

ORDINANCE NO. 17-09
PORTER COUNTY
BOARD OF COMMISSIONERS
ANIMAL CONTROL CODE
AN ORDINANCE AMENDING
TITLE 6 CHAPTER 6.04

WHEREAS, the Porter County Board of Commissioners adopted the Porter County Municipal Code on Tuesday, December 2nd, 1997 pursuant to Ordinance No. 97-38; and

WHEREAS, the Porter County Board of Commissioners has deemed it necessary to amend Title 6; and

WHEREAS, I.C. 36-1-3-2 grants the Board of County Commissioners all the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, I.C. 36-1-3-6 states that if there is no constitutional or statutory provision requiring a specific manner for exercising a power, the Board of County Commissioners may adopt an ordinance prescribing a specific manner for exercising a power; and

WHEREAS, Title 6, Chapter 6.04.020 Definitions- "Animal Control Officer" shall be repealed in its entirety, Chapter 6.04.110 Impoundment subsection 1. (C) shall be repealed in its entirety, Chapter 6.04.120 Redemption of Impounded Animals subsection 4 (A) (B) (C) and (D) shall be repealed in its entirety and amended as follows:

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED THAT:

1. Title 6, Chapter 6.04.20 Definitions "Animal Control Officer" shall now read as follows:

"Animal Control Officer" - means any person employed by the Porter County Animal Shelter to preform and enforce the provisions of this Chapter.

2. Title 6, Chapter 6.04.110 Impoundment subsection 1. (C) shall now read as follows:

(C) Abandoned, abused, neglected or animals suspected to be neglected, including injured animals captured by the Porter County Animal Control for which no owner can be immediately found;

3. Title 6, Chapter 6.04.120 Redemption of Impounded Animals subsection 4. (A) (B) (C) and (D) shall now read as follows:

4. In the event an animal is denied return to its owner within seven (7) days of its capture by the Porter County Animal Control, the Shelter Director, or any other official having authority to impound animals under this Chapter, the owner and animal shall be subject to the following procedure:

(A) The Porter County Animal Shelter shall cause to be filed, in Porter County, a Petition to Retain the animal under any pending Ordinance Violation (OV) cause number, and if no pending Ordinance Violation under a Miscellaneous (MI) cause number. The hearing on the Petition to Retain shall be held within thirty (30) days of the filing of the petition.

(B) To prevent disposition of the animal prior to the hearing date, and not later than 10 days after written notice of the Petition to Retain the owner must post a cash bond with the Porter County Animal Shelter.

(C) The bond amount shall be sufficient to provide for the animal's care and keeping for at least thirty (30) days, beginning on the date of the first impoundment.

(D) If the owner fails to post a timely cash bond, ownership of the animal shall be assigned to the Porter County Animal Shelter, and the animal may be disposed of in accord with Animal Shelter policies.

This ordinance passed and adopted this 13 day of June, 2017.

BOARD OF COMMISSIONERS
PORTER COUNTY, INDIANA

Jeff Good, President

Laura Blaney, Vice President

Jim Biggs

ATTEST:

Vicki Urbanik, Auditor

I affirm under the penalties for perjury that I have taken reasonable care to redact each social security number in this document unless required by law.

Scott R. McClure, County Attorney

6/23/17 - hspaxlp