

Amendments to the Bloomington Municipal Code Title 7
proposed by Ordinance 2024-14 in context.
(Additions are shown in **Bold**, deletions are shown in ~~strikeout~~)

Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 of Ordinance 2024-14

Section 1 of Ordinance 2024-14

7.16.015 - Applicability of state laws.

Every commercial animal establishment and nonmunicipal animal shelter/sanctuary that obtains a commercial animal establishment permit shall be subject to the state laws concerning animals as set out in Title 15 of the Indiana Code.

Section 2 of Ordinance 2024-14

7.16.040 - Standards for commercial animal establishments.

In order to be eligible to obtain a permit, a commercial animal establishment must:

- (a) Be operated in such a manner as not to constitute a nuisance;
- (b) Provide an isolation area for animals which are sick or diseased to be sufficiently removed so as not to endanger the health of other animals;
- (c) Keep all animals caged, within a secure enclosure or under the control of the owner/guardian or operator at all times;
- (d) With respect to all animals kept on the premises, comply with all of the provisions of Chapter 7.36, animal care, of this title providing for the general care of animals;
- (e) Not sell dogs and/or cats which are unweaned, less than eight weeks of age, or obviously diseased;
- (f) If it is a pet shop that sells dogs, post the name and address of the breeder of all dogs for sale on the dog's kennel;**
- ~~(g)~~ **(g)** If it is a pet shop, keep records of the name, address and telephone number of the breeder and seller of each animal for a period of two years after the date the animal is sold and make those records available for inspection by the City of Bloomington Animal Care and Control Department-;
- ~~(g)~~ **(h)** Recommend that any animal sold, transferred or given away be examined by a licensed veterinarian within one week of the date of transfer and notify the new owner/guardian of state requirements for rabies vaccinations-; **and**
- ~~(h)~~ **(i)** Be in compliance with all zoning laws.

Section 3 of Ordinance 2024-14

7.16.045 - ~~Reserved.~~ Consumer protection requirements.

- (a) This section applies to the sale of dogs by pet shop permit holders.
- (b) Pet shops that sell dogs shall provide a purchaser of a dog with a health record for the animal at the time of sale. The health record shall include the following:
 - (1) The dog's breed. If the breed is unknown or mixed, the health record shall so indicate. If the dog is advertised or represented as registerable, the following information shall be provided: the breeder's name and address; the name and registration number of the dam and sire of the purchased dog's litter; and the name and address of the pedigree registry organization where the dam and sire are registered. Providing registration papers, if available, shall meet this requirement;
 - (2) The dog's age and date of birth;
 - (3) The dog's sex, color, and markings;
 - (4) A list of all vaccinations administered, if known; the date and type of vaccinations and the name of the person, business, or entity who administered them, if known, up to the date of sale;
 - (5) A record of any known disease, illness, or condition with which the dog is or has been afflicted at any point while in possession of the pet shop;
 - (6) A record of any veterinary treatment or medication received by the dog;
 - (7) The date, dosage, and type of any anti-parasitic medicine, if known, that was administered;
 - (8) Disclosure that the dog has been microchipped; and
 - (9) The name, address, and signature of the pet shop permit holder's representative.

Section 4 of Ordinance 2024-14

7.16.070 - Sale of ~~dogs and~~ cats by pet shops prohibited.

- (a) No pet shop shall sell **cats** or offer **cats** for sale ~~a dog or a cat~~.
- ~~(b) This section shall not prohibit a pet shop from offering space to a municipal animal shelter or to an animal rescue organization, as defined in Section 7.01.010, to display dogs and cats for adoption.~~
- ~~(c) No part of any fees associated with the display or adoption of dogs or cats, including but not limited to adoption fees or fees for the provision of space, shall be paid to the host pet shop or to any legal entity affiliated with or under common ownership with the host pet shop.~~
- ~~(d) The host pet shop shall not have any ownership interest in any of the dogs or cats displayed for adoption.~~
- ~~(e)~~ (b) Each sale or offer for sale made in violation of subsection (a) of this section shall constitute a separate violation subject to the penalties set forth under Chapter 7.56.

Section 5 of Ordinance 2024-14

7.16.080 - Display of shelter or rescue dogs and cats by host pet shops.

- (a) A pet shop, offering space to a municipal animal shelter or to an animal rescue organization, as defined in Section 7.01.010, may display the animal shelter's or rescue organization's dogs and cats for adoption.
- (b) No part of any fees associated with the display or adoption of dogs or cats from a municipal animal shelter or animal rescue organization, including but not limited to adoption fees or fees for the provision of space, shall be paid to the host pet shop or to any legal entity affiliated with or under common ownership with the host pet shop.
- (c) The host pet shop shall not have any ownership interest in any of the dogs or cats from a municipal animal shelter or animal rescue organization displayed for adoption.

Sections 6 & 7 of Ordinance 2024-14

7.54.030 - Commercial animal establishment permit fees.

