

ORDINANCE NO. 1-90

AN ORDINANCE FOR THE CONTROL OF ANIMALS IN THE TOWN OF PLAINFIELD, INDIANA AND REPEALING ALL ORDINANCES AND PART OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Town Council of the Town of Plainfield, Indiana, as follows:

SECTION 1. PURPOSE. The purpose of this ordinance is to establish reasonable and responsible animal regulations for those individuals who desire to own pets within the corporate limits of the Town of Plainfield. This ordinance takes into consideration the concerns of surrounding residents and their desire to have a quality of life which is not impeded by potential animal nuisance problems.

SECTION 2. DEFINITIONS. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

- (a) ABANDONMENT means to deposit, leave, drop off or otherwise dispose of any domestic animal on any public or private property without providing immediate human care.
- (b) AGENT means person(s) eighteen (18) years or older authorized by an owner to act in the owners behalf.
- (c) ALTERED ANIMALS means any animal that has been operated on to prevent it from procreating.
- (d) ANIMAL means any live non-human vertebrate creature, domestic, wild or exotic.
- (e) ANIMAL SHELTER means a facility operated by a humane society, Hendricks County or a facility operated by authorized agents for the purpose of impounding or caring for animals held under the authority of this ordinance or state law.
- (f) AT LARGE means any animal that is not under restraint.
- (g) AUCTIONS means any place or facility where animals are regularly bought, sold or traded, except for those facilities otherwise defined in this ordinance or state law.
- (h) BREEDER means any person who for compensation causes the breeding or selling of any dog or cat or makes any dog or cat available for breeding purposes.
- (i) CATTERY means any person, group of persons, partnership, corporation, or association owning or harboring more than three (3) cats.
- (j) CIRCUS means and includes performances given by traveling companies on vacant lots where tenants, or some other kind of temporary enclosure, where performances are given for a fee. Performances may include, but are not limited to: trained animal acts, races, feats of horsemanship, acrobatics, strength, trapeze acting, or clowns.
- (k) COMMERCIAL ANIMAL ESTABLISHMENT means any pet shop, grooming shop, auction, riding school, stable, zoological park, circus, performing animal exhibition, kennel, or any display or show of wild or domestic animals in a shopping center or mall, retail establishment, or adjacent lot for the purpose of promoting retail sales.

- (1) DOMESTIC ANIMAL means any animal that is a member of one of the following species:

Dog (Canis Familiaris)  
Cat (Felis Cattus or Felis Domesticus)  
Cattle (Bos Domesticus or Bos Taurus or Bos Indicus)  
Horse (Equus Caballus)  
Donkey (Equus Asinus)  
Pig (Sus Scroffa)  
Sheep (Ovis Aries)  
Goat (Capra Hircus)  
Rabbit (Oryctolagus Cuniculus)  
Mouse (Mus Musculus)  
Rat (Rattus Rattus)  
Guinea Pig (Cavis Procellus)  
Chinchilla ( Chinchilla Langier)  
Hamster (Mesocricetus Auratus)  
Gerbil (Gerbillus Gerbillus)  
Mink  
Cow or Ox (Bovine)

and all domestic animals defined in I.C., 15.2.1-2-15.

- (m) EXOTIC ANIMAL means any animal whose normal native habitat is not indigenous to the continental United States, excluding Alaska and Hawaii, except fish and fur bearing animals commercially bred for the furrier trade and birds defined under federal regulations, and non-poisonous snakes and reptiles.
- (n) EXPOSED TO RABIES means any human or non-human warm blooded mammal that has been bitten or in contact with any other animal known or reasonably suspected to have been infected with rabies.
- (o) FOWL means any kind of wild or domestic bird.
- (p) FRESH PURSUIT means the immediate following of any animal that is found to be at large and not on the owner's property.
- (q) GROOMING SHOP means a commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.
- (r) GUIDE DOGS means dogs trained to assist the handicapped.
- (s) HARBORING means the actions of any person that permits any animal habitually to remain or lodge or to be fed within his home, store, enclosure, yard, or place of business or any premises on which such person resides or controls. An animal shall be presumed harbored if it is fed or sheltered for three (3) consecutive days.
- (t) HUMANE OFFICER means any person(s) designated by the State of Indiana, Hendricks County, or the Town, as an officer who is qualified to perform the duties required by the law of this Town and State regarding animals.
- (u) KEEPERS means veterinarians and operators of kennels, pet shops, boarding kennels, grooming shops and stables temporarily keeping animals owned by or held for sale to other persons.
- (v) KENNEL means any premises wherein any person engages in the business of boarding, breeding, buying, letting or

