

ORDINANCE NO. 15-06 Adopted On May 19, 2015

And

Amended By Ordinance No. 2017-17 Adopted On October 3, 2017

PORTER COUNTY BOARD OF COMMISSIONERS

AN ANIMAL CONTROL AND ANIMAL SHELTER ORDINANCE

Title 6 ANIMALS

Chapter 6.04—Animal Control and Animal Shelter Ordinance

6.04.010 General Provisions

- A. This chapter shall be known as, and be cited and referred to as, the “Animal Control Ordinance.”
- B. Whenever any reference is made to any portion of this chapter, such reference applies to all amendments and additions hereafter made.
- C. The present tense includes the past and future tenses; and the future, the present. Each gender includes the other two genders.
- D. The singular number includes the plural and the plural the singular.
- E. Whenever a power is granted to or a duty imposed upon the Animal Control or other public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized, pursuant to law, by the officer unless this chapter expressly provides otherwise.
- F. All laws of the State pertaining to: the regulation or control of animals, concerning their ownership, licensing, harboring, abandonment, running at large, rabies control and quarantine, pursuit, capture, confinement, impoundment, the prevention and control of disease of domestic and/or livestock animals as defined, and; the administrative rules and regulations of the State Board of Health, are made a part hereof by reference.
- G. The provisions of this animal control ordinance are not to replace such laws and regulations, but are to be considered supplementary and in addition thereto, and shall be fully enforceable where not inconsistent with the Laws of the State of Indiana.

6.04.020 Definitions

The following words as used in this Chapter shall have the following meanings:

“Abandon”—means to desert an animal or to leave the animal permanently in a place without making provision for adequate long term care of the animal. This term does not include an animal in a place that is temporarily vacated for the protection of human life during a disaster.

“Altered”—means any animal which has been spayed or neutered.

“Animal”—means any live, non-human vertebrate creature domestic, wild, or exotic.

“Animal Control Officer”—means any person employed by the Porter County Sheriff’s Department to perform and enforce the provisions of this Chapter.

“Animal Shelter”—means the facility established by the board of commissioners and operated by the designated Director or its other authorized agents for the purposes of impounding, caring for, and making disposition of animals held under the authority of this Chapter or State Law.

“At large”— means any animal that is running free off its owner’s premises and not under the immediate control of a responsible adult person.

“Beat”—means to unnecessarily or cruelly strike an animal, or to throw the animal against an object causing the animal to suffer severe pain or injury. The term does not include reasonable training or disciplinary techniques.

“Biting Animal”—means an animal inflicting an injury on another person or animal, including but not limited to a skin abrasion, by tooth or nail.

“Colony”— means a group of one (1) or more free-roaming cats/ feral cats, whether unmanaged or managed.

“Colony Caretaker” – means a person who provides food, water and shelter for free-roaming cats/feral cats in a managed colony.

“Confine”—means the restriction of an animal by the owner, or his agent, to an escape-proof building or other enclosure away from other animals and the public.

“Dangerous Animal”— means any animal meeting any of the following criteria: (1) any animal which bites and inflicts severe injury on any person or animal, without provocation on any public property or in any place outside or over the boundaries of its owner’s property; or (2) any animal which, without provocation and while on its owner’s property, bites and inflicts severe injury on any person or animal, where the victim was acting peaceably, was not provoking the animal, and was not committing a willful trespass or other tort upon the premises, or otherwise had a legal right to be on said property at the time of the bite or attack; or (3) Any animal which on more than one (1) occasion, without provocation, bites without inflicting severe injury upon any person or animal, on any public property or in any place outside or over the boundaries of its owner’s property; or (4) any animal owned or harbored primarily for the purpose of dog or other animal fighting and has, through use for this purpose, become a threat to the safety of other animals

and persons. This definition does not include law enforcement animals owned by any government agency which is working within the scope and course of its duties.

“Domestic Livestock”—means any animal, other than a domestic pet, that is kept for commercial purposes or is a member of, but is not limited to, one (1) or more of the following species: alpaca, bison, elk, cattle, donkey, goat, horse, llama, mule, ostrich, emu, poultry, pig, or rabbit.

