

**ORDINANCE NO. 2010- 03-15-10**

**AN ORDINANCE OF THE SWITZERLAND COUNTY BOARD OF COMMISSIONERS  
REGARDING POLICY AND RULES FOR ANIMAL CARE,  
IMPOUNDMENT PENALTIES AND FEES**

**WHEREAS**, the Switzerland County Board of Commissioners wish to establish new updated policies and rules for animal control, and

**WHEREAS**, it is the purpose of the Switzerland County Board of Commissioners to protect the health and safety of its citizens by providing proper regulations for animal control.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SWITZERLAND, STATE OF INDIANA AS FOLLOWS:**

**Section I:     **General Provisions****

**90.01 DEFINITIONS**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DOMESTIC ANIMAL:** An animal that is not wild. The term is limited to:

- 1) Cattle, calves, horses, mules, swine, sheep, goats, dogs, ferrets, cats, poultry, ostriches, rhea, emus, or other birds.
- 2) An animal of the bovine, equine, ovine, caprine, porcine, canine, feline, avian, camelid, cervidae, or bison species; or
- 3) An aquatic animal that maybe the subject of aquaculture.

As used in this Ordinance, the relationship of duties and the responsibilities of the Switzerland County Animal Control Officer and the Switzerland County Animal Control Board are governed by the statutory definition of domestic animal.

**PET OR COMPANION ANIMAL.** Any animal kept for pleasure rather than utility; an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

**ANIMAL CONTROL OFFICER.** Any individual employed, contracted or appointed by the Switzerland County Commissioners for the purpose of aiding in the enforcement of these articles relating to the licensing of animals, control of animals or seizure and impoundment of animals.

**ANIMAL SHELTER.** Any facility operated by the county for the purpose of impounding animals under the authority of this chapter or state law for care, confinement, return to owner, adoption, or euthanasia.

**KENNEL.** Any premise or portion there of on which more than four dogs, cats, or other household domestic animals over four months of age are kept, or on which more than two such animals are maintained, boarded, bred, or cared for in return for remuneration or kept for the purpose of sale.

**KENNEL OPERATOR.** A kennel operator is a person who owns and/or operates a kennel.

**VETERINARY HOSPITAL.** Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

**COMMERICAL ANIMAL ESTABLISHMENT.** Any pet store, DVM, boarding facility, or grooming facility.

**EXPOSED TO RABIES.** Any human or non-human warm blooded mammal that has been bitten or in contact with any other animal known or reasonably suspected to have been infected with rabies.

**LICENSING AUTHORITY.** Any authority deemed appropriate by the Commission.

**OWNER.** Any person, partnership, or corporation owning, keeping, or harboring one or more animals. Any animal shall be deemed to be harbored if it is fed or sheltered for three (3) consecutive days or more.

**AGENT.** Any person(s) 18 years or older authorized by an owner to act in the owner's behalf.

**PERSON.** Any individual, firm, association, joint stock company, syndicate, partnership, or corporation.

**KEEPERS.** Veterinarians and operators of kennels, pet shops, or boarding kennels temporarily keeping animals owned by or held for sale to other person.

**ABANDONMENT.** The voluntary relinquishment of possession of an animal by the owner without vesting possession of the animal in any other person. The failure to make adequate provision for food, water, and shelter shall be prima facie evidence of abandonment.

**CONFINEMENT.** Limited or restricted within the bounds of the real property of the animals owner or agent.

**HARBORING.** The actions of any person that permits any animal habitually to remain or lodge or to be fed within his home, store, enclosure, yard, or place of business or any premises on which such person reside or controls. An animal shall be presumed harbored if it is fed or sheltered for three (3) consecutive days. For the purpose of this ordinance this definition is referring only to those animals falling under the responsibilities and duties of the Switzerland County Animal Control Department and is not intended to include bird feeders or other wildlife or livestock accommodations regulated by other state and county agencies.

**AT LARGE.** Any animal that is not under control of the owner or other person by leash, cord, fence, chain, or other devise of physical restraint, or an electronic "invisible" fence or any person who has the ability to control the animal by voice command. The term "at large" does not include animals under

the reasonable control of some person or when engaged in lawful hunting accompanied by the owner or custodian, within the owner's vehicle or within the boundary of the property of the owner.

