

ORDINANCE NO. 2021 - ____

OF THE TOWN OF WINSLOW, INDIANA

**AN ORDINANCE ENACTING NEW CHAPTERS TO TITLE 7 (ANIMALS)
OF THE WINSLOW CODE OF ORDINANCES**

WHEREAS, the ordinance in its current state does not address the humane treatment of the animal population of the Town of Winslow.

WHEREAS, the Town council recognizes the need for innovation in addressing the issues presented by free-roaming cats.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Winslow, Indiana that Title 7 is hereby amended to include the following chapters:

Cruelty/Animal Care

- A. No person shall beat, torment, overload, overwork or otherwise abuse an animal
- B. Every owner/guardian/caretaker of an animal within the Town of Winslow shall see that his/her animal(s):
 - 1. Is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit, lie in or continuously come into contact with its own excrement.
 - 2. Has proper and adequate food, water, shelter and protection from the weather.
 - 3. Is given due medical care and treatment for any obvious or apparent ailments, and if diseased, segregated from other animals so as to prevent the transmittal of disease
 - 4. If kept in an enclosure, that the enclosure is appropriate to the individual species and/or breed of the animal, and that said enclosure keeps the animal clean and dry, prevents the animal's injury or escape, permits the animal to rest on a solid surface, and has appropriate flooring which does not permit the animals feet or legs to fall through.
 - 5. No person shall willfully or maliciously administer poisonous substances to any animal and/or expose any poisonous substance with the intent that the substance shall be taken and/or consumed by the animal; however this provision is not meant to prohibit the use of commercially sold poisons for the control of rats, mice, moles or other similar rodents so long as the person administering

- the poisons takes reasonable care to ensure that domestic pets and livestock are not exposed to the poisons.
6. No person shall tether a domestic pet for more than one hour without immediate access to food, water and shelter, or in such a fashion that violates the sections of this chapter and Indiana State Law.
 7. No person shall leave any animal unattended in a vehicle when the conditions in that vehicle would constitute a health hazard to the animal by the exposure of the animal to extreme heat, cold or other dangerous condition.
 8. Any person who is the operator of a motor vehicle which strikes or injures any domestic pet should stop at the scene of the accident and report the incident to law enforcement or animal control for the purposes of rendering aid to the animal and identifying the owner.
 9. No person shall recklessly, knowingly, or intentionally abandon or neglect any animal within that person's custody, protection or control.
 10. A person who violates any provision of this chapter commits an ordinance violation, and shall be fined as follows:

A.	First offense	\$ 50.00
B.	Second offense	\$ 75.00
C.	Third and subsequent offenses	\$100.00

Community Cat Initiative

- A. Research indicates that a Trap-Neuter-Return methodology is an effective and humane way to manage the cat population.
- B. Definitions:
 1. Free-roaming cat means any homeless, stray, wild or untamed cat that is at large that does not possess an identification tag or has not been ear tipped to indicate it is a community cat.
 2. Community cat means an un-owned cat that has been captured, evaluated, ear tipped, sterilized and vaccinated against rabies by a licensed veterinarian and released to the vicinity from where it was trapped.
 3. Community cat caretaker means a person that provides food, water or outdoor areas of shelter to a community cat.
 4. Own means to keep, harbor or have custody, charge or control of an animal and owner means and includes any person who owns an animal, however:
 - (a) A community cat caretaker shall not be deemed to own or keep a community cat but rather to provide limited oversight of such animals.

C. Animal traps; requirements and prohibitions:

1. A person may trap any free-roaming cat in a humane manner, utilizing a live release trap that does not injure the animal, in order to have the cat evaluated, surgically sterilized, ear-tipped, and vaccinated against rabies by a licensed veterinarian and released to the vicinity from where it was trapped.
2. It shall be unlawful for a person to use, place, set or cause to be used, placed, or set, any leg-hold trap or similar device.
3. It shall be unlawful for a person, having placed a lawful trap, to fail to inspect and empty it at least once during every 24 hour period.
4. It shall be unlawful for a person to remove an animal from any trap not on that person's property unless such person has the express permission of the property owner to do so.
5. It shall be unlawful for a person to use, place, set or caused to be used any animal traps during inclement weather. Weather temperatures below 20 degrees Fahrenheit and above 90 degrees Fahrenheit shall be deemed inclement weather for the purposes of this chapter.
6. Traps set for the purposes of capturing cats must be covered to protect trapped animals from the elements.

D. Impoundment and disposition of animals:

1. Grounds for impoundment:
 - (a) Any free-roaming cat is eligible to be processed through the community cat program without hold.
2. Return of a captured animal:
 - (a) When the owner of a captured animal is known, such animal need not be impounded but may be returned to the owner if, in the opinion of the Animal Control officer, the return would not present a detriment to the public health or welfare or otherwise result in a violation of this chapter. A community cat shall be released where captured, unless reasonable options of return have been exhausted.

IT IS SO ORDAINED THIS _____ DAY OF _____ 2021

Council President Joshua Popp

Council Vice President Debra Lamb

Council Member Richard Brewster

ATTEST:

Clerk-Treasurer Corbin Dixon