“Domestic Pet”—means any animal other than domestic livestock, that is kept for pleasure rather than utility, or is a member of, but not limited to, one (1) or more of the following species: cat, chinchilla, cockatiels, dog, ferret, gerbil, guinea pig, hamster, mouse, parakeets, rat or reptiles not regulated by the Indiana Department of Natural Resources and defined as herein.

“Ear Tipping”—means removing approximately one quarter-inch off the tip of a cat’s left ear while the cat is anesthetized, for the purpose of identifying the cat as a sterilized animal.

“Feral Cat”—means a cat that has lived its life with little or no human contact, is not socialized, and has reverted to a wild state.

“Harboring”—means providing any care, shelter, refuge, restraint, food or nourishment in such a manner as to control an animal’s activities, whether done within the person’s home, enclosure, yard, place of business or on any premises where such person resides or controls.

“Intact”—means any animal that has not been spayed or neutered.

“Neglect”—means endangering an animal’s health by failing to provide or arrange to provide the animal with food or water, if the animal is dependent upon the person for the provision of food or water; restraining an animal for more than a brief period in a manner that endangers the animal’s life or health; restraining the animal in a manner that seriously endangers the animal’s life or health; failing to provide reasonable care; and leaving a domestic pet or livestock outdoors and exposed to the elements without adequate shelter appropriate to its species.

“Owner”—means any person having a right of property in any animal, or any person keeping or harboring one (1) or more animals.

“Public Nuisance”—means any animal that: molests passers-by or passing vehicles on public property; attacks other animals; damages or defecates on public or private property of another person, unless the waste is immediately removed and disposed of in a sanitary fashion by the animal’s owner/harbinger; barks, whines, howls or emits any other loud noise, in an excessive or repeated fashion; is permitted by its owner to create an offensive smell through excessive accumulation of excrement; or which produces or causes any other unsanitary condition not remedied by its owner; or otherwise interferes with others enjoyment of life or property.

“Restraint”—means the securing of an animal by a leash or lead in the control of a responsible person, or confining an animal by means which would reasonably and reliably prevent the animal’s escape.

“Shelter Director”—means the person appointed to be responsible for the administration, operation and programs of the Animal Shelter and its personnel.

“Stray”—means any animal that does not appear, upon reasonable investigation, to have an owner.

“Tether”—means attaching a domestic pet to a stationary object or pulley run by means of a chain, rope, cable, or other similar restraint. Tether does not include the use of a leash to walk a domestic pet.

“Vicious”—means any animal meeting the following criteria: (1) any animal which, when unprovoked, attacks and inflicts bodily injury or serious bodily injury as defined under Indiana Code Section 35-31.5-2-29 “bodily injury” (or its equivalent) and Indiana Code Section 35-35.1-2-292 “serious bodily injury” (or its equivalent) or inflicts severe injury on a human being, or kills or inflicts severe injury on a domestic pet or livestock, and has been determined by an Animal Control Officer to pose a significant and substantial risk to public health, safety and welfare which cannot be reasonably or reliably mitigated by imposing additional conditions of restraint on the animal; (2) any animal previously determined to be and currently listed as a dangerous animal under the guidelines of this Chapter which, after its owner has been notified of this determination, continues to engage in behavior or is maintained in such a manner that violates Section 6.04.080 (Dangerous Animals); (3) any animal which attacks and kills a person, where the circumstances of the attack would not have justified a person in those exact circumstances to legally use deadly force in accord with I.C. § 35-31.5-2-85 “deadly force” (or its equivalent).

6.04.030 Enforcement.

- A. Each day the terms and/or conditions of this chapter are violated shall constitute a distinct and separate offense.
- B. If any person, firm or corporation shall violate any terms and/or conditions of this chapter, any Porter County Animal Control Officer, and/or any law enforcement officer of the Porter County Sheriff’s Department is authorized to issue a citation for such violation and such person, firm, or corporation shall be fined in accord with this Chapter per day for each cited violation, with each day constituting a separate and distinct offense.
- C. Any person convicted of violating any of the provisions of this chapter shall be liable to Porter County for any expense, loss, costs or damage occasioned to the County by reason of such violation.