- keeping of more than three (3) dogs for hire, training for a fee, or selling.
- (w) OWNER means any person age eighteen (18) years or older owning or harboring one or more animals.
- (x) PET means any animal kept for pleasure rather than utility.
- (y) PET SHOP means any person, group of persons, partnership or corporation whether operated separately or in connection with another business enterprise, that buys, sells or offers for sale any species of animal.
- (z) PUBLIC NUISANCE means any animal or animals which:
- (1) Interfere with passersby or passing vehicles.
  - (2) Attacks other animals or persons.
  - (3) Is at-large.
  - (4) Damages private or public property.
  - (5) Barks, whines, howls, or makes other sounds common to its species in excess.
  - (6) Causes foul or noxious odors which offend residents in the neighborhood.
- (aa) RABIES VACCINATION means the injection, by a licensed veterinarian, of a dog, cat or other animal with a rabies vaccine licensed by the U.S.D.A. and approved by the Indiana State Board of Health.
- (bb) RESTRAINT means the securing of an animal by leash or lead or confining it within the real property limits of its owner or agent.
- (cc) RIDING SCHOOL OR STABLE means any place that has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule or burrow.
- (dd) RODEO means a performance featuring bronco riding, steer wrestling, calf roping, greased pig contest, or bull riding.
- (ee) STRAY means any animal that is not under restraint and or upon reasonable inquiry by a humane officer does not appear to have an owner.
- (ff) VETERINARIAN means any person licensed and accredited to practice veterinary medicine in the State of Indiana.
- (gg) VICIOUS ANIMAL means any animal that has, without provocation, attacked a human being or other animal, or an animal that by its behavior or physical condition constitutes an immediate and serious physical or health threat to human beings or animals, or any animal which has previously attacked or bitten any human being or other animal on two (2) or more occasions.
- (hh) WILD ANIMALS means any animal not a domestic or exotic animal, with the exception of small, nonpoisonous aquatic or amphibious animals and small cage birds, which are normally found in the wild state.
- (ii) ZOOLOGICAL PARK means any facility, other than a pet shop or kennel, displaying or exhibiting one or more

species of non-domesticated animals operated by a person, partnership, corporation or governmental agency.

SECTION 3. ANIMAL CARE REGULATIONS. Every owner and or agent of an animal within the Town shall see that their animal:

- (a) Is kept in a clean, sanitary and healthy manner and is not confined as to be forced to stand, sit or lie in its own excrement.
- (b) Has sufficient and wholesome food and water, which is proper and nutritional for that species of animal.
- (c) Has a proper and adequate structure provided that will protect that animal from all elements of the weather and will allow that animal to stand, sit and lie down without restriction, and is kept in a sanitary manner.
- (d) If ill, diseased or injured receives proper medical care as necessary to prevent the transmittal of a disease to other animals or human beings and is segregated from other animals.
- (e) Is not beaten, cruelly ill-treated, overloaded, overworked, or otherwise abuse any animal, or cause, instigate, or permit any dog fight, cockfight, bullfight or other combat between animals or between animals and humans.
- (f) Is not physically altered in any manner by anyone other than a veterinarian with the exception of tattooing and grooming.
- (g) Is not abandoned, neglected or tortured.
- (h) Does not become a public nuisance as defined in this ordinance.
- (i) Does not become a vicious animal.
- (j) Is properly vaccinated and/or licensed if required by a local, state or federal law.
- (k) Is properly restrained.

SECTION 4. SALE OF BABY RABBITS, CHICKS OR FOWL PROHIBITED; EXCEPTION.