**FRESH PURSUIT.** The immediate following of an animal that is found to be at large and not on the owner's property.

**MENACING FASHION.** A dog that would cause any person being chased or approached to reasonably believe that the dog will cause physical injury to that person.

**RUNNING IN PACK.** Three or more animals at large together, which by repeated or continual presence constitutes a physical danger to a neighborhood, livestock, or personal or real property. "Running in Pack" shall not include animals under the reasonable control of some person or when engaged in lawful hunting accompanied by the owner or custodian.

**DANGEROUS DOG.** A dog that, without provocation, and subject to the exclusion set forth below, has chased or approached in either a menacing fashion or an apparent attitude of attack, or has attempted to bite or otherwise endanger any person while that dog is off the premises of its owner, keeper, or harbinger, or some other responsible person, or not physically restrained or confined in a locked pen which has a top, locked fenced yard, or other locked enclosure which has a top. DANGEROUS DOG does not include a police dog that has chased or approached in either a menacing fashion or an apparent attitude of attack, or has attempted to bite or otherwise endanger any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties.

**POLICE DOG.** A dog that has been trained, and is used to assist one or more law enforcement officers in the performance of their official duties.

**GUARD DOG.** Any dog that will detect and warn its handler that an intruder is present in/or near an area that is being secured.

**PUBLIC NUISANCE.** Any dog or dogs that, unprovoked, unreasonably annoy humans, endanger the life or health of other animals or persons, or substantially interfere with the rights of citizens, other than their owners, to enjoyment of life or property. The term PUBLIC NUISANCE shall mean and include, but is not limited to, any dog that, unprovoked:

- 1) Is repeatedly found at large;
- 2) Damages the property of anyone other than its owner;
- 3) Molests or intimidates pedestrians or passersby;
- 4) Excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the dog is kept or harbored;
- 5) Attacks other animals.

**PIT BULL DOG.** Any dog known as a Pit Bull Terrier, Staffordshire Bull Terrier, American Staffordshire Terrier, American Pit Bull Terrier, or American Pit Bull breed of dog, or any mixed breed of dog which contains as an element of its breeding the breed of these named breeds as to be identifiable as partially of such breed as determined by a qualified veterinarian duly licensed as such by the state of Indiana.

**STRAY.** Any animal that does not appear, upon reasonable inquiry, to have an owner.

**VICIOUS DOG.**

- (A) A dog that, without provocation and subject to the exclusions set forth below meets any of the following:
- 1) It has killed or caused serious injury to any person.
  - 2) It has caused injury, or has killed another animal.
  - 3) Belongs to a breed that is commonly known as a pit bull dog, the ownership, keeping, or harboring of such a breed shall be prima-facie evidence of the ownership, keeping or harboring of a vicious dog.
- (B) A VICIOUS DOG does not include either of the following:
- 1) A police dog that has killed or caused serious injury to any person or that has caused injury, other than killing or serious injury, to any person while the police dog is being used to assist one or more law enforcement officers in the performance of their official duties.
  - 2) A dog that has killed or caused injury to any person while a person was committing or attempting to commit a trespass or other criminal offense on the property of the owner, keeper, or harbinger of the dog.

**WILD DOG.** Any living member of the animal kingdom, including those dogs born or raised in captivity, except the following types of dogs: domestic dogs, excluding hybrids with wolves, coyotes, or jackals.

**WITHOUT PROVOCATION.** A dog not teased, tormented, or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.

**RESTRAINT.** Any animal secured by a leash or lead of a responsible person, under the voice control of a responsible person, or within the real property limits of its owner, within a vehicle and hunting dogs while actively engaged in the purpose for which said dogs have been trained.

**90.02 RESTRAINT AND CONFINEMENT**

- A) All animals shall be kept under restraint as defined in this chapter.
- B) No owner shall fail to exercise proper care and control of his animal(s) to prevent them from becoming a public nuisance.
- C) Every animal in heat shall be confined in a house, building, or secure enclosure in such a manner that such female cannot come into contact with a male of the same species except for planned breeding.

