

ORDINANCE NO. 96-2

AN ORDINANCE AMENDING ORDINANCES 87-2 AND 81-1 PROVIDING FOR THE LICENSING AND CONTROL OF DOGS AND CATS IN THE TOWN OF WESTVILLE.

WHEREAS, the Town Council of the Town of Westville has previously enacted Ordinance 81-1 and Amendment thereto through Ordinance 87-2 relating to the licensing and control of dogs and cats in the Town of Westville; and

WHEREAS, the Town Council of the Town of Westville has now deemed it necessary to amend said prior Ordinances.

BE IT HEREBY ORDAINED by the Town Council of the Town of Westville, LaPorte County, Indiana, that Ordinances 87-2 and 81-1 are amended as follows:

Section 4. License Fees. Is hereby amended to read as follows:

License fees shall be \$6 for un-neutered/un-spayed cats and dogs. All cat and dog owners applying for licenses must provide proof of current immunization for each animal license applied for. Owners that provide proof of neutering or spaying to the cat or dog will be assessed a reduced fee of \$4. A letter or paid bill from a license veterinarian will be considered proof of immunization and spaying/neutering.

SECTION 5. TAG ISSUANCE. Is hereby amended as to Subparagraph (c) as follows:

(c) REPLACEMENT OF TAG. Upon satisfactory proof to the Town Clerk that a tag has been lost, or worn or damaged beyond further use, or cannot be found, the Town Clerk shall issue a new tag, but of a new and different number, upon payment of a fee of \$1, noting the transaction on the office file for the number originally issued.

SECTION 6. KENNELS. Is hereby amended to read as follows:

The owner of four or more dogs, at least six (6) months of age, whether owned for pleasure, profit, breeding or exhibiting, shall be deemed the operator of a kennel.

(a) The operator shall apply to the Town Clerk for a town Kennel License. The Kennel Operator License fee shall be twenty-five dollars (\$25). This fee is in addition to the License fee for each dog. The Kennel License fee is valid for one year and shall expire on December 31 of that year.

(b) The kennel area shall be securely confined. Indoor or outdoor pens shall be constructed of sound fencing or cage material so as not to allow the dogs to escape, but allow the dog reasonable movement. The floors shall be made of concrete with the ability for regular wash down or cleaning and to prohibit the escape of the dogs.

(c) All such pens or structures must be kept in a clean, sanitary, and healthy manner.

(d) All Kennel operators must comply with all other regular town, county, or state kennel, zoning, health, sanitation, and other building laws or regulations.

(e) The Westville Animal Control Officer or any other Westville Police officer shall inspect the kennel prior to the issuance of the kennel permit for compliance with this Ordinance. Inspection shall be conducted on a yearly basis for renewal of said Licenses. Other inspections may be made based on proper complaints made to the Town Marshall's office or Animal Control. All kennel licensees, or their agents, shall grant Animal Control or Police officers access to the kennel area for kennel inspections.

SECTION 9. SEIZURE AND IMPOUNDING. Is hereby amended to read as follows:

Any dog or cat running at large within the Town of Westville shall be seized promptly by the animal warden or by any police officer of the Town and placed, if accepted, with the LaPorte County Small Animal Shelter. The owner of the dog or cat, when discovered, shall be notified promptly.

SECTION 10. RELEASE AND REDEMPTION. Is hereby amended to read as follows:

No dog or cat seized and impounded as provided in Section 9, shall be redeemed or released to anyone except the owner or his duly authorized agent. If the dog or cat is over six months of age and has not had its rabies vaccination, the dog or cat will be vaccinated and the owner will be responsible for payment of the vaccination before release. Any fines and impounding fees associated with such seizure or impounding shall be paid to the Clerk of the Town of Westville.

SECTION 11. DESTRUCTION. Is hereby amended to read as follows:

If any impounded dog or cat shall not be redeemed and released to the owner or agent and the required fees and costs paid prior to the time of release, disposition

of such dog or cat shall be made pursuant to the regulations of LaPorte County Small Animal Shelter.

SECTION 12. PENALTIES. Is hereby amended to read as follows:

(a) SCHEDULE OF FINES. Any person violating the provisions of this Ordinance when shall be subject to imposition of the following fines:

OFFENSE	FINE	PAID AFTER TWO BUSINESS DAYS
FAILURE TO OBTAIN KENNEL LICENSE	\$50 (In addition to regular License fee)	\$100
RUNNING AT LARGE	\$25	\$50
BARKING/HOWLING	\$25	\$50
FAILURE TO OBTAIN DOG/CAT LICENSE	\$25 (In addition to regular License fee)	\$50
DOG/CAT BITE	\$50	\$100

In addition to quarantine of the animal for ten days after the incident, the owner must provide certification of health from a Licensed veterinarian or approval from the LaPorte County Small Animal Shelter.

(b) In the event the accused animal owner fails to pay the assigned fine to the Town Clerk after two business days, the Town Marshall shall issue a letter of warning to the owner. The letter requires payment in full within fourteen (14) days and shall be sent registered mail. If the animal owner continues to ignore the fine, the Town may take legal action against the animal owner and seek fines, court costs, and legal fees.

Any and all other Ordinances of the Town of Westville in conflict with the provisions of this Ordinance are hereby repealed to the extent of said conflict. If any section or part of this Ordinance shall be held unconstitutional or void, it shall not invalidate any other section or part hereof.

This Ordinance shall be in full force and effect from and after its passage and publication pursuant to law.

ALL OF WHICH IS ORDAINED this 9<sup>th</sup> day of September, 1996, by the Town Council of the Town of Westville, LaPorte County, Indiana.

JM Mayo  
Town Council Member

Eugene Frazier  
Town Council Member

Michael Alkhat  
Town Council Member

Raymond Kennedy  
Town Council Member

Donald Hunt  
Town Council Member

ATTEST:

[Signature]  
Clerk-Treasurer