6.04.040 Animal Care

- A. Every owner/guardian/caretaker of an animal within Porter County shall see that his/her animal(s):

1. Is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit, lie in or continuously come into contact with its own excrement;
2. Has proper and adequate food, water, shelter and protection from the weather;
3. Is given due medical care and treatment for any obvious or apparent ailments, and if diseased segregated from other animals so as to prevent the transmittal of disease in accord with the guidelines set forth in I.C. § 15-17-10, *et seq.*;
4. If kept in an enclosure, that the enclosure is appropriate to the individual species and/or breed of the animal, and that said enclosure provides for the following:
 - (A) Keeps the animal clean and dry;
 - (B) Prevents the animal's injury or escape;
 - (C) Permits the animal to rest on a solid surface; and
 - (D) Appropriate flooring, which does not permit the animals feet or legs to fall through;
5. No person shall beat, torment, overload, overwork, or otherwise abuse an animal;
6. No person shall willfully or maliciously administer poisonous substances to any animal and/or expose any poisonous substance with the intent that the substance shall be taken and consumed by the animal; however, this provision is not meant to prohibit the use of commercially sold poisons for the control of rats, mice groundhogs, moles or other similar rodents so long as the person administering the poisons takes reasonable care to ensure that domestic pets and livestock are not exposed to the poisons.
7. No person shall tether a domestic pet for more than one (1) hour without immediate access to food, water and shelter, or in such a fashion that violates the sections of this Chapter and Indiana State Law; or to tether any un-sterilized dog for any period of time unless it is monitored by a competent adult for the duration of such tethering; or to tether or confine an animal at a vacant structure or premises for any purpose or time when it is not monitored by a competent adult who is present at the property for the duration of such tethering or confinement.
8. No person shall leave any animal unattended in a vehicle when the conditions in that vehicle would constitute a health hazard to the animal by exposure of the animal to extreme heat, cold, or other dangerous condition.

9. Any person who is the operator of a motor vehicle which strikes or injures any domestic pet or domestic livestock should stop at the scene of the accident and may render any such assistance as is safe and practicable and at a minimum report the accident to the appropriate law enforcement agency for the purposes of rendering aid to the animal and identifying its owner.
10. No person shall recklessly, knowingly, or intentionally abandon or neglect any animals within that person's custody, protection or control, in violation of I.C. § 35-46-3-7.
11. A person who violates paragraphs one (1) through (10) of this Section commits an ordinance violation, and shall be fined as follows:
 - (A) First Offense: \$50.00
 - (B) Second Offense: \$75.00
 - (C) Third and subsequent offenses: 100.00

6.04.050 Rabies Vaccination Requirements

1. No owner of any dog, cat, or ferret shall keep or maintain a dog, cat or ferret over the age of three (3) months unless each animal is immunized against rabies by a vaccination performed by a veterinarian and the period of immunization specified by the veterinarian performing the vaccination has not expired.
2. In accord with I.C. § 35-46-3-1 and pursuant to this Chapter, the knowing or intentional harboring of a dog over six (6) months of age without a rabies vaccination commits a Class C infraction, and which can be elevated to a Class B Misdemeanor if said non-immunized dog causes bodily injury by biting a person. A violation of I.C. 35-46-3-1 shall be enforced by the Porter County Prosecutor's Office.
3. Proof of vaccination shall be maintained by the owner and displayed if requested by Porter County Animal Control, and/or any law enforcement officer employed by the Porter County Sheriff's Department.
4. Owners who are found to be in violation of this Section of the Animal Control Ordinance shall be fined \$100.00 dollars for the first violation of this Section and \$150.00 dollars for any subsequent violation of this Section.

6.04.060 Animal Curbing Requirements

1. No person knowingly shall allow a dog or cat which is kept by that person to defecate on a public street, byway, municipally owned or public land or building, or upon private property, unless the animal's owner or keeper

promptly removes any feces to a waste container, or otherwise disposes of such material in a manner inoffensive to reasonable public sensibilities.

2. Notwithstanding the provisions of paragraph one (1) of this section, the owner of a dog serving a vision-impaired person in an auxiliary ocular capacity or in any capacity to assist such person with a physical impairment may permit such dog to relieve itself on ground situated outside of pedestrian or vehicular traffic ways, and is relieved of the requirement to remove any feces to the extent such requirement is impractical for a person of such impairment.
3. No person knowingly shall allow his or her dog or cat to disperse waste material placed for public or private collection upon any public street, or byway or right-of-way, or any municipally owned or public land or building, or upon private property.
4. Violations of this Section of the Animal Control Ordinances shall result in the owner of the responsible animal paying a fine of at least twenty-five (\$25.00) dollars.

