

WELLS COUNTY ORDINANCE NO. 2008-4

An Ordinance Adopting an Animal Control Policy

WHEREAS, a situation exists in Wells County, Indiana, where dogs, cats, and other vicious animals are running loose in the County; and

WHEREAS, it is the desire of the Board of Commissioners of Wells County to protect the citizens of Wells County from vicious animals.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Wells County, Indiana, as follows:

SECTION A.

1. All dogs, cats, and other vicious animals shall be kept under restraint.
2. Every dog, cat, or other vicious animal, as determined by the Wells County Sheriff's department shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
3. No dog, cat, or other vicious animal shall be allowed to cause a nuisance. The owner of every dog, cat, or other vicious animal shall be held responsible for every behavior of such dog, cat, or other vicious animal under the provisions of this Ordinance.
4. Anyone violating the terms of this ordinance shall be subject to fines and penalties of a Class C infraction.

SECTION B. IMPOUNDMENT shall be as follows:

1. Any dog, cat, or other vicious animal found running at large shall be impounded by the Wells County Sheriff's department and immediately upon impounding a dog, cat, or other vicious animal the Wells County Sheriff's department shall make every reasonable effort to notify the owner and inform such owner of the condition whereby custody of the animal may be regained. Dogs, cats, and other vicious animals not claimed by their owners within a period of three (3) full days in which the shelter is open to the public shall become the property of Wells County, Indiana.
2. When a dog, cat, or other vicious animal is found running at large and its ownership is verified by the Wells County Sheriff's department the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.

SECTION C. The following DEFINITIONS apply in this Ordinance:

1. ANIMAL means any dog, cat, or other vicious animal.
2. ANIMAL SHELTER means a facility designated or recognized by Wells County for the purpose of impounding and caring for animals.
3. AT LARGE means a dog or cat or other vicious animal that is off the property of the owner and not under restraint.
4. NUISANCE shall be considered a dog or cat or other vicious animal that:
  - (a) damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.
  - (b) causes unsanitary, dangerous or offensive conditions.
  - (c) causes a disturbance by excessive barking or other noise making
  - (d) chases vehicles
  - (e) molests, attacks or interferes with persons or other domesticated animals on public property.
5. OWNER means the person having the right of property or custody of a dog, cat, or other vicious animal or the person who keeps or harbors a dog, cat, or other vicious animal or knowingly permits a dog, cat, or other vicious animal to remain on or about any premises occupied by that person.
6. RESTRAINT is considered to be in effect if a dog, cat, or other vicious animal is within the real property limits of its owner or secured by a leash or lead or under the control of a responsible person.
7. VICIOUS ANIMAL is a dog, cat, or other animal that constitutes a physical threat to humans or other domesticated animals.

ALL AS ORDAINED THIS 21 DAY OF APRIL, 2008.

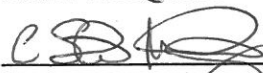
WELLS COUNTY COMMISSIONERS:

  
\_\_\_\_\_

Paul Boham

  
\_\_\_\_\_

Kevin Woodward

  
\_\_\_\_\_

C. Scott Mossburg

ATTEST:

  
\_\_\_\_\_

Laura Brubaker, Auditor

This Ordinance prepared by TRENT M. PATTERSON, Attorney #10657-90,  
GALLIVAN HAMILTON SEESE & PATTERSON, 125 S. Marion Street, Suite 100, Bluffton, IN 46714.

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