- (a) No person shall display, offer for sale, barter or give away baby rabbits, chicks, goslings, ducklings or other fowl as novelties.
- (b) No rabbit, chick gosling, duckling or other fowl that has been dyed or otherwise colored artificially may be sold or offered for sale; raffled; offered or given as a prize, premium; or advertising device; or displayed in any store, shop, carnival, or other public place.
- (c) Stores, shops, vendors, and others offering chicks, ducklings, or goslings for sale, raffle, or as a prize, premium, or advertising device, or displaying chicks, ducklings, goslings to the public, shall provide and operate brooders or other heating devices that may be necessary to maintain the chicks, ducklings, or goslings in good health, and shall keep adequate food and water available to the birds at all times.
- (d) This Section shall not be construed to prohibit the sale or display of natural chicks or ducklings in proper brooder facilities by hatcheries or stores

engaged in the business of selling them to be raised for commercial purposes.

SECTION 5. MOTOR VEHICLE ACCIDENTS INVOLVING ANIMALS.

- (a) Any person operating a motor vehicle who knowingly hits, runs over or causes injury to any animal shall stop at once, ascertain the extent of the injury and notify to the nearest police station or police officer.
- (b) The motorist shall report his name, address, operator's license, registration number, type of animal hit, and the street location of the animal.

SECTION 6. ANIMALS IN MOTOR VEHICLES. No animal shall be left in a motor vehicle when the condition in that vehicle would constitute a health hazard to the animal.

SECTION 7. POISONING OF ANIMALS. It shall be unlawful for any person to throw or deposit any known poisonous substance in any of the streets, alleys, parks, commons, yard or other places, whether public or private, within the Town so that the same shall be liable to be consumed by any animal, provided that it shall not be unlawful for a person to expose on his or her own property to common rat or mouse poison, unmixed or mixed with vegetable substances.

SECTION 8. TRAPPING OF ANIMALS RESTRICTED.

- (a) It is the purpose of this Section to prevent the potential harm that may be inflicted upon persons and to prevent the maiming, unselective catching, and destruction of wild animals or birds and domestic animals which come in contact with traps.
- (b) No person shall trap for animals or fowl within the Town limits unless such traps(s) are cage type live traps approved by the humane society or similar animal care facility used for the control of nuisance animals. This prohibition shall not apply to any trap specifically designed to kill rats, mice, gophers, or moles so long as the owner of the property is aware of where the trap(s) are set.

SECTION 9. MAXIMUM NUMBER OF DOGS OR CATS PER HOUSEHOLD.

- (a) No person shall keep more than a total of three (3) dogs or cats over the age of six (6) months per household in any residential area zoned R-1, R-2, R-3 or P.U.D. residential.
- (b) These restrictions mean a total of three (3) animals for example (2) dogs and one (1) cat, or two (2) cats and one (1) dog, but in no event shall the total number exceed three (3) of such animals per household.
- (c) This restriction shall not apply to property which is at least one-half of an acre of land (21,780 square feet).
- (d) Comply with other requirements of the Plainfield Zoning Ordinance.

SECTION 10. ACREAGE REQUIREMENTS FOR CERTAIN DOMESTIC ANIMALS.

- (a) Any person desiring to raise any of the following domestic animals or fowl must have a minimum of one-half acre of land (21,780 square feet).
  - 1. Rabbits
  - 2. Pigeons

- (b) Any person desiring to raise any of the following named domestic animals or fowl must have minimum of two (2) acres of land:
1. Cow, ox, cattle, calves, or other livestock
  2. Donkey, ass, burro, mule
  3. Pig, swine, hog
  4. Sheep
  5. Goat
  6. Chickens, roosters, geese, turkeys, ducks, or other fowl
  7. Bees
- (c) Any person desiring to raise horses must have a minimum of five (5) acres of land.
- (d) In no event shall the shelter and feeding area for any of the animals or fowl herein be closer than seventy-five (75) feet from any family dwelling.
- (e) Bees must be kept in accordance with the following provisions:
- (1) If bee colonies are kept within seventy-five (75) feet of any exterior boundary of the property on which the hive, stand, or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along said exterior boundary. Said barrier may be either a plant or artificial.
  - (2) Fresh, clean watering facilities for bees shall be provided on the premises.
  - (3) The bees and equipment shall be kept in accordance with the provisions of State statutes.