6.04.070 Animal Bites

1. Any person knowing that an animal or person has been bitten by any domestic animal shall immediately notify Porter County Animal Control, and/or any other law enforcement agency.
2. The owner or person in custodial control of any animal which has bitten another animal or person shall on demand of the Porter County Animal Control and/or Porter County Animal Shelter Director surrender such animal to the Porter County Animal Control and/or Porter County Animal Shelter Director for rabies observation for minimum of ten (10) days.
3. In the event home confinement is allowed, the owner shall be required to report Animal Control the health status of the biting animal on the tenth (10th) day of observation. If quarantined animal is not vaccinated against rabies, the owner shall furnish evidence to the Porter County Animal Control of a veterinary examination for the biting animal on the tenth (10th) day of observation, shall obtain and provide proof of current rabies vaccinations at, and not before, that time as well as bear any costs incurred thereby.
4. If such biting animal is determined to be infected with rabies after examination by a licensed veterinarian, it shall be euthanized at the cost of the owner.
5. If the biting animal shows signs of rabies or acts in a manner which would lead a person to believe the animal may have rabies, the owner, treating veterinarian or Animal Control shall immediately notify, by telephone or in person, the person bitten or the physician attending the person bitten and the responsible health agencies as soon as reasonably possible.

6. If such biting animal is not found to be infected with rabies at the expiration of the period for observation of rabies, and if there is no additional reason in the judgment of the Porter County Animal Control and/or the Porter County Animal Shelter Director to continue impoundment, the animal may be returned to the owner, upon payment of the costs of the keep of such animal, including any veterinary service fees incurred.
7. No person owning, possessing, keeping, harboring or having custody of any animal that has bitten any other animal or person shall sell, give away, or permit such biting animal to be taken beyond the corporate limits of Porter County, Indiana, or otherwise dispose of such biting animal until it has been released by the official imposing the quarantine.
8. In all cases where an animal has bitten another animal or a person, it shall be the duty of the Porter County Health Department to record the requisite information detailing the facts and circumstances of the bite in accord with preparing an Official Indiana Animal Bites Report (State Form 14072 or its equivalent) and enforcing quarantine following the bite incident. Members of the Porter County Animal Control, the Porter County Sheriff's Department or any other law enforcement agency, may act as the Health Department's designee when enforcing this provision.
9. In the event that an animal that has bitten a person or another animal dies, is accidentally killed, or is humanely euthanized before the tenth day following the bite, the animal shall be forwarded to the Indiana State Board of Health Laboratory for examination in a manner as is required by the Indiana State Board of Health.
10. The Porter County Animal Control Officers, the Porter County Sheriff's Department, and any other law enforcement agent, may capture and impound a biting animal or an animal suspected of being rabid in accord with paragraphs one (1) through (9) above of this Section.
11. Violations of this Section of the Animal Control Ordinances shall be fined as follows:
 - (A) First Offense: \$150.00
 - (B) Second and Subsequent Offenses: \$300.00

6.04. 080 Dangerous Animals

1. Upon receipt of a valid report of a dangerous animal, the Porter County Animal Control shall investigate the facts and circumstances surrounding the allegation that said animal is dangerous and will prepare a written report summarizing the findings and may also impose reasonable conditions on the owner of the animal in order to ensure the effective restraint of the dangerous animal as well as public safety. If the owner of the dangerous animal agrees to the proposed conditions, then immediate disposition of the animal may be determined.

