

ORDINANCE No. 2016-08

ANIMALS

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF DUNE ACRES, INDIANA AMENDING CHAPTER 6 ARTICLES I & II

WHEREAS, the Town desires to change the manner in which it regulates the licensing and regulation of dogs on Town property,

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DUNE ACRES, INDIANA, AS FOLLOWS:

Chapter 6, Article II is hereby amended by adding the following sections:

Chapter 6 - ANIMALS

ARTICLE II. - DOGS

Sec. 6-19. - License required.

(a) Each dog belonging to a resident in the Town shall be licensed **once every three years annually** by the Town Clerk-Treasurer. The license fee shall be **Ten dollars (\$10.00) ~~Three dollars (\$3.00) for male or spayed female, Five dollars (\$5.00) for unspayed female, and Five dollars (\$5.00) for second and each additional dog.~~** As a condition to the granting of a license the owner shall produce evidence that the dog has been inoculated against rabies. No dog shall be allowed or kept in the Town for Fifteen days or longer without a license. Any unlicensed dog or dog whose license is revoked **may shall** be removed from the Town by a security officer and appropriately disposed of. Upon receipt by the Town Council of Two or more written complaints from individual householders of the Town within One year, against a specific dog, the Town Council may in its discretion fine the owner of the dog or revoke the license of said dog or place the dog's license on probationary status, the length of the probationary period to be determined by the Council. If placed on probationary status, the condition(s) for retaining said dog's license may be One or more of the following:

- (1) That the dog be kept on a leash at all times.
- (2) That the dog be muzzled at all times.
- (3) That the dog be confined to the owner's premises at all times.

(b) Any dog that bites a human being, not an intruder with malicious intent on the property of the resident, shall have its license revoked (A bite is defined as any breaking of the skin by a dog's teeth). If the dog bite occurs on the premises of the dog's owner, the Town Council may in its discretion, after investigation, stay the revocation of the dog's license and take whatever action

thereunder it deems appropriate.

(c) The following shall be considered offenses for which the dog's owner shall be in violation of this section and shall be subject to the fines set forth in section 6-20

(1) Failing to exercise proper care of the dog resulting in fouling of public or private property.

(2) Disturbing the peace by loud and continuous barking; or damaging the flora on private property **or Town-owned property.**

(3) Appearing in any public place while not under the direct personal control of the owner and without a valid license issued by the Town Clerk-Treasurer. All unlicensed dogs must be leashed at all times while on Town property.

(4) Establishing any vicious, aggressive, obnoxious behavior.

(Ord 2009-2)

Sec. 6-20. - Penalty.

Any person who violates this chapter, or any section or provision hereof, shall be liable to pay a fine or penalty of Fifty dollars (\$50.00) to be recovered in an action brought in the name of the Town against such violator before a Justice of the Peace or in the Porter Circuit Court. Every violation of every section and provision hereof shall be deemed to be a separate and distinct violation hereof and shall render the violator liable to pay a fine or penalty of Fifty dollars (\$50.00) for each separate violation.

This ordinance is hereby passed and adopted at a regular meeting of the Town Council of the Town of Dune Acres, Indiana this 18th day of October, 2016.

Town of Dune Acres Town Council

Richard Hawksworth

Peter Bomberger

Alexander Stemer

Attest:

Jeannette E. Bapst, Clerk-Treasurer