

Amendments proposed via Ordinance 23-16 to  
Bloomington Municipal Code Title 7 (“Animals”) shown in context  
(proposed additions are shown in **bold**, proposed deletions are shown in ~~strikeout~~)

7.01.010 Definition of terms.

"Abandoned" means any animal whose owner/guardian has knowingly, intentionally or recklessly left it unattended, without proper food, water or shelter, for twenty-four hours or more.

"Altered" means any animal which has been spayed or neutered.

"Animal" means any live, nonhuman vertebrate creature, domestic or wild.

"Animal exhibition, permanent" means any spectacle, display, act or event other than circuses, in which animals perform or are displayed, with the exception of education programs presented by persons or organizations with proper state and federal education permits, as required, and which are perpetual in nature and in a stationary location.

"Animal exhibition, transient" means any spectacle, display, act or event other than circuses, in which animals perform or are displayed, with the exception of education programs presented by persons or organizations with proper state and federal education permits, as required, and which are traveling shows of a temporary duration.

"Animal rescue organization" means a not-for-profit organization having tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code and a mission and practice of rescuing animals and placing them into permanent homes. Animal rescue organization does not include any person who:

- (1) Breeds dogs or cats;
- (2) In exchange for compensation of any kind, obtains dogs or cats from a person who breeds dogs or cats; or
- (3) Facilitates the sale of dogs or cats obtained from a person who breeds dogs or cats.

"At large" means a stray animal or any animal whose owner/guardian knowingly, intentionally, or recklessly allows the animal to stray beyond premises owned, lawfully occupied or controlled by the owner/guardian unless under restraint. This section does not apply to dogs engaged in lawful hunting accompanied by the owner/guardian or custodian or to feral cats which belong to a managed colony.

"Auction" means any place or facility where domestic livestock are regularly bought, sold, or traded, except for those facilities otherwise defined in this chapter.

"Chicken" means Gallus gallus domesticus, a domestic bird typically kept on a farm. This definition does not include other fowl, such as, but not limited to, peacocks, turkeys or waterfowl.

"Chicken coop" means an enclosed structure for housing chickens that provides shelter from the elements.

"Chicken flock" means one chicken or a group of two or more chickens which:

- (a) Contains no more than five hens and no roosters; and
- (b) Is issued a permit by the City of Bloomington Animal Care and Control Department; and
- (c) Is not otherwise permitted by Section 20.05.093—SC-07 (Special conditions—Crops and pasturage, and accessory chicken flocks) of the Bloomington Municipal Code as the same may be hereafter amended or replaced; and

- (d) Reside in an area zoned estate residential (RE), single-dwelling residential (RS), residential core (RC), or those estate residential or single-dwelling residential portions of a planned unit development (PUD) as defined in Chapter 20.02 of the Bloomington Municipal Code, as the same may be hereafter amended or replaced.

"Chicken run" means an enclosed outside yard for keeping chickens.

"Circus" means a commercial variety show featuring animal acts for public entertainment.

"Colony" means one or more feral cats, whether unmanaged or managed.

"Colony caretaker" means a person who provides food, water and/or shelter for feral cats in a managed colony. Colony caretakers shall not be deemed to own or harbor said cats.

"Commercial animal establishment" means any pet shop, nonmunicipal animal shelter/sanctuary, auction, riding school or stable, zoological park, circus or animal exhibition.

"Commercial kennel" means any person engaged in the business of boarding, training for a fee and/or grooming animals.

**"Dangerous" means any animal while off of the property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal that:**

- (1) Causes an unjustified single bite with at least one deep puncture to a person; or**
- (2) Causes an unjustified severe injury or injuries leading to the death of a domestic pet or domestic livestock, where the situation or injuries are particularly egregious.**

"Designee" means an organization or individual recognized by the city of Bloomington animal care and control department that uses the trap-neuter-return method for stabilizing and reducing the feral cat population.

"Domestic livestock" means any animal, other than a domestic pet, that is a member of one of the following species:

- (1) Bison;
- (2) Elk;
- (3) Poultry;
- (4) Cattle;
- (5) Donkey;
- (6) Horse;
- (7) Goat;
- (8) Llama;
- (9) Mule;
- (10) Ostrich;
- (11) Pig; or
- (12) Sheep.

"Domestic pet" means any animal that is a member of one of the following species:

- (1) Dog (*Canis familiaris*);
- (2) Cat (*Felis catus* or *Felis domesticus*);

- (3) Rabbit (*Oryctolagus cuniculus*);
- (4) Mouse (*Mus musculus*);
- (5) Rat (*Rattus rattus*);
- (6) Reptile (*Reptilis*), as defined herein;
- (7) Guinea pig (*Cavia porcellus*);
- (8) Chinchilla (*Chinchilla laniger*);
- (9) Hamster (*Mesocricetus auratus*);
- (10) Gerbil (*Gerbillus gerbillus*);
- (11) Ferret (*Mustela putorius furo*);
- (12) Sugar glider (*Petaurus breviceps*);
- (13) African Pygmy Hedgehogs (*Erinaceus europaeus*); or
- (14) Degu (*Octodon Degus*).