2. If upon investigation it is determined by the Porter County Animal Control that there is probable cause to believe the animal in question poses a threat to public safety due to vicious behavior, then the Porter County Animal Control has the authority to impound the animal at the Porter County Animal Shelter, at the owner's expense, until a decision regarding the final disposition of the animal has been made by Porter County Animal Control or the Porter County Animal Shelter Director.
3. If the Porter County Animal Control investigates the allegation of a dangerous animal and finds that the claim is not substantiated then the animal shall be released to its owner after compliance with all impoundment and release procedures and settlement of all impoundment and redemption fees.
4. During the course of the Porter County Animal Control investigation of a report of a dangerous or vicious animal, the matter may be referred to the Porter County Prosecutor's Office in accord with any suspected criminal violations under I.C. § 35-46-3, *et seq.* of the Indiana Code.
5. It shall be unlawful for any person to own, keep, or harbor any dangerous animal without keeping such animal securely confined on the owner's or keeper's premises and under such restraint that persons lawfully on the premises, or elsewhere, may not be attacked or bitten by such animal. The premises where such an animal is kept shall be adequately posted with warning signs.
6. A dangerous animal, while on the owner's premises, shall at all times, be kept indoors, or in a secure enclosure from which the animal cannot escape, and into which children cannot trespass, including but not limited to the following requirements:
 - (A) The enclosure must be adequately lighted, ventilated and kept in a clean and sanitary condition;
 - (B) The enclosure shall have secure sides, a secure top and bottom, and inward opening gate to prevent the animal from escaping over, under or through the structure;
 - (C) The enclosure shall be kept locked at all times to prevent unintentional openings, except when tending to the dangerous animal's needs such as cleaning the enclosure, and/or providing food and water; and
 - (D) The enclosure shall provide suitable shelter and protection from the elements, as well as provide for adequate exercise room, light, ventilation, sanitation, and adequate fencing that is not the common fencing associated with the premises existing perimeter fencing, and in the event the premises do not have an already existing perimeter fence, such fencing must be

constructed around the enclosure housing the dangerous animal.

7. A dangerous animal may be outside of the enclosure and/or off the owner's premises only when necessary for its health and well being, and shall be muzzled and restrained on a leash not exceeding three (3) feet in length and must be done under the direct control and supervision of the owner of the dangerous animal.
8. Fines for violating this Section of the Animal Control Ordinance shall be as follows:
 - (A) First Offense: \$150.00
 - (B) Second and Subsequent Offenses: \$300.00

6.04.090 Animals Running at Large Prohibited

1. No owner of any dog or domestic pet shall permit such dog or domestic pet to run at large, except domestic cats may be allowed to run loose off the owner's premises so long as the cat does not create a public nuisance, is spayed/neutered, and in the case of wild/feral cats is ear-tipped to indicate its altered status.
2. Each owner of any dog or domestic pet shall, at all times, keep and maintain his dog or domestic pet confined or under restraint.
3. This subsection shall not apply to dogs when engaged in lawful hunting and accompanied by the owner or custodian or any other activity expressly permitted under Indiana Law.
4. Animals found to be running at large are subject to impoundment by the Porter County Animal Control Officers, the Porter County Sheriff's Department, and any other law enforcement agents.
5. Fines for violating this Section of the Animal Control Ordinance shall be as follows:
 - (A) First Offense: \$50.00
 - (B) Second Offense: \$75.00
 - (C) Third and Subsequent Offenses: \$100.00

6.04.100 Animals Creating a Public Nuisance Prohibited

1. It shall be unlawful for any owner to allow his dog or animal to become a public nuisance.
2. A dog or animal is hereby declared to be a public nuisance if it:

- (A) Frequently or continuously causes noise or odor which disturbs the comfort or repose of persons in any dwelling, apartment house, or residence;
 - (B) Molests or chases passers-by or passing vehicles;
 - (C) Is repeatedly at large;
 - (D) Attacks other persons or animals;
 - (E) Damages private or public property; or
 - (F) Deposits animal waste on public or private property other than that of the owner.
2. Any animal declared to be a public nuisance by the Porter County Animal Control may, at the discretion of the Animal Control Officer, be captured and impounded at the Porter County Animal Shelter.
3. Fines for violating this Section of the Animal Control Ordinance shall be as follows:
- (A) First Offense: \$50.00
 - (B) Second Offense: \$75.00
 - (C) Third and Subsequent Offenses: \$100.00

6.04.110 Impoundment

1. The Porter County Animal Control is authorized to impound an animal at the Porter County Animal Shelter upon the occurrence of any of the following:
- (A) Domestic pets not vaccinated in accord with this Chapter;
 - (B) Dogs or animals found running at large or not under restraint;
 - (C) Abandoned, abused, or neglected animals, including injured animals captured by the Porter County Animal Control for which no owner can immediately be found;
 - (D) Any stray animal in the public way or within a public place or upon private premises of any person other than the owner;
 - (E) Any dog or animal that has bitten or attacked a person or other animal;
 - (F) Any dangerous animal that is not being kept and/or maintained in accord with the requirements set forth in this Chapter;

