

# **ALLEN COUNTY CODE TITLE 8 PUBLIC SAFETY**

## **ARTICLE 14 DOG AND CAT CONTROL ORDINANCE**

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### **8-14-1 Chapter 1: Definitions**

The words and phrases used in this Ordinance are herein defined and for the purpose of this Ordinance shall be construed as follows, except when otherwise expressly provided:

#### **8-14-1-1 Animal Control Shelter**

The municipally owned facility established for the purpose of animal control, care and disposition operated by and under the direct supervision of the Fort Wayne Animal Control Commission and the Executive Director of the Shelter.

#### **8-14-1-2 Owner**

The person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat or knowingly permits a dog or cat to remain on or about any premises occupied by that person.

#### **8-14-1-3 Person**

A person, for the purpose of this ordinance, shall be defined as an individual, firm, corporation, or other commercial establishment.

#### **8-14-1-4 Public Nuisance**

A dog or cat which 1) interferes with passersby or passing vehicle; 2) attacks other animals or persons; 3) is repeatedly at large or unrestrained; 4) damages private or public property, or 5) barks, whines, howls or makes other sounds common to its species in excess of 30 minutes at a time.

### **8-14-2 Chapter 2: Regulations**

#### **8-14-2-1 Stray Dog or Cat**

No person shall allow any dog or cat to stray beyond his premises, unless the dog or cat is under the reasonable control of some person or when engaged in lawful hunting accompanied by the owner or custodian.

### **8-14-2-2 Abandoned Dog or Cat**

No person shall abandon or cause to be abandoned a dog or cat anywhere within Allen County, Indiana, in any public or private place, way or building.

### **8-14-2-3 Public Nuisance**

No person shall harbor or own a public nuisance as defined in this Ordinance.

### **8-14-2-4 Violations**

Violations of the provisions of this Ordinance may result in the impoundment of the dog (s) or cat (s) in accordance with Chapter 5 of this Ordinance.

### **8-14-2-5 Penalties**

Violation of paragraphs 1-3 of Chapter 2 of this Ordinance shall result in a fine in accordance with Chapter 4 of this ordinance.

## **8-14-3 Chapter 3: Enforcement**

### **8-14-3-1 Duty to Enforce**

It shall be the duty of the officers of the Allen County Police Department to enforce the regulations established by the Ordinance.

### **8-14-3-2 Procedure**

Proceedings to enforce this Ordinance shall be governed by Indiana Code 34-28-5 as amended.

*(Amended 6-29-07 by Ordinance # 6-29-07-17)*

## **8-14-4 Chapter 4: Penalties**

### **8-14-4-1 Penalties**

Penalties. For violation of a regulation in Chapter 2 of this Ordinance, a fine in an amount not less than Five Dollars (\$5.00) nor more than \$100.00 shall be imposed by a Court of competent jurisdiction in accordance with the procedures set forth by the Laws of the State of Indiana, including Indiana Code 34-28-5 as amended.

*(Amended 6-29-07 by Ordinance # 6-29-07-17)*

## **8-14-5 Chapter 5: Impoundment and Redemption**

### **8-14-5-1 Impoundment**

Cats or dogs impounded pursuant to Chapter 8-14-2-4 of this Ordinance shall be impounded and held at the Animal Control Shelter in accordance with the rules and regulations governing the operation of the Shelter.

### **8-14-5-2 Redemption**

A person may reclaim a cat or dog in the custody of the Animal Control Shelter upon providing proof of owner ship and payment of all redemption fees and any other service/medical fees charged by the Animal Control Shelter in accordance with the rules and regulations of the Animal Control Shelter.

### **8-14-5-3 Stray or Abandoned Dogs or Cats**

Stray or abandoned dogs or cats will be held at the Animal Control Shelter for the period of time prescribed by the Shelter's rules and regulations.

## **8-14-6 Chapter 6: Miscellaneous Provisions**

### **8-14-6-1 Severance Provision**

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.

### **8-14-6-2 Ordinance Supplemental**

The provisions of this Ordinance supplement all laws of the State of Indiana governing the same subject matter.

### **8-14-6-3 Application**

This Ordinance shall not apply to any of the incorporated cities and towns of Allen County, Indiana, who otherwise have animal control ordinances.

*(Amended 6-29-07 by Ordinance # 6-29-07-17)*

### **8-14-6-4 Effective Date**

This Ordinance shall be in full force and effect from and after its passage.

Original Ordinance passed October 3, 1988 (Ellenwood, Worthman, Yoder)