- (a) Fees for commercial animal establishment permits shall be as follows:

(1) For each riding school or stable	\$100.00
(2) For each auction	\$500.00
(3) For each zoological park	\$500.00
(4) For each circus or animal exhibition—transient	\$1,000.00 per day
(5) For each animal exhibition—permanent	\$500.00 per year
(6) For each pet shop that does not sell dogs	\$250.00
(7) For each pet shop that sells dogs	\$750.00
(7) For each nonmunicipal animal shelter/sanctuary	\$0.00 private/\$0.00 nonprofit

(b) No fee shall be required of any municipal animal shelter, **nonmunicipal animal shelter/sanctuary**, research laboratory, or government-operated zoological park.

Sections 8 & 9 of Ordinance 2024-14

7.56.030 - Penalties.

(a) Any first offense violation that is subject to Chapter 7.56 shall be subject to a civil penalty of not more than \$2,500.00 for each such violation for a first violation, and any second or subsequent violation that is subject to Chapter 7.56 shall be subject to a civil penalty of not more than \$7,500.00 for each such second or subsequent violation. These financial penalties are in addition to any and all other remedies available to the city, except where a lesser fine is specified herein.

(b) The following violations of this title shall be subject to the fines listed in the below table.

Falsification of Application for a Commercial Animal Establishment Permit	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most recent offense.
Commercial Animal Establishment's Violation of Animal Care Standards in Section 7.16.040	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most recent offense.
Commercial Animal Establishment's Violation of Chapter 7.16	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Operation of a Commercial Animal Establishment without a Permit	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Falsification of Application for a Kennel Permit	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most recent offense.
Kennel Permittee's Violation of Animal Care Standards in Section 7.21.040; 7.21.050; or 7.21.057.	Triple the applicable permit fee for first offense. Second and subsequent offenses within twelve consecutive months of the first offense shall be double the fine associated with the most recent offense.

Kennel Permittee's Violation of Chapter 7.21	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Operation of a Kennel without a Permit	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two year period. \$7,500.00 for a third and all subsequent offenses in a two year period.
Falsification of Application for a Breeder Permit	Triple the applicable permit fee for first offense. Second and subsequent offenses shall be double the fine associated with the most recent offense.
Breeder Permittee's Violation of Consumer Protection Requirements in Section 7.22.035	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Breeder Permittee's Violation of Chapter 7.22	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Breeding without a Permit	Double the applicable permit fee for first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to Restrain an Altered Animal	\$20.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to Restrain an Unaltered Animal	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense, unless the owner has the animal altered, in which case the fine shall be that which is associated with restraint on an altered animal.
Allowing an animal to be a public nuisance	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Giving animals as prizes	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.

Poisoning animals	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two-year period. \$7,500.00 for a third and all subsequent offenses in a two-year period.
Cruelty, abuse or neglect of an animal resulting in serious injury or death to the animal	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two-year period. \$7,500.00 for a third and all subsequent offenses in a two-year period.
Torturing, beating, mutilating or neglecting an animal which result in injury or pain to the animal	\$1,500.00 for the first offense. \$3,000.00 for a second offense in a two-year period. \$6,000.00 for a third offense in a two-year period. \$7,500.00 for a fourth and all subsequent offenses in a two-year period.
Failure to report hitting a dog or cat with a motor vehicle	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Using a device to induce an animal to perform	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two-year period. \$7,500.00 for a third and all subsequent offenses in a two-year period.
Violations of General Animal Care Standards in Section 7.36.050	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Violations of Provisions for Animals Used to Draw Vehicles in Section 7.36.060	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Abandonment of Animal	\$2,500.00 for the first offense. \$5,000.00 for a second offense in a two-year period. \$7,500.00 for a third and all subsequent offenses in a two-year period.
Wild Animal Violations in Chapter 7.40	\$500.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Reptile Violations in Chapter 7.40	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.

Failure to Vaccinate an Animal Against Rabies	\$200.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to Quarantine an Animal in Accordance with Section 7.44.020	\$200.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to restrain a female in heat	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to restrain a potentially dangerous or vicious animal.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to post warning signs for a potentially dangerous or vicious animal.	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to notify City of Bloomington Animal Care and Control Department of a change in status for a potentially dangerous or vicious animal.	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to prevent potentially dangerous or vicious animal from breeding.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to alter potentially dangerous or vicious animal in accordance with this Title.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Failure to comply with a provision of Chapter 7.26 not specifically addressed in this Table.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.

Failure to comply with an Order of the Animal Control Commission.	\$100.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Habitual offender.	\$200.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.
Sale of dog or cat by pet shop in violation of Section 7.16.070.	\$500.00
Deer feeding violations in Chapter 7.40	\$50.00 for the first offense. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.

(c) For any of the above-described offenses in which the fine is double or triple the applicable permit fee, and for which the applicable permit fee is \$0, the fine for the first of any such offense shall be \$50. Second and subsequent offenses within twelve months of the first offense shall be double the fine associated with the most recent offense.

~~(e)~~ **(d)** Any of the above-described fines can be waived at the discretion of the director of the animal care and control department, or their designees, or by the city's legal department.