

Ordinance 34-10

AN ORDINANCE REQUIRING THE STERILIZATION OF DOGS AND CATS AND REQUIRING A BREEDER'S PERMIT WITHIN THE CITY OF ANDERSON, INDIANA

WHEREAS, the Common Council of the City of Anderson, Indiana, recognizes overpopulation of domestic animals is a serious issue and desires to provide for the sterilization of dogs and cats, with exceptions for breeders of such animals.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ANDERSON AS FOLLOWS:

Section One: Sterilization of dogs and cats required.

Each dog and cat over the age of six months which is kept in the city shall have been sterilized and rendered incapable of reproducing by a licensed veterinarian, unless a veterinarian has certified in writing that it would not be in the animal's best medical interest, but in no case later than when that excepted animal attains the age of nine months. It shall be unlawful for a person to own a dog or a cat not in compliance with this section and for which the owner does not have a current and valid intact breeder's permit. A violation of this section shall be punished by a fine of not less than \$100.00.

Section Two: Breeder's Permit.

A breeder's permit shall be obtained by the following:

(1) Any person who intentionally causes or accidentally allows the breeding of a dog or cat available for breeding purposes;

(2) Any person who offers for sale, sells, trades, receives other compensation, or gives away any litter of dogs or cats;

(3) Any owner or person having custody of a dog or cat that has delivered a litter or caused the delivery of a litter;

(4) Any person owning or having custody of a dog or cat which is older than six months of age, which has not been sterilized and for which the person owning or having custody of such an animal does not have a written certification from a licensed veterinarian stating that it is not in such animal's best medical interest to be sterilized, but in no case after the dog or cat has attained the age of nine months.

Section Three: Terms of Permit.

Such breeder's permit shall:

(1) Allow the nonsterilization of animals owned by the permittee for one 12-month period after the date of issuance and the birthing of a maximum of one litter in a 12-month period in his or any domestic household or establishment or any combination thereof;

(2) Not allow the owner to offer for sale, sell, trade, or receive other compensation or give away more than one litter of dogs or cats in such 12-month period;

(3) Require the holder of the permit to furnish the division of animal control with information on the birth of each litter of dogs and cats as may be required by the division to register the litter and be assigned a letter number for each litter.

Section Four: Breeder Requirements.

The holder of a breeder's permit shall:

(1) Transmit to the new owner or buyer the litter number of the animal acquired and the breeder's permit number in order that the new owner has assurance and proof that the animal was legally bred;

(2) Immunize all dogs and cats offered for sale, trade, or other compensation or for free give away against the most common contagious diseases; for dogs against canine distemper, hepatitis, Para influenza, and parvo virus and for cats against feline rhinotracheitis, calicivirus, and panleucopenia;

(3) Not offer a puppy or kitten under the age of eight weeks for sale, trade or other compensation or for free giveaway;

(4) Furnish a warrant of health for a period of not less than one week with the recommendation to have the animal examined by a licensed veterinarian for each animal sold, traded, or given away.

Section Five: Procedure for Obtaining a Permit; All litters to be registered.

Each breeder's permit shall be obtained from the Anderson Animal Care and Control. Each holder of a valid breeder's permit shall register additional litters with the division of animal control. Each additional litter registration shall comply with the same requirements as the original breeder's permit. Failure to register each litter shall be considered a violation of this section and shall be punished by a fine of not less than \$100.00.

Section Six: Effective date.

This ordinance shall be effective upon passage by the Council, signature by the mayor, and publication as by law required.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ANDERSON, INDIANA, THIS _____ DAY OF _____, 2010.

David Eicks, President

ATTEST:

Sheila D. Ashley, City Clerk

Presented by me, the undersigned City Clerk of the City of Anderson, to the Mayor
of said City for his approval on the _____ day of _____, 2010, at
_____ o'clock _____m.

Sheila D. Ashley, City Clerk

Having examined the foregoing Ordinance, I do now, as the Mayor of the City of
Anderson, Indiana, approve said Ordinance and return the same to the City Clerk of the
City of Anderson, this _____ day of _____, 2010.

Kris Ockomon,
Mayor of Anderson, Indiana

This ordinance sponsored by:
MALEAH STRINGER
Director, Animal Care and Control

Prepared by: Timothy S. Lanane, City Attorney