**90.03 REGULATION OF DANGEROUS AND VICIOUS DOGS**

- A) No owner, keeper, or harbinger of a dangerous or vicious dog shall fail to do either of the following, except when the dog is lawfully engaged in hunting or training for the purpose of hunting, accompanied by the owner, keeper, harbinger or a handler:
  - 1) While that dog is on the premises of the owner, keeper, or harbinger, securely confine it at all times in a locked pen which has a top, and either has a bottom secured to the

sides or the sides are embedded in the ground no less than one foot, or such other locked enclosure meeting the same criteria, except that a dangerous dog but not a vicious dog, may, in the alternative, be kept in a locked, fenced yard or be tied with a leash or tether so that the dog is adequately restrained;

- 2) While that dog is on the premises of the owner, keeper, or harborer, keep it on a chain link leash or tether that is not more than six feet in length and additionally do at least one of the following:
    - (a) Keep that dog in a locked pen which has a top, a locked fenced yard, or other locked enclosure which has a top;
    - (b) by a person who is responsible and at least 18 years of age; or securely attach, tie, or affix the leash or tether to the ground or a stationary object or fixture so that the dog is adequately restrained and station such a person in close enough proximity to the dog so as to prevent it from causing injury to any person.
    - (c) Muzzle the dog.
  - 3) When the dog is a vicious dog, the owner, keeper, or harborer, shall keep the dog confined as set forth in division A)(1) above, except when said dog is on a leash or tether as described in division A)(2) above, then said owner, keeper or harborer shall additionally keep said dog muzzled at all times, whether on or off the premises of the owner, keeper, or harborer.
- B) No owner, keeper, or harborer of a vicious dog shall fail to obtain liability insurance with an insurer authorized to write liability insurance in this state providing coverage in each occurrence; subject to a limit, exclusive of interest and costs, of not less than \$100,000.00 because of damage or bodily injury to or death of a person caused by the vicious dog.
- C) Whenever the Animal Control Officer shall notify an owner, keeper, or harborer of a dog that such dog has been designated as dangerous or vicious, the owner, keeper, or harborer shall have ten (10) days in which to file a written notice of appeal of such designation with the Switzerland County Board of Commissioners. Thereafter, the Board of Commissioners shall conduct a hearing on the appeal and shall determine whether the designation dangerous or vicious dog shall remain or be lifted. Written notice of the decision of the Board of Commissioners shall be provided to the owner, keeper, or harborer of such dog and the Animal Control Officer. From the time the designation is made by the Animal Control Officer, the provisions of this chapter in regard to dangerous and vicious dogs shall be in full force and effect, and each owner, keeper, or harborer, and the Animal Control Officer, shall insure that the provisions with regard to dangerous and vicious dogs are fully met during such time period. Any violation of this chapter committed prior to the hearing shall be admissible and such hearing shall be conducted in an informal manner by the Board of Commissioners.
- D) Any person who is the owner, keeper, or harborer of a vicious dog and who transfers the ownership, care, or custody of said vicious dog shall notify the Animal Control Officer of such transfer, within 48 hours of the occurrence thereof.
- E) The owner, keeper, or harborer of a dangerous or vicious dog shall post a sign at the normal main entrance to their premises where it will be readily visible by anyone, and especially children, coming to their property, which sign shall be no less than 16 inches by 16 inches in size; shall have black letters on a yellow background; the letters shall be no less than two

inches high and ½ inch in thickness; and which sign shall say “BEWARE VICIOUS DOG” or “BEWARE DANGEROUS DOG”.

#### **90.04 KILLING DOG APPROACHING IN A MENACING FASHION**

A dog that is chasing or approaching in a menacing fashion or apparent attitude of attack, that attempts to bite or otherwise endanger, or that kills or injures a person, or a dog that chases, injures, or kills livestock, poultry, other domestic animals or other animal that is the property of another person, can be killed at the time of that chasing, approaching, attempt, killing, or injury. If, in attempting to kill such a dog, a person wounds it, he is not liable to prosecution under the penal laws that punish cruelty to animals.

#### **90.05 OFFENDER TO PAY EXPENSES; DETERMINATION OF DANGEROUS OR VICIOUS STATUS; NOTICE OF VIOLATION.**

A) In the event a violation of 90.02 through 90.04 involves a vicious dog, whether such determination has been previously made or not, the court may order the offender to obtain liability insurance pursuant to 90.03 B); and the court, in addition to any other penalty, may also order that the vicious dog be humanely destroyed by a licensed veterinarian or the Animal Control Officer, and that the offender shall pay all expenses, including shelter, food, veterinary, destruction expenses necessitated by the seizure of any dog for the protection of the public or the violation of 90.02 through 90.04.