"Exotic animal" means an animal belonging to a species that is not native to the United States, or an animal that is a hybrid or cross between a domestic animal and an animal that is not native to the United States.

"Feral cat" means a cat that has lived its life with little or no human contact, is not socialized or is ear-tipped or tattooed.

"Harboring" means the actions of any person that permit any animal habitually to remain or lodge or to be fed within his or her home, store, enclosure, yard or place of business or any premises on which such person resides or controls. An animal shall be presumed harbored if it is fed or sheltered for three consecutive days.

"Intact animal permit" means the permit required by any person engaged in owning or harboring more than four dogs over the age of twelve months, any one of which is unaltered, and/or more than six cats over the age of twelve months, any one of which is unaltered.

"Litter permit" means the permit required by any person who intentionally or unintentionally causes or allows the breeding of a litter of dogs or cats in a twelve-month period. Exception: if the parent animal(s) are altered within fourteen weeks after giving birth or the parent animal(s) and the litter are relinquished to the City of Bloomington Animal Care and Control Department within fourteen weeks after birth of the litter, all permit requirements shall be waived.

"Managed colony" means a colony of feral cats that is registered with the city of Bloomington animal care and control department or its designee and is maintained by a colony caretaker using the trap-neuter-return method to stabilize and reduce the feral cat population.

"Municipal animal shelter" means any facility operated by a municipal agency, or its authorized agents for the purpose of impounding or caring for animals held under the authority of this title or of state law.

"Noncommercial kennel" means any person engaged in owning or harboring, with the exception of dogs and/or cats fostered for the city of Bloomington animal care and control department or feral cats belonging to a managed colony, more than four altered dogs; more than six altered cats; or more than a total of ten altered dogs and cats combined.

"Nonmunicipal animal shelter/sanctuary" means any facility operated by a person or organization other than a municipality for the purpose of harboring and/or rehoming animals.

"Offer for sale" means to proffer, advertise, or display for the sale, trade, barter, lease, giving away, or any other transfer.

"Owner/guardian" means a person owning or harboring one or more animals for a period of longer than twenty-one days.

"Person" means any individual, firm, association, joint stock company, syndicate, partnership, corporation, or any other legal entity.

"Pet shop" means any retail establishment engaging in the purchase and sale of any species of animal.

"Potentially dangerous, ~~Level 1~~" means any **animal while off of the property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal that:**

- (1) ~~Animal which, when unprovoked, on two separate occasions within the prior thirty-six month period, engages in or displays any behavior that requires a defensive action by any person to prevent bodily injury to the person or the person's own animal, when the person or the animal are off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal~~

**Causes injury to a person from a single unjustified bite with no punctures deeper than ½ the canine tooth and with little to no bruising or abrasions; or**

- (2) ~~Animal which, when unprovoked, and when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, causes injury to a domestic pet, domestic livestock or to a person that results in any of the following injuries: injury which results in bruising or abrasions; or injury that results in less than four punctures wounds~~

**Causes an unjustified severe injury, or causes injuries leading to the death of a domestic pet or domestic livestock.**

**If the circumstances or injuries are egregious, the commission may determine that this animal is dangerous.**

~~"Potentially dangerous, Level 2" means any an animal which has been declared a Level 1 potentially dangerous animal and within thirty-six months of said declaration, when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, causes injury to a domestic pet, domestic livestock or to a person that results in any of the following injuries: injury which results in bruising or abrasions; or injury that results in less than four punctures wounds. A Level 2 potentially dangerous animal is also an animal which causes severe injury or death to a domestic pet or to domestic livestock.~~

~~"Potentially dangerous, Level 3" means any animal which has been declared a Level 1, or Level 2 potentially dangerous animal and continues, when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, and when unprovoked, to cause injuries to persons, domestic pets or domestic livestock within thirty-six months of the original declaration. A Level 3 potentially dangerous animal is also an animal which, when off of property owned, lawfully occupied or controlled by the owner/guardian or keeper of the animal, and when unprovoked, causes a severe injury to a person or injures a person in that the injury results in four or more puncture wounds.~~

"Public nuisance" means any animal that:

- (1) Molest passersby or passing vehicles;
- (2) Attack persons or other animals;
- (3) Damage public property or private property;
- (4) Bark, whine or howl in an excessive or continuous fashion;
- (5) Defecate on public or private property, other than the owner/guardian's/harbinger's/colony caretaker's property, unless the waste is immediately removed and disposed of in a sanitary manner by the animal's owner/guardian/harbinger/colony caretaker; or
- (6) Otherwise interferes with the free use and comfortable enjoyment of life or property.