Nothing in this Section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box located or kept within a zoological park, school, or university building for the purpose of study or observation.

- (f) Comply with requirements of the Plainfield Zoning Ordinance.

SECTION 11. ANIMALS IN HEAT. Every female animal in heat or rutting shall be confined within a building or secure enclosure so that the animal cannot come into contact with a male animal of the same species except for planned breeding.

SECTION 12. ANIMAL WASTES. Persons responsible for an animal shall immediately remove the animals excrements from public or private property, excepting a handicapped person working with a guide dog.

SECTION 13. ANIMAL BITES AND REPORTS.

- (a) If any person is a victim of or witness to an animal bite, he shall immediately notify the Plainfield Police Department of the incident, and provide a description of the animal and the identification, if possible, of the owner. When an animal is determined to have bitten a person, the animal shall be confined in quarantine for a period of not less than ten (10) days.
- (b) If the owner of an animal which has bitten a person has proof of current rabies inoculation the animal may be left in the charge of the owner under quarantine unless in the judgement of the Humane Office and based upon considerations of public safety he determines it should

be removed to an animal shelter or veterinary hospital for the period of observation.

- (c) The owner shall be liable for all costs incurred in the quarantine of the animal and for any personal and property damage realized by the incident.
- (d) Humane Officers shall be empowered to enter onto private property for the purpose of impounding animal(s) which are known to have bitten a person and shall obtain legal process to do so if necessary.
- (e) Unless otherwise provided, the Town and any of its agents shall comply with the standards set forth in I.C., 15-2.1-6-1 through I.C., 15-2.1-6-13 entitled "Rabies".

SECTION 14. VACCINATION OF DOGS REQUIRED.

- (a) No owner of any dog shall keep or maintain a dog over the age of six (6) months unless it has been vaccinated by a licensed veterinarian with anti-rabies vaccine.
- (b) Proof of vaccination shall be maintained by the owner for display if requested by the Town or its agents.

SECTION 15. WILD ANIMALS, POISONOUS REPTILES AND ATTACK DOGS.

- (a) It shall be unlawful for any person to possess with the intent to sell or offer for sale, or buy or attempt to buy or own within the Town any of the following animals:
  - (1) All wild cats of the family felidae,
  - (2) Polar bear (*thalarctos maritimus*)
  - (3) Red wolf (*canis niger*)
  - (4) Vicuna (*vicugna vicugna*)
  - (5) Alligator
  - (6) Caiman or crocodile of the order of corcodilia
  - (7) Gray or timber wolf (*canis lupus*)
  - (8) Sea otter (*enhydra lutris*)
  - (9) Pacific ridley turtle (*lepidochelys olivacea*)
  - (10) Atlantic green turtle (*chelonia mydas*)
  - (11) Mexican ridley turtle (*lepidochelys kemp*)
- (b) It shall be unlawful for any person to buy, sell or offer for sale or own a native or foreign species or subspecies of mammal, bird, amphibian, or reptile, or the dead body or parts thereof, which appears on the endangered species list designated by the United States Secretary of Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1969 (Public Law 135, 91st Congress), as amended.
- (c) No person shall import or cause to be imported into this Town any part of the plumage, skin or dead body of any species of hawk, owl, or eagle. This paragraph shall not be construed to forbid or restrict the importation or use of the plumage, skin, body or any part thereof legally collected for use by the American Indians for ceremonial purposes or in the preservation of their tribal customs and heritage.
- (d) This Section shall not be deemed to prevent the importation, possession, purchase, or sale of any species by any institute of higher learning, zoological park, persons holding federal permits, or to any person or organization licensed to present a circus or carnival pursuant to this Ordinance.

- (e) Any animal being offered for sale or owned in violation of this Section may be seized by a humane officer and impounded. Any person violating any of the provisions of this Section shall be fined not more than two hundred (\$200.00) dollars for the first offense and no more than five hundred (\$500.00) dollars for each subsequent offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 16. KEEPING CERTAIN ANIMALS PROHIBITED.

