

§ 91.01 (add these definitions)

Adequate Food is the appropriate quantity of non-contaminated and nutritionally adequate food, fed according to age, size, species, and breed requirements, which is sufficient to prevent starvation, malnutrition, or risk to the Animal's health. Garbage or spoiled or rancid food is not Adequate Food.

Adequate Shelter means shelter that:

(1) Is structurally sound, maintained in good repair, and constructed with material that protects the Animal from injury;

(2) Allows the Animal easy access in and out;

(3) Has a weather resistant top, bottom, and sides;

(4) Has an opening on no more than one side that allows the Animal to remain dry;

(5) Has a floor that is level, dry, and, if necessary, raised to prevent water or snow from entering the structure;

(6) Has a solid roof sloped away from the entrance, is free from cracks, depressions, and rough areas that might be conducive to insects, parasites, and other pests;

(7) Will protect the Animal from all elements of the weather;

(8) Provides access to adequate, dry bedding material, or other means of protection from the weather that will allow, except when the Animal has continued and uninterrupted access to a climate-controlled facility, the Animal to retain body heat when the temperature is 40 degrees or lower or is colder than what an Animal of that breed and condition can comfortably tolerate;

(9) Provides access to adequate shade during daylight hours—provided by trees, a tarp, or other means—that prevents overheating or discomfort to the Animal when the temperature is 80 degrees or higher or is warmer than what an Animal of that breed and condition can comfortably tolerate; and

(10) Is adequately monitored during extreme weather conditions and temperatures (including a heat advisory, wind chill warning, or tornado warning that has been issued by a local, state, or national authority) by a competent person.

Adequate Space means any area in which an Animal is confined and is suitable for the Animal's species, size, age, and breed—allowing the Animal to turn about freely, stand erect with the Animal's head up, sit, lie, and move comfortably and in a normal position.

Adequate Water means water that is clean, fresh, and potable water sufficient to prevent dehydration, properly sustain health, and prevent significant risk to the Animal's health. Snow, ice, rancid, or contaminated water is excluded from the definition of Adequate Water.

Animal means every living non-human vertebrate creature.

Livestock includes horses, cows, goats, pigs, or any other four-legged Animal, excluding dogs and cats, used for pleasure or for profit. Fowl are expressly included within this definition. The regulation of Livestock is generally governed under Indiana Code Title 15 and Indiana Administrative Code Title 345.

Adequate Veterinary Care is care provided under the direction of an Authorized Veterinarian and includes medical care necessary to maintain an Animal's health and prevent unnecessary suffering. Adequate care is based on age, species and breed, and the potential for a disease or condition to spread to other Animals or humans, including but not limited to:

(i) ongoing infections;

(ii) infestation of parasites;

(iii) any disease; or

(iv) any medical condition or injury where withholding or neglecting to provide such care would endanger the health or welfare of the Animal.

Authorized Veterinarian is any person licensed or permitted to practice veterinary medicine under the laws of Indiana and having had no previous judgements related to their practice of veterinary medicine.

§ 91.10 (amended as follows)

(A) Every person responsible for any Animal within the Town must ensure that the Animal:

(1) Has immediate access to Adequate Space and is kept in a clean, sanitary, and healthy manner and is not confined so as to be forced to stand, sit, or lie in excrement.

(2) Has Adequate Food and Adequate Water.

(3) Has immediate access to Adequate Shelter (excluding Livestock).

(4) Is not beaten, cruelly treated, overloaded, overworked, or otherwise abused.

(5) Is not abandoned, neglected, or tortured.

(6) Does not, unprovoked, bite, kick, butt, claw, assault, attack, or otherwise create a danger to the health or safety of other Animals or human.

(7) Is properly vaccinated and licensed as required by law.

(8) Is not kept in Unsanitary Conditions.

(9) Receives Adequate Veterinary Care by an Authorized Veterinarian.

(B) Any person tethering an Animal in the Town's limits must comply with the following requirements:

(1) An Animal may not be tethered for an excessive period, and cannot be tethered between the hours of 11:00 p.m. and 6:00 a.m. In deciding whether the tethering period is excessive, the officer must consider the Animal's breed, age, and condition.

(2) An Animal may not be tethered or confined at a vacant structure or premises for any purpose or time when it is not monitored by a competent person who is present at the property during the entire period of tethering or confinement.

(3) During the tethering, the Animal must have Adequate Shelter from the weather, and be free from becoming entangled with the tether.

(4) The tether must be at least twelve feet in length with operational swivels on both ends. If the Animal is attached to a trolley system, the running line must be at least twelve feet in length and the tether length must be greater than the height of the running line.

(5) An Animal may not be tethered by use of a choke collar nor by any rope, chain, or cord directly attached to the animal's neck, or in any manner that could harm or cause pain or discomfort to the Animal.

(6) The tether may not weigh more than one-eighth of the Animal's body weight.

(7) The tether must be able to move freely in all directions and attached in a manner so that it cannot wrap around vertical items such as a barrel, pole, or tree.

(8) An Animal may not be tethered unless it is monitored by a competent person who is present at the property during the tethering.

(C) No person shall knowingly expose any known poisonous substance, whether mixed with food or not, so that an Animal could eat it; however, a person may expose common rat poison mixed only with vegetive substances on his or her property.