- (G) Any animal that is creating a public nuisance as set forth in this Chapter;
- (H) Any animal or owner found to be in violation of this Chapter of the Porter County Animal Ordinance shall be subject to capture and impoundment.
 1. In determining whether to impound a dog or other animal due to a bite under subsection (E), the responding Animal Control Officer and/or Shelter Director shall consider the following factors:
 - (i.) Whether the biting animal was: confined at the time of the bite, a stray, roaming, off the owners property and/or not legally restrained at the time of the bite.
 - (ii.) Whether or not the biting animal is a repeat biter, including whether information regarding any previous bite is on file with the Animal Shelter.
 - (iii.) The severity of the bite, including the existence of the following injuries:
 - (a) One (1) to (4) or more punctures from a single bite.
 - (b) Crushing, tears or lacerations from shaking.
 - (c) Deep bruising around the wound.
 - (iv.) Whether the biting animal bit multiple times and/or multiple people and/or other animals.
 - (v.) Whether the incident resulted in the death of a person and/or other animal.
 2. If there is no means by which any dangerous or vicious dog or animal can be safely seized and impounded, the Porter County Animal Control, Porter County Sheriff's Department, or Porter County Animal Shelter Director, shall have the power to destroy such dog or animal; provided however, that any destruction of such dangerous and vicious dog or animal shall be done in a reasonable manner taking into account the location, and possible harm or damage to life, personal, or real property, or to the public at large.
 3. Any person owning, keeping or harboring an animal subject to impoundment as set forth in this Chapter must immediately surrender such animal for impoundment upon request from the Porter County Animal Control, and the failure to do so shall result in a violation of the provisions of this Chapter resulting in a fine not to exceed \$150.00 dollars.
 4. Immediately after the impounding of any animal at the Porter County Animal Shelter, a reasonable effort shall be made to notify the owner of the animal as soon as possible if the same can be determined by license or tag and located. Additionally, the owner of the impounded animal shall be provided with a summary of the facts and circumstances surrounding the impoundment, the disposition procedures, and redemption requirements as set forth under this Chapter.
 5. Impounded animals whose owner(s) have been notified of the impoundment, and animals whose owner(s) are not identifiable or cannot

be notified after reasonable effort, shall be held for seven (7) calendar days from the date of the start of the impoundment, not including federally recognized holidays, before the animal is deemed abandoned and the Porter County Animal Shelter may dispose of the animal in accordance with the Animal Shelter guidelines.

6. In addition to or in lieu of impounding an animal, Porter County Animal Control, Porter County Sheriff's Department or any other law enforcement agency, may issue the animal's owner a citation for violations of this Chapter and may return the animal to the owner's property if the animal can be secured safely, and such return is determined by the impounding Officer to be in the best interests of the animal.
7. An owner redeeming an impounded animal shall pay all necessary treatment costs, transportation fees, and daily fees incurred as a result of the animal's impoundment.
8. The daily fee for impounding an animal at the Porter County Animal Shelter shall be fifteen (\$15.00) dollars per day, and the fees as set forth in the Animal Shelter Fee Schedule (*See* 6.08).

6.04.120 Redemption of Impounded Animals

1. An owner of an animal impounded pursuant to this Chapter may redeem the animal upon compliance with the following requirements:
 - (A) Proof of ownership of the impounded animal;
 - (B) Proof of identification, such as a driver's license or state issued identification card;
 - (C) Payment of the redemption fee, payment of any necessary medical fees incurred during the animal's impoundment, and any other fees incurred by the Porter County Animal Control, Porter County Sheriff's Department, and/or Porter County Animal Shelter resulting from the animal's impoundment;
 - (D) Proof of current rabies vaccination. If proof of vaccination is not available, a receipt showing pre-payment of scheduled rabies vaccination must be presented before the animal is released to the owner. Proof of vaccination must be received at the Porter County Animal Shelter within two (2) business days after the animal's release, or the animal will be subject to immediate impoundment; and
 - (E) Proof of a current Indiana license tag for any impounded dog must be shown.
2. The owner of the impounded animal shall pay all impoundment and redemption fines and fees, in full, prior to the animal being released from the Porter County Animal Shelter.