- (a) It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the Town any poisonous reptile or any other dangerous or carnivorous wild animal or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.
- (b) It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the Town any of the following animals:
- 1) All poisonous animals including rear-fang snakes
  - 2) Apes: chimpanzees (Pan), gibbons, (Hylobates), gorillas, (Gorilla), orangutans (Pongo), and siamangs (Symphalangus)
  - 3) Baboons (Papoi, Mandrillus)
  - 4) Bears (Ursidae)
  - 5) Bison (Bison)
  - 6) Cheetahs (acinonyx jubatus)
  - 7) Crocodilians (Crocodilia)
  - 8) Constrictor snakes (
  - 9) Coyotes (Canis latrans)
  - 10) Deer (Cervidae), includes all members of the deer family, for example, white-tailed deer, elk, antelope and moose.
  - 11) Elephants (elephas and Loxodonta)
  - 12) Game cocks and other fighting birds
  - 13) Hippopotami (Hippopotamidae)
  - 14) Hyenas (Hyaenidae)
  - 15) Jaguars (Panthera onca)
  - 16) Leopards (Panthera pardus)
  - 17) Lions (Panthera leo)
  - 18) Lynxes (Lynx)
  - 19) Monkeys, old world (Cercopithecidae)
  - 20) Ostriches (Stuthio)
  - 21) Piranha fish (Characidae)
  - 22) Pumas (Felis concolor); also known as cougars, mountain lions and panthers
  - 23) Rhinoceroses (rhinocero tidae)
  - 24) Sharks (class Chondrichthyes)
  - 25) Snow leopards (Panthera uncia)
  - 26) Spiders and insects which are poisonous
  - 27) Tigers (Panthera tigris)
  - 28) Wolves (canis lupus)
- (c) The provisions of this section shall not apply to zoological parks and circuses, if:
- (1) Their location conforms to the provisions of the zoning ordinance.
  - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.

- (3) Animals are maintained in quarters so constructed as to prevent their escape.
- (d) Any person, firm, or corporation violating any provision of this Section shall be fined not less than two hundred dollars (\$200.00) but not more than twenty five hundred dollars (\$2,500.00) for the first offense and not less than five hundred dollars (\$500.00) but not more than twenty five hundred dollars (\$2,500.00) for each subsequent offense, and a separate offense shall be deemed committed on each day during which or on which a violation occurs or continues.

SECTION 17. KEEPING WILD ANIMALS (FERAE NATURAE).

- (a) It shall be unlawful for any person to keep, harbor, own, or permit to be kept on his premises any wild animal (ferae naturae).
- (b) Wild animals are defined in and shall include but no be limited to raccoons, skunks, foxes, squirrels, chipmunks, porcupines, wolves, and woodchucks.
- (c) Zoological parks, animal care facilities, circuses or carnivals properly licensed pursuant to this ordinance and persons possessing a valid Wildlife Permit from the Indiana Department of Conservation are exempt from this Section.
- (d) Any person who owns a wild animal and is not issued a wildlife permit or whose wildlife permit is revoked may have the animal(s) confiscated by the Indiana Department of Conservation or by a humane officer.
- (e) Persons in violation of this Section shall be fined not less than one hundred dollars (\$100.00) but not to exceed twenty five hundred dollars (\$2,500.00) for the first offense, and not less than one hundred and fifty dollars (\$150.00) but not to exceed twenty five hundred dollars (\$2,500.00) for each subsequent offense; and a separate offense shall be deemed committed for each animal and for each day during which or on which a violation occurs or continues.

SECTION 18. ATTACK DOGS. No person shall harbor, hold for sale, sell, keep or maintain in the Town any attack dog unless:

- (a) the attack dog is at all times confined in an escape-proof enclosure, or
- (b) the attack dog, when not confined is reined or tethered to its master, owner, or keeper over the age of eighteen (18) years, and
- (c) the owner of the attack dog(s) is the holder of a currently valid permit issued by a proper State or Federal authority authorized to keep attack dogs.

Duly authorized members of the police or other law enforcement departments including but not limited to game wardens, conservation officers, and other law enforcement officers shall be exempt from the provisions of this Section.

