

ORDINANCE 2023-6-6

AN AMENDMENT TO THE ORDINANCE CONCERNING ANIMAL CONTROL FOR THE TOWN OF EATON

WHEREAS, the Town of Eaton, from time to time has issues with domesticated animals running loose throughout the Town causing health and welfare issues for the residents; and

WHEREAS, the Town Board considers animal control an issue that needs to be regulated to protect the lives and property of the residents of Eaton; and

WHEREAS, the Town Board of Eaton has adopted Ordinance 2022-04-03 concerning animal control within the town limits and the purpose of this Ordinance is to amend same: and

WHEREAS, there are certain changes to the penalty provisions of Ordinance 2022-04-03 which need to be made by the Town Board; and

WHEREAS, the Town Board considers the following ordinance to be the least restrictive means in which to regulate domestic animals that are not leashed or under the control of their owner from running in or about the Town.

NOW THEREFORE BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF EATON, DELAWARE COUNTY, INDIANA that:

1. Section 21. Penalty shall be amended as follows:

Penalty. Any person in violation of these provisions shall be subject to a fine as set forth below:

A. Fines

- i. Fine for animal running at large and/or failure to restrain-First violation: Verbal/Written warning of the fines and advisement of fines for future violations. If an offense is more than twelve (12) months prior to a subsequent offense, then the fine shall revert to the initial or "first" fine amount.
- ii. Fine for animal running at large and/or failure to restrain-\$25 for second and each subsequent offense.
- iii. Redemption fee for animal impounded with Town: \$25 plus \$15 per day while the animal is impounded for the first offense.
- iv. Redemption fee for animal impounded with Town shall increase by \$25 for each subsequent offense plus \$30 per day for the second and

subsequent offenses. If an offense is more than twelve (12) months prior to a subsequent offense, then the fine shall revert to the initial or "first" fine amount.

- v. Fine for harboring a dog without immunization against rabies, distemper, or other communicable diseases to humans: \$100 per day.
- vi. Fine for animal which, by loud and frequent or habitual barking, howling, or yelping, shall cause serious annoyance or disturbance for the neighborhood after notice: \$100.00. Said fine shall increase by \$100.00 for each subsequent offense.
- vii. Failure to restrain a vicious or potentially dangerous animal: First offense shall be \$100; subsequent offenses shall be increased by \$50 for each separate offense. If an offense is more than twelve (12) months prior to a subsequent offense, then the fine shall revert to the initial fine amount.
- viii. Other fines not set forth herein shall be \$100.00.
- ix. Each day shall constitute a separate offense.

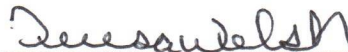
2. All other provisions of Ordinance 2022-04-03 adopted by the Town of Eaton shall remain in full force and effect.

Duly passed and adopted this 13th day of June 2023.

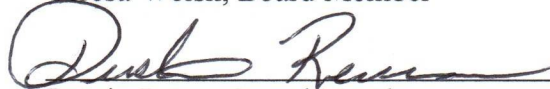
Daniel Blankenship, Council President



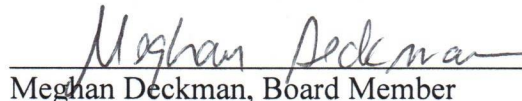
Roger Wells, Council Vice-President



Teresa Welsh, Board Member




Dustin Reese, Board Member



Meghan Deckman, Board Member

ATTEST:



Bridgett DeWees, Clerk-Treasurer