3. Release of the impounded animal to its owner may be denied by the Porter County Animal Control and/or the Porter County Animal Shelter Director if it is determined the animal is vicious or dangerous, diseased, a danger to public health and safety of the citizens of Porter County or for any other good and sufficient reason at the discretion of Porter County Animal Control and/or the Porter County Animal Shelter Director.
4. In the event an animal is denied return to its owner by the Porter County Animal Control, the Shelter Director, or any other official having authority to impound animals under this Chapter, the owner and animal shall be subject to the following bond procedure:
 - (A) The owner shall be given written notice of the decision to retain the animal and provided with a bond amount and initial hearing date. The hearing date shall be within thirty (30) days of receipt of notice.
 - (B) To prevent disposition of the animal prior to the hearing date, and not later than ten (10) days after written notice of the animal's retention, the owner must post a bond with the Porter County Clerk's office.
 - (C) The bond amount shall be sufficient to provide for the animal's care and keeping for at least thirty (30) days, beginning on the date of first impoundment.
 - (D) If a bond expires, and is not renewed within ten (10) days of expiration, or if the owner fails to post an initial bond, ownership of the animal shall be assigned to the Porter County Animal Shelter, and the animal may be disposed of in accord with Animal Shelter policies.
 - (E) Any animal subject to such bond may be euthanized if it has been determined by a licensed veterinarian to be suffering extreme pain, or if it is jointly determined by the impounding official, attending veterinarian, and/or the supervisor of the facility at which the animal is impounded, that said animal cannot be reliably handled or cared for without significant risk to the safety and welfare of the custodians during the impoundment.
 - (F) Once disposition of animal is determined, any bond posted shall be released to the Porter County Animal Shelter to cover the costs for impoundment and care of said animal for the number of days the animals was in custody of the Porter County Animal Shelter. Any unused portions of the bond shall be returned to the individual who posted the bond.
5. The animal redemption fees shall be as follows:

- (A) First Redemption Fee: \$50.00 (altered animal)/ \$75.00 (intact animal)
 - (B) Second Redemption Fee: \$75.00 (altered animal)/ \$100.00 (intact animal)
 - (C) Third and any Subsequent Redemption Fees: \$100.00 (altered animal) / \$125.00 (intact animal)
6. An animal that has been previously impounded and is now being redeemed for the third or subsequent redemption within a twelve (12) month period is required to be:
- (A) Implanted with a microchip at the owner's expense for the purpose of future identification and recovery; and
 - (B) Spayed or neutered by a licensed veterinarian at the owner's expense prior to the Porter County Animal Shelter relinquishing the animal to the owner. If owner is unable to pay the full costs associated with spaying or neutering the animal, the Porter County Animal Shelter Director may enter into a payment agreement with the owner, or the owner may sign over ownership rights to the Porter County Animal Shelter.
 - (C) The owner of the animal shall be informed of the requirements in (A) and (B) when they request relinquishment of their animal from the Porter County Animal Shelter.

6.04.130 Trap-Neuter Return Guidelines

1. The Porter County Animal Control division or its designee, in order to encourage the stabilization of the free-roaming cat population, otherwise known as feral cats, and may:
 - (A) Trap any free-roaming cat in a humane manner;
 - (B) Have the cat surgically sterilized, ear-tipped, and vaccinated against rabies by a licensed veterinarian; and
 - (C) Release the cat to the Porter County Animal Shelter for adoption or other disposition in accordance with law, or to a colony caretaker who will maintain the cat as part of a managed colony of free-roaming cats.
 - (D) The Porter County Animal Control may impound free-roaming cats in violation of this chapter and dispose of the cats in accordance with the Porter County Animal Shelter guidelines.. Any free-roaming cat or feral cat, impounded by the Porter County Animal Control that bears an appropriate ear-tipping indicating it belongs to a managed colony may, at the discretion

of the Porter County Animal Control, be returned to its managed colony unless illness or injury present an imminent danger to public health or safety.

