

ORDINANCE NO. 24-1427

AN ORDINANCE REGARDING THE CONTROL, CARE, AND DISPOSITION OF ANIMALS IN WOODBURN, INDIANA.

WHEREAS, there exists within the City of Woodburn (the "City"), a need for an ordinance regarding the control, care, and disposition of animals for the general health, safety, and welfare of the citizens of the City; and

WHEREAS, the Common Council is the legislative body of the City by virtue of state law (Indiana Code § 36-4-6-2); and

WHEREAS, the Common Council is vested with all powers and duties of a city that are legislative in nature, including the power to enact ordinances for the health, safety, and welfare of the City and its citizens (Indiana Code § 36-4-4-4).

WHEREAS, the Common Council now finds it to be in the best interests of the City to enact provisions regarding the control, care, and disposition of animals within the City.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA, THAT:

SECTION 1. An owner or possessor of any animal must keep the animal properly restrained at all times. An animal shall be deemed "properly restrained" when the animal is (1) secured by a leash or lead and under the physical control of the owner or possessor, or (2) confined within the boundaries of the owner's or possessor's property, or (3) unleashed and unconfined but remaining under the reasonable control of a competent adult who is in the vicinity of the animal and to whose command the animal is obedient.

SECTION 2. This Ordinance shall be enforced by the officers of the Woodburn, Indiana, Police Department and the officers of the Allen County Sheriff's Department. Proceedings to enforce this Chapter shall be governed by Indiana Code §34-28-5.

SECTION 3. A person who violates this Chapter shall be subject to a civil penalty in the amount of \$50 for the first occurrence, \$100 for the second occurrence, and \$500 for the third and each subsequent occurrence. Any animal found running at large may be immediately captured and impounded. An animal shall be deemed "running at large" when the animal is not properly restrained and is outside of the presence of any owner or possessor of the animal. Such an animal may be impounded regardless of whether the animal is wearing a collar or tag. In an attempt to capture an animal running at large, officers may pursue the animal onto private property. Upon capturing the animal, the animal may be delivered to any available animal control facility or humane society.

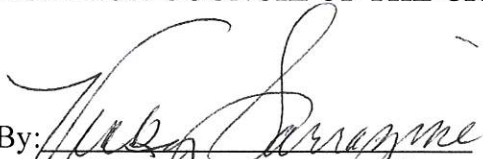
SECTION 4. No part of this Ordinance shall be interpreted to conflict with any local, state, or federal laws and all reasonable efforts should be made to harmonize the same. Should any section or part thereof of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a

whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Ordinance are hereby declared to be severable.


SECTION 5. The provisions of this Ordinance supplement all laws of the state of Indiana covering the same subject matter. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and publication according to law.

Adopted and Ordinated this 18th day of November, 2024.

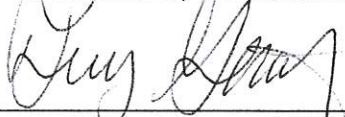
COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA

By: 
Vicky Sarrazine, Councilwoman

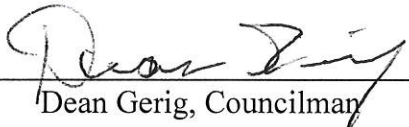
YEA Nay ABS

By: 
John Graber, Councilman


YEA Nay ABS

By: 
Terry Gentz, Councilman

YEA Nay ABS

By: 
Dean Gerig, Councilman

YEA Nay ABS

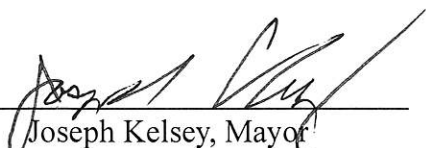
By: 
Daniel Watts, Councilman

YEA Nay ABS

ATTEST:

By: 
Kevin Hileman, Clerk-Treasurer

The foregoing ordinance, passed by the Common Council, is signed and approved (X) / not approved () by me on the same date.

By: 
Joseph Kelsey, Mayor