

ORDINANCE NO. 2011-2

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTVILLE, INDIANA, AMENDING ORDINANCE NO. 2004-2 ENTITLED "AN ORDINANCE AMENDING ORDINANCE 87-2 AND 96-02 PROVIDING FOR THE LICENSING AND CONTROL OF DOGS AND CATS IN WESTVILLE, INDIANA"

WHEREAS, on March 9, 2004, the Town Council of the Town of Westville, Indiana, adopted Ordinance No. 2004-2 entitled "An Ordinance Amending Ordinance 87-2 and 96-02 Providing for the Licensing and Control of Dogs and Cats in Westville, Indiana"; and

WHEREAS, Ordinance No. 2004-2 sets forth specific monetary fines in addition to other penalties for violating the Ordinance; and

WHEREAS, the Town Council of the Town of Westville, Indiana, is desirous of amending Ordinance No. 2004-2 in order to increase the amount of the monetary fines so as to permit the Westville Police Department and/or Town Attorney to better enforce the Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WESTVILLE, INDIANA, that Section 23 of the Ordinance No. 2004-2 shall be amended to read as follows:

Section 23. Penalties.

Schedule of Fines: Any person violating the provisions of this Ordinance may be subject to the imposition of the following fine:

<u>Offense</u>	<u>Fine</u>
Failure to Obtain Kennel License	\$50.00
Running at Large	<u>1st Offense: \$50.00</u> <u>2nd Offense: \$75.00</u> <u>3rd Offense: \$100.00</u> <u>All Subsequent Offenses: \$250.00</u>
Barking/Howling	<u>1st Offense: \$50.00</u> <u>2nd Offense: \$75.00</u> <u>3rd Offense: \$100.00</u> <u>All Subsequent Offenses: \$250.00</u>
Failure to clean waste	<u>1st Offense: \$50.00</u> <u>2nd Offense: \$75.00</u>

3rd Offense: \$100.00
All Subsequent Offenses: \$250.00

Failure to obtain license/tag

1st Offense: \$50.00
2nd Offense: \$75.00
3rd Offense: \$100.00
All Subsequent Offenses: \$250.00

Dog/Cat Bite

1st Offense: \$50.00
2nd Offense: \$100.00
All Subsequent Offenses: \$250.00

Each incident during which a violation of this Ordinance occurs shall be considered a separate and distinct violation. In the event that the accused animal owner fails to pay any assigned fine or penalty to the Town Clerk after seven (7) business days, the Town Marshall shall issue a letter of warning to the owner. If, after seven (7) business days from the issuance of the letter the animal owner continues to ignore the fine, the Town may take legal action against the animal owner and shall seek fines, court costs and reasonable legal fees.

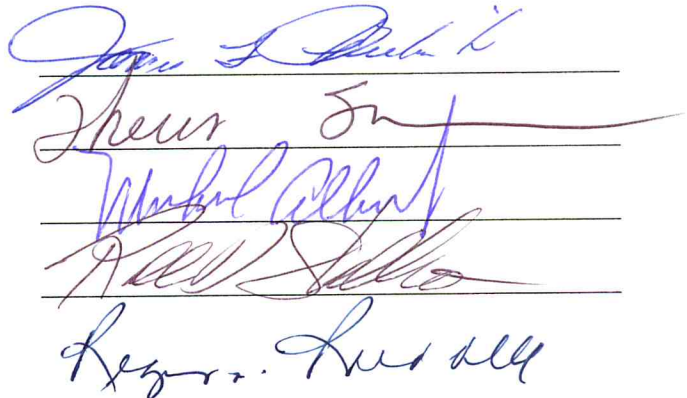
BE IT ORAINED THAT if any portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other portion or provision of this Ordinance.

BE IT FURTHER ORDAINED THAT all Ordinances or part of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. It is provided, however, that such repeal shall be only to the extent of such inconsistency, and at all of the respects the Ordinance or parts of Ordinances are hereby ratified, reestablished and confirmed.

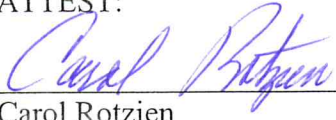
PASSED AND ADOPTED by the Westville Town Council on this 13th day of September, 2011.

WESTVILLE TOWN COUNCIL

By:



ATTEST:



Carol Rotzien
Clerk-Treasurer
Town of Westville, Indiana