SECTION 19. HUMANE OFFICER. There shall be appointed by the Town Council of the Town of Plainfield a person to serve as a Humane Officer who shall be responsible for the enforcement of this ordinance. Said Humane Officer shall serve at the pleasure of the Town Council. The enforcement of this ordinance shall include Police Officers of the Plainfield Metropolitan Police Department, Code Enforcement Officer, Building Inspector or other agents of the Town of Plainfield designated by the Plainfield Town Council.

SECTION 20. INSPECTION.

- (a) Whenever it is necessary to make an inspection to enforce any of the provisions of or perform any duty imposed by this ordinance or when there is reasonable cause to believe that there exists in any building or upon any premises any violations of the provisions of this ordinance or Indiana State Law, the Humane Officer, Code Enforcement Officer, Building Inspector or Police Officer is authorized at all reasonable times to inspect the same for compliance with provisions of this Ordinance or any State Law provided that:
- (1) If the property is occupied, the officer shall first present proper credentials to the occupant and request entry explaining the reasons therefore; and
  - (2) If the property is unoccupied, the officer shall make a reasonable effort to locate the owner or other persons having control of the property and request entry explaining the reason therefore.
- (b) In the event a Code Enforcement Officer, Building Inspector, Police Officer, or Humane Officer has reasonable cause to believe that keeping or maintaining of an animal is so hazardous, unsafe or dangerous or constitutes a public nuisance as to require immediate inspection to safeguard the animal or the public health or safety, the officer shall first present proper credentials and request entry explaining the reasons therefore. If entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after reasonable search, the Officer shall have recourse to secure lawful entry and inspection of the property.

SECTION 21. INTERFERENCE WITH HUMANE OFFICER PROHIBITED. It shall be a violation of this ordinance to interfere with or impede a Humane Officer or other authorized agents of the Town of Plainfield in the performance of their duties as set forth in this Ordinance.

SECTION 22. IMPOUNDING PROCEDURES.

- (a) All animals found to be at large, stray or being a nuisance may be taken by the Humane Officer, police or other authorized agents of the Town of Plainfield and impounded.
- (b) If any dangerous, ferocious or vicious animal is found at large cannot be safely taken up and impounded, such animal may be tranquilized or humanely euthanized to prevent undue suffering, by a police officer, Humane Officer or other authorized agents of the Town of Plainfield.
- (c) Impounded dogs without Town tags (licenses) must be kept for a reasonable period of time but not less than three (3) working days before being adopted out or euthanized after their impoundment.
- (d) Impounded dogs with Town tags (licenses) shall be kept for not less than three (3) working days to permit their owners to claim them. After the expiration period of time has elapsed, these dogs may be placed for adoption or euthanized if their owners have not claimed and paid the required fees.
- (e) All other impounded animals (except dogs which are specifically covered herein) shall be under the authority of the animal shelter. The animals shall be

- held at least one (1) day, after which time the animal shelter shall have the authority to take whatever action is necessary with regard to adoption or euthanasia for such animals.
- (f) An owner reclaiming an impounded animal shall be liable for all animal shelter fees for each day the animal has been impounded for food, board and related expenses.
  - (g) Immediately upon the impounding of dogs or other animals, the agent of the Town of Plainfield shall make every effort possible to notify the owner of the animal being impounded and shall further notify the owner of the conditions under which the owner may regain custody of the animal.
  - (h) In addition to, or in lieu of impounding an animal found at large, the Humane Officer, police or other agent of the Town of Plainfield may issue to the owner of such an animal a warning notice of an Ordinance violation. Said warning notice shall state that the person is in violation of this Ordinance and that he has seven (7) days in which to comply. The warning notice shall contain the date, time, name and address of the violator, the Ordinance section violated, nature of the violation, location of the violation, the name of the officer issuing the warning notice, and the telephone number of the officer to contact for information. Additionally, a citation may be issued which shall contain the date, time, name and address of the violator, the ordinance section violated, the nature of the violation, location of the violation, the name of the officer issuing the citation and instructions as to disposition of the citation.
  - (i) No unlicensed dog shall be released from an animal shelter without a license being issued in accordance with this ordinance.
  - (j) Nothing contained herein shall limit the animal shelter's authority to take whatever action is reasonably necessary to deal with a sick or injured animal.
  - (k) If upon release, any animal is again found to be at large, the animal shall be impounded, and the owner shall be subject to the penalties provision of this Ordinance, as well as the citation procedures set forth above.