6.04.140 Responsibilities of the Animal Shelter Director

- A. The Shelter Director shall act as the supervisor for the animal shelter and the personnel, as well as work with the Porter County Animal Control to enforce the state and county animal laws and ordinances.
- B. The Shelter Director shall respond to all valid calls and/or refer the matter to be undertaken by the Porter County Animal Control Officers or law enforcement.
- C. The Shelter Director shall coordinate with the Porter County Animal Control in rendering decisions regarding the disposition of animals.
- D. The Shelter Director shall be in charge of the euthanasia program for all animals; however, all animals shall be handled humanely at all relevant times in accordance with the American Veterinary Association Guidelines, the laws of the State of Indiana, and the Porter County Animal Control Ordinances.
- E. The Shelter Director shall be responsible for the maintenance and operation of the Animal Shelter, as well as responsible for any and all equipment contained therein at the Animal Shelter.
- F. The Shelter Director shall be responsible for all money received, fees, collected and all necessary records pertaining to the operation of the Animal Shelter. All money shall be accounted for daily and monthly and shall be remitted to the Porter County Auditor's office.
- G. The Shelter Director shall facilitate, supervise and be responsible for the vaccination program at the Animal Shelter.

6.04.150 Adoptions

Adoptions of animals from the Porter County Animal Shelter may be effectuated utilizing the following procedures:

- A. Examination. It shall be the responsibility of the adopting party to have the animal examined by a licensed veterinarian within 7 business days from adoption and to obtain all necessary vaccinations.
- B. Refunds or Exchanges. Full refund or exchange privileges shall be granted to the owner if the animal is found to be ill or in poor health at the time of the examination; provided, however, that the examination required in Paragraph A is performed within the required 7 day period.

- C. Sterilization. It shall further be established that all unaltered dogs or cats shall be surgically sterilized in accord with Indiana Law and the Porter County Animal Control Ordinance.

6.04.160 Adoption Fees

- A. Dog—\$100
- B. Cat—\$50
- C. Rabbit—\$25
- D. Any animals other than those listed in Paragraphs A through C above, are subject to an adoption fee based on the type of animal and said fee will be determined by the Shelter Director, and/or the Shelter Director's agent(s). (*see also* Animal Shelter Fee Schedule 6.08.010)

6.04.170 Impoundment Fees

The fees associated with impoundment of an animal at the Porter County Animal Shelter shall be as follows:

Impound Fees: \$15 per day for boarding and food.

6.04.180 Redemption Fees

The fees associated with redemption of an animal from the custody of the Porter County Animal Shelter by its rightful owner are as follows (*see* Animal Shelter Fee Schedule 6.08.010):

- A. \$50 Reclaim fee for altered animal first offense;
- B. \$75 Reclaim fee for intact animal first offense;
- C. \$75 Reclaim fee for altered animal second offense;
- D. \$100 Reclaim fee for intact animal second offense;
- E. \$100 Reclaim fee for altered animal third and subsequent offenses; and
- F. \$125 Reclaim fee for intact animal third and subsequent offenses

6.04.190 Animal Quarantine Procedure

- A. *Animal Bites.* In the event that an animal bites another person or animal as set forth in the Animal Control Ordinance 6.040.070 (Animal Bites), and it is determined that an in-home quarantine is not appropriate under the circumstances, the biting animal may be placed in quarantine at the Porter County Animal Shelter. The quarantine period shall be for seven (7) days.

- B. *Stray Animal Bites.* If a stray dog, cat, or ferret has bitten a person or animal it shall be confined at the Porter County Animal Shelter for seven (7) days. At the end of the seven (7) day quarantine period the animal shall be medically assessed and the bite victim shall be notified of the health status of the stray animal. In the event the stray animal dies prior to the expiration of the quarantine period, or if it is intentionally euthanized by a licensed veterinarian in order to prevent the animal from suffering humanely, it shall be properly packaged and sent to the state designated authorities for rabies testing.

- C. *Mandated Rabies Quarantine.* Pursuant to I.C. § 15-17-6-2 (Quarantine Declaration), the State Veterinarian has the authority to declare rabies quarantines in any county, and therefore, any procedures referenced and set forth therein shall be adopted and followed by the Porter County Animal Shelter as it pertains to rabies quarantines.

- D. *Owner Responsibilities.* An owner of an animal that is quarantined subject to the provisions of the Animal Control Ordinance is responsible for paying any and all fees associated with the impoundment of the animal subjected to the quarantine at the Porter County Animal Shelter as set forth in 6.080.010 (Animal Shelter Fee Schedule) and additional and/or pertinent fees incurred under Sections 6.04.110 (Impoundment) and 6.04.120 (Redemption of Impounded Animals) that may apply.