHAPTER 7.24
IMPOUNDMENT

- 7.24.010 Animals to be Impounded - Period of Impoundment
- 7.24.020 Notice of Impoundment - Reclaiming Fees
- 7.24.030 Violation Notice - Penalty

7.24.010 Animals to be Impounded - Period of Impoundment. Unrestrained and nuisance animals shall be taken by the police, humane officers, or Senior Humane Officer and impounded in the City Animal Shelter and there confined in a humane manner.

7.24.020 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. An owner reclaiming an impounded cat shall pay a fee of \$5.00 plus \$2.00 per day each day the animal was impounded. Any owner reclaiming an impounded animal other than a dog or cat shall pay a fee and daily charge in keeping with the size and needed care of the animal. Any animal not reclaimed by its owner within five working days shall become the property of the local government authority, and shall be placed for adoption in a suitable home or humanely euthanized.

7.24.030 Violation Notice - Penalty. In addition to impounding an animal found at large or in nuisance, the Commission, Senior Humane Officer, or police officer may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a fine of \$10.00. The Commission shall review automatically all licenses issued to animal owners against whom three or more ordinance violations have been assessed in a twelve month period.

CHAPTER 7.28
ANIMAL CARE

- 7.28.010 Providing for Needs of Animals, Cruelty to Animals, Abandonment
- 7.28.020 Physically Altering Animals
- 7.28.030 Restrictions on Sale or Coloring of Animals
- 7.28.040 Giving Animals as Prizes
- 7.28.050 Motor Vehicle Accidents Involving Animals
- 7.28.060 Poisoning Animals
- 7.28.070 Violations

7.28.010 Providing for the Needs of Animals, Cruelty to Animals, Abandonment. Burns Indiana Statutes Annotated §§10-205, 10-206, 10-207, and 10-207a shall be incorporated herein and shall be enforced by appropriate State action. In addition, all owners shall provide their animals with adequate medical care.

7.28.020 Physically Altering Animals. No person other than a veterinarian shall physically alter an animal by surgical or other means.

7.28.030 Restrictions on Sale or Coloring of Animals. Burns Indiana Statutes Annotated §§10-220, 10-221, and 10-222 shall be incorporated herein and shall be enforced by appropriate State action.

7.28.040 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 contest, 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 whereby the offer was for the purpose of attracting trade.

7.28.050 Motor Vehicle Accidents Involving Animals. Any person who, as the operator of a motor vehicle, strikes an animal shall stop at once and render such assistance as may be possible and immediately report such injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the Senior Humane Officer or his staff.

7.28.060 Poisoning Animals. No person shall expose any known poisonous substance, whether mixed with food or not, so that the same 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 mixed only with vegetable substances or unmixed.

7.28.070 Violations. Unless otherwise stated by State statute, persons who violate any of the provisions of this chapter will be subject to a fine of up to \$100.00 for each offense. Violations of this chapter shall also result in the loss of violator's license or permit.

CHAPTER 7.32
WILD ANIMALS

- 7.32.010 Keeping Wild Animals
- 7.32.015 Exceptions
- 7.32.020 Violations

7.32.010 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 7.32.015. This section shall not be construed to apply to zoological parks, circuses, performing animal exhibitions, or government operated laboratories. No person shall keep or permit to be kept any wild animal as a pet. The Commission may issue a temporary permit for the keeping, care, and protection of an infant wild animal native to this area which has been deemed helpless. The Commission shall have the power to order the release of any infant wild animal kept under temporary permit which is deemed capable of survival.

7.32.015 Exceptions. Any person owning wild animals 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.

7.32.020 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 7.36
PERFORMING ANIMAL EXHIBITIONS

- 7.36.010 Use of Devices to Induce Performance
- 7.36.020 Equipment Used in Performing Animal Exhibitions
- 7.36.030 Violations

7.36.010 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 which will cause, or is like to cause, physical injury or suffering.

7.36.020 Equipment Used in Performing Animal Exhibitions. All equipment used on a performing animal shall fit properly and be in good working condition.

7.36.030 Violations. Persons who violate any provision of this chapter will be subject to a fine of up to \$500.00 for each offense.

CHAPTER 7.40
RABIES

- 7.40.010 Rabies Vaccination Required
- 7.40.020 Animals Biting Persons
- 7.40.030 Disposition of Exposed Animals
- 7.40.040 Duties of the Owner of the Suspect Animal
- 7.40.050 Violations

7.40.010 Rabies Vaccination Required. In the case of a dog, Burns Indiana Statutes Annotated §10-218 shall be incorporated and enforced by appropriate State action. In the case of a cat, it shall be unlawful to own, or harbor a cat over the age of six (6) months without a valid rabies vaccination.

7.40.020 Animals Biting Persons. If an animal has bitten a person, such 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 said animal 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.

7.40.030 Disposition of Exposed Animals. Any animal which has been bitten by an animal known to have rabies shall be confined for a period of six (6) months at the owners expense or be destroyed.

7.40.040 Duties of the Owner of a Suspect Animal. It is unlawful for any owner knowing or suspecting 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.

7.40.050 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 \$50.00 for each offense.

CHAPTER 7.44
ADOPTED ANIMALS

- 7.44.010 Regulations for Adoption
- 7.44.020 Spaying and Neutering

7.44.010 Regulations for Adoption. The Senior Humane Officer, with the approval of the Commission, shall promulgate policies and regulations for the adoption of animals from the City Animal Shelter.

7.44.020 Spaying and Neutering. 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 said time limitations, in which case the dog or cat is to be neutered or spayed as soon as the veterinarian determines it is able.

CHAPTER 7.48
GENERAL PROVISIONS

- 7.48.010 Dispositon of Funds
- 7.48.020 Animals Census
- 7.48.030 Enforcement
- 7.48.040 Fines
- 7.48.050 Conflicting
- 7.48.060 Severability Clause

7.48.010 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.

7.48.020 Animal Census. Upon enactment of this ordinance, the City of Bloomington, at the direction of the Mayor, 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, the Common Council, or the Animal Control Commission. The Animal Control Commission shall administer the census.

7.48.030 Enforcement. The provisions of this ordinance shall be enforced by the Senior Humane Officer and appropriate law enforcement agencies.

7.48.040 Fines. When a person is found to be in violation of any part of this Title, the Senior Humane Officer or any authorized law enforcement officer of the City of Bloomington shall issue a notice of violation to said person. All fines assessed for any such violations shall be paid to the City Controller or the Senior Humane Officer within five days of the notice. If the offense be continuing, each day's violation shall be deemed a separate offense. If fines are not paid, the Commission or the Senior Humane Officer shall request the City Attorney to institute civil proceedings to obtain these fines.

7.48.050 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.

7.48.060 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 Two. 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, Indiana this ____ day of _____, 19__.

Brian C. De St. Croix, President
Bloomington Common Council

ATTES;

.....
Karel Dolnick, City Clerk

Presented by me to the Mayor of the City of Bloomington,
Indiana, on this ____ day of _____, 19__.

.....
Karel Dolnick, City Clerk

This ordinance approved and signed by me on the ____
day of _____, 19__, at the hour of ____ o'clock, ____m.

.....
Francis X. McCloskey, Mayor
City of Bloomington

TABLED