B) The Animal Control Officer shall be authorized and directed to issue notice of ordinance violation to the appropriate owners, keepers, or harborers who violate 90.02 through 90.04. The Animal Control Officer shall further preliminarily designate such dogs as “dangerous dogs” or “vicious dogs” as he may deem necessary as a result of his own personal knowledge, or as a result of a written, signed complaint made by any member of the public, or based on such other information provided to or obtained by the Animal Control Officer which he deems to be sufficient to cause such a determination to be made, and to give notice of such determination to the owner, keeper, or harborer of such dangerous or vicious dogs, and to the Board of Commissioners. The Animal Control Officer further shall file with the appropriate jurisdiction charges under the provisions of 90.02 through 90.04 as are necessary to enforce the penalties set forth in 90.99.

#### **90.20 NOTICE OF VIOLATION.**

The Animal Control Officer may issue to any person in violation of this chapter a notice of ordinance violation. The penalty established in 90.99 may, at the discretion of the animal owner, be paid to the authorized agency within 72 hours in full satisfaction of the assessed penalty. In the event that such payment is not made within the period prescribed, proceedings shall be filed in the court of competent jurisdiction.

### **Section III: ANIMAL CARE**

#### **90.35 HUMANE CARE AND TREATMENT REQUIRED.**

A) No owner shall fail to provide his domestic animal(s) with sufficient wholesome and nutritious food, water in sufficient quantities, proper air, shelter space and protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment.

- B) Domestic animals shall be kept in a clean, sanitary and healthy manner and not confined so as to be forced to stand, sit or lie in their own excrement.
- C) Domestic animals shall have a proper and adequate structure provided that will allow that animal to stand, sit, or lie down without restriction.
- D) If chained or tied outside, shall have available at all times to the animal, a chain, leash, or lead, not less than ten (10) feet. However, this chain, leash, or lead cannot allow the animal to enter onto or into another person's property or onto or into the public right-of-way.
- E) No person shall fail to provide care to domestic animals as necessary to prevent suffering if diseased or injured, and, if diseased, shall be segregated from other animals so as to prevent the transmittal of disease to other animals.
- F) No domestic animal shall be beaten, cruelly ill-treated, abused, nor be placed in combat with another animal or human.

### **90.36 GIVING AWAY LIVE ANIMALS.**

No person shall give away any live domestic animal as a prize for, or as an inducement to enter, any contest, game, or other competition; as an inducement to enter a place of amusement; or as an incentive to enter into any business agreement in which the offer was for the purpose of attracting trade.

### **90.37 ABUSING, ABANDONING ANIMALS.**

- A) No person shall beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse a domestic animal.
- B) No owner of a domestic animal shall abandon such animal.

### **90.38 STRIKING DOMESTIC ANIMAL WITH MOTOR VEHICLE**

Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner. In the event the owner cannot be ascertained and located, such operator shall at once report the accident to the Animal Control Officer or the local or county police department.

### **90.39 ANIMALS IN VEHICLES.**

No animal shall be left unattended in a vehicle when the conditions within that vehicle would constitute a health hazard to the animal. No animal shall be transported in any open vehicle unless confined in an appropriate manner intended to prevent the animal from jumping from the vehicle or being thrown from the vehicle in the event of an accident or rapid stop or other use of the vehicle which could cause injury to the animal or any humans.

### **90.40 EXPOSING POISONOUS SUBSTANCE.**

No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be eaten by a domestic animal.

## **90.41 NOTICE OF ORDINANCE VIOLATION.**

The Animal Control Officer may issue to any person in violation of this subchapter a notice of ordinance violation. The penalty established in 90.99 may, at the discretion of the owner of the animal, be paid to the authorized agency within 72 hours in full satisfaction of the assessed penalty. In the event that such payment is not made within the period prescribed, proceedings shall be filed in the court of competent jurisdiction.

