

ORDINANCE NO 2021-1

**ORDINANCE PROVIDING FOR ANIMAL CONTROL, RESTRAINT AND PENALTIES FOR VIOLATIONS
WITHIN THE TOWN OF FARMERSBURG, INDIANA**

BE IT ORDAINED by the Town Council of the civil Town of Farmersburg, Indiana, that:

WHEREAS. The Town Council of the Town of Farmersburg in Sullivan County, Indiana hereby adopts an ordinance to establish animal control in the Town of Farmersburg.

NOW THEREFORE, by the powers vested in the Town Council of the Town of Farmersburg in Sullivan County, Indiana, it is hereby ORDERED and ORDAINED that:

SECTION I: DEFINITION

- A. "Animal" means any live, non-human vertebrate creature, domestic or wild.
- B. "At Large" means any animal which is off the property or premises of its owner and not under control of a competent person, restrained within a motor vehicle, housed in a veterinary hospital or kennel, or on a lead or leash.
- C. "Restraint" means the securing of an animal by leash or lead or confining it or keeping it otherwise stayed within the motor vehicle or real property limits of its owner.
- D. "Owner" shall mean any person, firm, association, corporation, or other legal entity that owns, keeps, shelters, or harbors an animal.
- E. "Exotic Animal" is defined as any animal that is considered by the Indiana Department of Natural Resources as a Class I, Class II or Class III animal. Animals such as, but not limited to: eastern cottontail rabbit, gray squirrel, fox squirrel, southern flying squirrel, venomous snakes, beaver, coyote, gray fox, red fox, mink, muskrat, opossum, raccoon, skunk, weasels, wolves, bears, wild cats (excluding feral cats), other venomous reptiles and crocodilians.
- F. "Livestock" is defined by Indiana Statute as any animal of the animal kingdom that is, but not limited to: cattle, sheep, swine, goats, bison, and farm raised cervidae (deer, elk, moose), equine (horses, mules, etc.) and ratitae (ostrich, kiwi, etc.).

SECTION II: BE IT FUTHER ORDAINED that all animals shall be kept under restraint when on private or public property. Any animal not restrained, found roaming the Town of Farmersburg may, at the discretion of the investigating officer, be taken to the Sullivan County Humane Shelter at the owner's expense.

SECTION III: BY ORDER OF THE TOWN OF FARMERSBURG COUNICL, any person who knowingly violates the provisions listed above shall be subject to a fine not to exceed one hundred dollars (\$100.00) for each offense.

SECTION IV: BE IT FUTHER ORDAINED that no person who resides within the corporate boundaries or the Town of Farmersburg shall possess, harbor, keep or shelter:

- A. Any wolf or wolf canine hybrid
- B. Any fox or fox canine hybrid
- C. Any coyote or hybrid
- D. Any "exotic" animal
- E. Any "livestock" animal
- F. Any animal that is considered "endangered" by Indiana Department of Natural Resources



SECTION V: BE IT FUTHER ORDAINED that no person within the corporate boundaries of the Town of Farmersburg shall harbor, keep or safeguard any dangerous animal. If the investigating officer with the Farmersburg Police Department and officials with the Sullivan County Humane Society determine that an animal is too dangerous to harbor within city limits, the officer may remove the animal from the owner via the Humane Society. If an animal has a minimum of two (2) aggressive bites on a human and/or kills another animal, the animal shall be deemed dangerous.

SECTION VI: BE IT FUTHER ORDAINED that pursuant to Indiana statute IC 36-8-3-18, the Chief of Police / Marshal of the Town of Farmersburg shall also take on the authority of the Town Humane Officer unless he/she designates that position to an officer of the Farmersburg Police Department. Any Law Enforcement Officer or duly appointed Humane Officer by the Chief of Police / Marshal may issue to the known owner of such animal a citation for violation Section IV of this ordinance. A notice of violation of this ordinance in the form of verbal or written warning, or an ordinance citation shall be imposed at the discretion of the issuing officer. Such notice shall impose upon the owner of the penalty of fifty dollars (\$50.00), which shall be paid within ten (10) business days of the citation. At the time of payment to the Clerk-Treasurer or his/her designee, a receipt of payment shall be issued. The penalty provision providing for payment shall be increased by fifty dollars (\$50.00) for each subsequent offense.

SECTION VII: In the event that such payment is not made within the prescribed time period, the Defendant shall be imposed upon an additional one-hundred-dollar (\$100.00) fee to the Town of Farmersburg. All proceedings shall be then filled in the appropriate Sullivan County court of jurisdiction by the Town Attorney. The Defendant shall be liable for all appropriate court cost and fees. The Town of Farmersburg may also place a lien on the Defendant's property taxes for the total amount accrued in citations in lieu of filling into court. This will be at the behest of the Clerk-Treasurer.

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THIS ORDINANCE supersedes and replaces all prior ordinances which may be in conflict.

THIS ORDINANCE shall be effective upon the passage and publication as required by law and a copy of said ordinance shall be kept in the office of the Town Hall of Farmersburg, Sullivan County, Indiana.

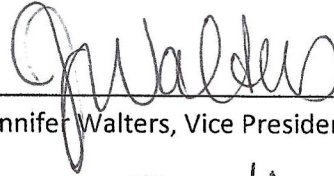
Confirmed as passed and in place by the Town Council of the Town of Farmersburg on

May 9, 2024.

Town of Farmersburg, Indiana
Council Members



Justin Wassel, President



Jennifer Walters, Vice President

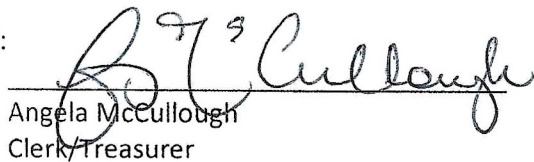


Jennifer Harrelson, Member



Courtney Strain, Member

ATTEST:



Angela McCullough
Clerk/Treasurer