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CH3 - ANIMALS

CH3 3 .1 - Definitions

In this article the following terms shall be defined in this manner:

- a. Animal: Any live, non-human vertebrate creature, domestic or wild.
- b. At large: Not under restraint, as defined by this section.
- c. Domestic Animal: A domestic animal, as defined by state law, but not a dog used to aid any blind person.
- d. Harboring: Permitting any animal to remain or to be fed within any person's enclosure, place of business, residence or any premises controlled by that person for more than three (3) consecutive days.
- e. Owner: Any person harboring any animal.
- f. Person: A person, as defined by state law.
- g. Public nuisance: Any animal which is at large; or which attacks or molests other animals, humans, or passing vehicles; or which damages property; or which disturbs a reasonable person with continuous or excessive noise.
- h. Restraint: Confinement within the property of the owner or securing by a lead or leash.
- i. Stray: Any animal whose owner cannot be identified following reasonable inquiry.
- j. Vicious animal: Any animal constituting an immediate and serious danger to humans or to other animals.

Further Information

'82 Code, Ord. No. 9-1982

Date Passed: 12/22/1982

CH3 3 .2 - Vaccinations

- a. No person shall harbor any cat or dog which is six (6) months or older and which has not been vaccinated against rabies. A rabies vaccination tag issued by a licensed veterinarian, an identification tag stating the

name and address of the owner and a dog tag issued by the Madison County Assessor's Office shall be deemed proof of compliance with this section.

- b. Any domestic animal which has bitten a person shall be impounded at the expense of the owner for a period of not less than fourteen (14) days and until the County Health Officer can determine if the animal is rabid. If the animal dies while impounded, a test shall be conducted at the expense of the owner to determine if the animal was rabid. The death of any animal suspected to have been rabid shall be reported to the County Health Officer immediately following the discovery of its death.
- c. Any domestic animal which has been bitten by an animal suspected to be rabid shall be confined for a period of six (6) months at the expense of the owner or shall be destroyed.
- d. No person who knows or suspects that an animal under his or her control is rabid shall allow that animal to leave his or her control except to be taken to the Lapel Animal Clinic or another veterinarian. Any person who knows or suspects that an animal is rabid shall immediately notify the Police Department or the Madison County Health Officer.

Further Information

'82 Code, Ord. No. 9-1982, passed 12/22/82)(Amended Ord. No. 7-1994, passed 11/22/94

Indiana Code [15-2.1-6-7](#)

Date Passed: 12/22/1982

Date Amended: 11/22/1994

CH3 3 .3 - Restraint

- a. The owner shall exercise due care to prevent his or her animal from becoming a public nuisance. All animals, except cats, shall be kept under restraint. Each female animal in estrus shall be confined to prevent it from mating. Nonetheless the owner may allow mating for planned breeding.
- b. The Police Department shall order the confinement of any animal determined by the Department to be vicious. Any vicious animal shall be confined within a building or secure enclosure by its owner and shall be caged or securely muzzled.
- c. Any animal constituting a public nuisance shall be taken by the Humane Officer or the appropriate law enforcement agency to the Lapel Animal Clinic. The Police Department shall notify the owner not later than two (2) days following the impounding of any animal or, if the owner of the animal is unknown, shall post written notice at the Town Hall. The owner of any animal may reclaim it upon the payment of all costs and charges incurred by the Town for the impounding notice and keeping of the animal. The charges for impounding and keeping the animal shall be in the amounts fixed by the Board. Unclaimed animals after seven (7) days shall become the property of the Town of Lapel and will be placed for adoption or humanely euthanized. Cats and dogs must be neutered before the Lapel Animal Clinic can release them.
- d. Cat owners are required to purchase an annual license at the Lapel Town Hall.
 - a. \$10/year for unneutered cats
 - b. \$5/year for neutered cats

- e. All cats will wear a current year collar tag identifying the animal. The Town Hall will maintain records showing tag number, owner(s) name, address of owner, and phone number.
- f. The Lapel Police Department is authorized to live trap cats within the Town of Lapel limits. The Lapel Police Department will follow the guidelines of paragraph (c) when dealing with untagged cats.

Further Information

'82 Code, Ord. No. 9-1982
Indiana Code [IC-15-5-9-13](#)
Date Passed: 12/22/1982

CH3 3 .4 - Abuse of Animals

- a. When the operator of a motor vehicle strikes an animal he or she shall stop at once and render all possible assistance. The operator of the motor vehicle shall immediately report the injury or death of the animal to its owner. If the owner cannot be immediately ascertained and located, the operator of the motor vehicle shall report the incident immediately to the Police Department.
- b. No person shall knowingly expose a poisonous substance, whether mixed with food or not, which can be eaten by any animal. However, a person may expose a common rat or mouse poison, unmixed or mixed with vegetable substances, on his or her property.

Further Information

'82 Code, Ord. No. 9-1982
Indiana Code [35-46-3-7](#) [35-46-3-12](#)
Date Passed: 12/22/1982

CH3 3 .5 - Penalties

- This article shall be enforced by the Police Department and appropriate law enforcement agencies. Any person who violates any provision of this article shall be fined a sum of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00). Each day a violation continues constitutes a separate offense.

Prohibiting dogs at Village Fair

Except for the below reference, no dogs shall be allowed in the festival area (festival area being all areas of vendors, displays, and entertainment) during the annual Village Fair held in the month of July, in the Town of Lapel, Madison County, Indiana.

That this ordinance shall not prohibit dogs that assist disabled people or police dogs from being in the festival area.

That this ordinance shall not prohibit dogs that are direct participants in the festival parade.

A person violating this section shall be fined up to \$100.00 for each occurrence.

Ord. No. 1-2001, passed 2/15/01.)

Further Information

'82 Code, Ord. No. 9-1982, Ord. No. 1-2001, passed 2/15/01

Date Passed: 12/22/1982

Date Amended: 2/15/2001