## **Section IV: ADMINISTRATION AND ENFORCEMENT**

### **90.51 ANIMAL CONTROL OFFICER AND STAFF.**

**DUTIES, JURISDICTION, AND POWERS:** All duties and obligations set forth in I.C. 15-5-9-1 through 15-5-9-17 shall be performed by the Animal Control Officer. The Animal Control Officer and staff shall be sworn to uphold, carry out, and supervise the enforcement of this chapter within Switzerland County unless otherwise provided. The Animal Control Officer and staff shall be vested with all the powers ordinary and necessary under the law to enforce the provisions of this chapter. These duties and powers shall specifically include, but not be limited to:

- A) To educate the public concerning humane ethics, consequences of pet overpopulation and their responsibilities as pet owners.
- B) Make a monthly report to the Board of Commissioners regarding the animal control program in Switzerland County.
- C) An Animal Control Officer shall have authority to:
  - 1) Impound any animal found running at large not under reasonable control.
  - 2) Impound any dog that has bitten a person or another animal.
  - 3) Impound any dangerous animal.
  - 4) Humanely destroy any domestic or wild animal when such action is needed to protect persons or property or to prevent suffering by the animal.
  - 5) Impound any animal showing symptoms of rabies or which has bitten or been bitten by another animal showing symptoms of rabies.
  - 6) Impound any animal that does not display a current rabies vaccination tag.
  - 7) Impound any domestic animal found showing signs of violation of 90.35 A) through F) Humane Care and Treatment.
- D) Have the power to issue official warning or a notice of ordinance violation of this chapter.
- E) Have the power to enter private real property in fresh pursuit of an animal to enforce this chapter.
- F) In performing any of these said duties, the Animal Control Officer and staff shall, however, be specifically prohibited from: entering a dwelling unit or enclosed structure without the dwelling unit owner's permission or unless accompanied by a uniformed law enforcement officer with a warrant authorizing the entry; except when apprehending and impounding an animal as described in subsection C) and E) above; carrying firearms; or making arrests of human beings.

## **90.52 IMPOUNDMENT AND VIOLATION NOTICE.**

### **ANIMALS FOUND TO BE RUNNING AT LARGE**

- A) Stray and nuisance animals may be taken by the Animal Control Officer and impounded in the county animal shelter and there confined in a humane manner. In lieu of impoundment, the Animal Control Officer may issue to the known owner of such dog a notice of ordinance violation.
- B) If, by means of a license tag or other means the owner of an impounded animal can be identified, the Animal Control Officer shall immediately upon impoundment notify the owner by any reasonable means.
- C) An owner reclaiming an impounded animal shall pay as periodically established by the Board of Commissioners for each day the animal has been impounded. Subsequent impounds occurring within twelve (12) months are charged double.
- D) Any animal not reclaimed by its owner within seven (7) working days shall become the property of the shelter and shall be placed for adoption in a suitable home or humanely euthanized. An animal captured due to biting a person shall be confined for ten (10) days.

Any person adopting an animal from the shelter shall pay a fee as periodically established by the Board of Commissioners. The current fee schedule is attached as Exhibit "A."

- E) No animal shall be sold by the Animal Control Officer or by any other personnel operating the shelter to anyone for research nor to anyone who resells said animals for research.
- F) When the judgment of the Animal Control Officer, and/or upon advice from a licensed veterinarian, it is deemed that an animal should be destroyed for humane, health or safety reasons, it shall be the duty of the Animal Control Officer to see that such animal is destroyed and such animal shall not be permitted to be redeemed by any person.
- G) The owner of any animal impounded under the provisions of this ordinance shall be entitled to resume possession of such animal upon the payment of the impounding fees, proof of rabies vaccination, and any and all other conditions set forth herein.

## **90.53 STERILIZATION**

- A) Any animal adopted from the animal shelter must be spayed or neutered by a veterinarian. The cost is part of the adoption fee. If the animal is an adult, such operation shall be performed within one month of adoption. If the animal is young, it shall be spayed or neutered as follows:
  - 1) Female dog – six months unless otherwise advised by a veterinarian;
  - 2) Female cat – six month unless otherwise advised by a veterinarian;
  - 3) Male dog – six months unless otherwise advised by a veterinarian; and
  - 4) Male cat – six months unless otherwise advised by a veterinarian.
- B) Any animal not so neutered or spayed may be reclaimed by the Animal Control Officer without refund to the adopter.

- C) The Animal Control Officer may issue to any person in violation of this section a notice of ordinance violation. The penalty established in 90.99 may, at the discretion of the owner, be paid to the authorized agency within 72 hours in full satisfaction of the assessed penalty. In the event that such payment is not made within the period prescribed, proceedings shall be filed in the court of competent jurisdiction.