SECTION 23. LICENSE AND REGISTRATION REQUIRED.

- (a) Any person owning, keeping, harboring or having custody of any dog over the age of six (6) months must obtain a license for such animal; provided however that no license shall be required of any animal welfare organization, municipal animal control facility or governmental agency or guide dog. Animals belonging to those agencies or persons will be issued complimentary registration tags.
- (b) A durable tag stamped with registration number and year of issuance will be provided to pet registration holders for each registration granted. Dogs must wear their tags at all times on their collars, except when involved in any organized show, obedience demonstration, training situation or under the care of a licensed veterinarian.
- (c) A dog license shall be issued by the Clerk-Treasurer of the Town of Plainfield upon payment of a license tax of \$5.00 per year. Licenses will not be issued until proof of vaccination is provided by the owner.

(d) No person shall remove either the collar or the tag from any dog or any similar animal except on consent or order of the owner or person to whom the license has been issued. No person to whom a dog license shall be issued under the provisions of this ordinance shall refuse upon request to exhibit his license to any Humane Officer, police officer or any other agent authorized by the Town of Plainfield.

SECTION 24. REMEDIES. The Humane Officer, Police Officers of the Plainfield Metropolitan Police Department, Code Enforcement Officer, Building Inspector or other agents authorized by the Plainfield Town Council shall, in the name of the Town of Plainfield, bring actions in the Plainfield Town Court of the Town of Plainfield, Indiana or the Circuit or Superior Courts of Hendricks County, Indiana, for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders made by the Humane Officers, Police Officers of the Plainfield Metropolitan Police Department, Code Enforcement Officer, Building Inspector or other agents authorized by the Plainfield Town Council and any such action for mandatory or injunctive relief may be joined with an action to recover the penalties provided in this ordinance.

SECTION 25. VIOLATION. Unless otherwise specified herein, any person who violates this ordinance shall be fined not less than twenty-five dollars (\$25.00) for the first offense, thirty-five dollars (\$35.00) for the second offense and fifty dollars (\$50.00) for each offense thereafter; provided, in no event, shall the fine exceed twenty five hundred dollars (\$2,500.00) for any single offense. A separate offense shall be deemed committed for each day during which or on which a violation occurs or continues.

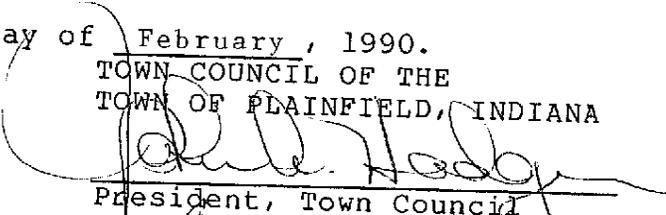
SECTION 26. SAVING CLAUSE. If any section, provision or part of this ordinance shall be judged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any sections, provisions or part thereof not adjudged invalid or unconstitutional.

SECTION 27. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they do conflict.

SECTION 28. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication by the Town Council and upon publication as provided by law. ~~publication~~ <sup>passage</sup>

PASSED AND ADOPTED this 28th day of February, 1990.

TOWN COUNCIL OF THE  
TOWN OF PLAINFIELD, INDIANA

  
President, Town Council

  
Member

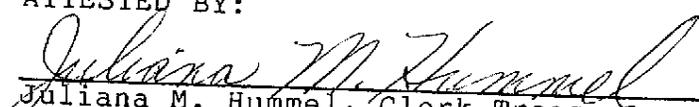
  
Member

  
Member

  
Member

Constituting a majority of all of  
the members of the Town Council.

ATTESTED BY:

  
Juliana M. Hummel, Clerk-Treasurer  
of the Town of Plainfield, Indiana.

PUBLISH: 3/8/90 - 3/15/90 Messenger  
3/13/90 - 3/20/90 GAZETTE