#### **90.54 ENFORCEMENT OF CIVIL AND CRIMINAL PROVISIONS.**

The provisions of this chapter shall be enforced by those persons or agencies designated by the Board of Commissioners.

#### **90.55 INTERFERENCE WITH ANIMAL CONTROL OFFICER PROHIBITED.**

It shall be a violation of this chapter to interfere with the Animal Control Officer in the performance of his/her duties.

#### **90.56 FEES OR MONEY COLLECTED.**

All fees or moneys collected shall be paid to the designated personnel of the animal shelter. Money so paid shall be transmitted to the Switzerland County Auditor and donations collected shall be earmarked for use in operating the animal shelter.

#### **90.57 ANIMAL SHELTER CONTROL.**

The physical facility known as the Switzerland County Animal Shelter shall be under the administrative control of the Board of Commissioners. The Animal Control Officer and the Animal Shelter Manager shall retain all powers and duties conferred by this chapter for the detailed supervision of matters relating to animal control.

#### **90.58 ADOPTION APPLICATION FOR ANIMAL SHELTER ANIMALS.**

Any person choosing to adopt an animal from the Switzerland County Animal Shelter shall complete the application form approved and recommended by the County. Adoption of a shelter animal may be denied based on the information contained on the application.

#### **90.59 FEES FOR SURRENDERING AN ANIMAL.**

Persons who surrender an animal or animals to the Switzerland County Animal Shelter or to designated animal shelter personnel, shall incur surrender fees as periodically established by the Board of Commissioners. The current schedule of fees is attached hereto as Exhibit "A."

#### **90.60 EUTHANIZING AN ANIMAL.**

Persons who wish to surrender their animal to the Switzerland County Animal Shelter for the purpose of euthanizing said animal, shall incur a fee as periodically established by the Board of Commissioners.

#### **90.61 ANIMAL QUARANTINE FEES.**

- A) If a person voluntarily delivers an animal to the Switzerland County Animal Control Shelter for the purpose of quarantining the animal, they shall be charged a fee as periodically established by the Board of Commissioners.
- B) Persons who fail to recover their animal following the quarantine period shall be deemed to have voluntarily abandoned their animal to the custody of the Switzerland County Animal Shelter and shall be liable for the aforementioned quarantine fees.

**90.99 PENALTIES.**

- A) Persons who violate the provisions of 90.02 shall be subject to a penalty of \$50.00 for the first offense, with the penalty for the next offense of said section in the amount of \$100.00, and the third offense shall permit the Animal Control Officer to seize and retain the animal and the animal shall become the property of the county. In the event that such person has no additional violations of 90.02 for a period of twelve (12) consecutive months, the penalty for any violation of 90.02 after that period shall start the sequence over at the first offense.
- B) Persons who violate any provision of 90.03 shall be subject to a penalty of at least \$500.00 but not more than \$1,000.00 for the first offense, with a penalty for each subsequent offense being \$1,000.00. In the event the person has no additional violations of 90.03 for a period of twelve (12) consecutive months, the penalty for any violation of 90.03 after that period shall be at least \$500.00 but not more than \$1,000.00 for the first offense with the penalty for each subsequent offense being \$1,000.00. In addition to the penalties prescribed above, the court may order the offender to personally supervise the dog that he owns, keeps, or harbors to complete obedience training.
- C) Persons who violate 90.35 or 90.36 shall be subject to a penalty of \$50.00 for the first offense with the penalty for each subsequent offense of those sections increasing by an increment of \$50.00. In the event the person has no additional violations of those sections for a period of twelve (12) consecutive months, the penalty for any violation of those sections after that period shall be \$50.00 for the first offense, with the penalty for each subsequent offense increasing by an increment of \$50.00.
- D) Persons who violate 90.37 through 90.40 of this chapter shall be subject to a penalty of up to \$500.00 for each offense.
- E) Persons who violate 90.55 shall be subject to a penalty, and up to \$1,000.00 for each offense.

**Section V:**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**THE BOARD OF COMMISSIONERS OF THE  
COUNTY OF SWITZERLAND, STATE OF  
INDIANA**

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Brian Morton, President

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KC Banta, Member

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Craig Bond, Member

**ATTEST:**

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Rachel Schuler, Auditor  
Switzerland County, Indiana