"Reptile" means any air-breathing vertebrate of the class Reptilia.

"Research laboratory" means any animal research facility registered with the United States Department of Agriculture under authority of the Federal Laboratory Animal Welfare Act, 71 United States Code Section 2132 et seq.

"Restraint" means the securing of an animal by a leash or lead or confining it within the real property limits of property owned, lawfully occupied or controlled by its owner/guardian or keeper.

"Riding school or stable" means any place that has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule or burro.

"Sell" means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer animals.

"Service dogs" means any dog engaged in working or training to work for the assistance of hearing or sight impaired, or physically handicapped or disabled persons.

"Severe injury" means any physical injury to a human being or domestic pet or domestic livestock that results in multiple bites, broken bones, muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

"Stray" means any animal that does not appear, upon reasonable inquiry, to have an owner/guardian.

"Tether" means attaching a domestic pet to a stationary object or pulley run by means of a chain, rope, tether, cable, or similar restraint. "Tether" does not include the use of a leash to walk a domestic pet.

"Trap-neuter-return" means a full management plan in which feral cats already living outdoors are humanely trapped, then evaluated, sterilized and ear-tipped or tattooed by veterinarians. Kittens under ten weeks old are adopted into good homes if they become socialized. Healthy adult cats too wild to be adopted are returned to their familiar habitat under the lifelong care of volunteers.

"Veterinary hospital" means any establishment maintained and operated by a veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

"Vicious animal" means any animal which **has bitten a person causing severe injury or causing wounds that are potentially dangerous to the person's health or life** ~~when unprovoked, in an aggressive manner has bitten or attacked a person, domestic pet or domestic livestock at least three times in the prior thirty-six month period. A vicious animal is also an animal which has bitten a person causing severe injury; or causing wounds that are potentially dangerous to the person's health or life;~~ or **that** result in permanent scarring or disfiguring to a person.

"Wild animals" means any animal not a domestic animal, with the exception of small, nonpoisonous aquatic or amphibious animals and birds of the order Psittaciformes, canaries, and finches.

"Wildlife rehabilitator" means any person or persons that acquire the necessary state and federal permits to allow the rehabilitation of wildlife in their homes, on their property or in a professional facility, with the intent of releasing such animals according to state and federal guidelines.

"Zoological park" means any facility, other than a pet shop or kennel, displaying or exhibiting, without the predominant purpose of selling, one or more species of nondomesticated animals. The facility must be accredited by the American Zoological Association (AZA) or The Association of Sanctuaries (TAOS).

(Ord. 07-01 §§ 1—7, 2007; Ord. 06-21 § 1, 2006; Ord. 05-33 § 2, 2005; Ord. 99-39 §§ 1—14, 1999; Ord. 98-27 §§ 1, 2, 3, 1998; Ord. 85-23 § 1, 1985; Ord. 78-20 § 1, 1978; Ord. 76-14 § 1 (part), 1976).

(Ord. No. 09-19, §§ 1—3, 12-21-2009; Ord. No. 11-20, § 1, 12-21-2011; Ord. 15-04, §§ 1—14, 4-8-2015; Ord. No. 21-45, §§ 1—8, 12-3-2021)

## Chapter 7.26 POTENTIALLY DANGEROUS, **DANGEROUS**, AND VICIOUS ANIMALS

### 7.26.010 Request for declaration.

- (a) If an animal control officer or a law enforcement officer has investigated and determined that there exists probable cause to believe that an animal is potentially dangerous, **dangerous**, or vicious, the animal control officer shall request a hearing by the animal control commission for the purpose of determining whether or not the animal in question should be declared potentially dangerous, **dangerous**, or vicious.
- (b) The director of the animal care and control department can base probable cause to believe that an animal is potentially dangerous, **dangerous**, or vicious off of a complaint received from a member of the public, provided the complaint is sworn to and verified by the complainant; off of a bite report; or off of a police report.

(Ord. 15-04, § 43, 4-8-2015)

### 7.26.020 Hearing on declaration.

- (a) The hearing will be held at the next regularly scheduled meeting of the animal control commission and shall be open to the public, provided the owner/guardian of the animal can be provided at least fourteen (14) days advance notice of the hearing.
- (b) The owner/guardian of the animal shall be served with written notice of the hearing and a copy of any complaints received by certified mail or in person. The notice shall include the following:
  - (1) The date, time and location of the hearing;
  - (2) A statement that the owner/guardian, or his or her legal counsel, may present evidence and testimony as to why the animal should not be declared potentially dangerous or vicious.
- (c) The animal control commission may consider all relevant evidence, including incident reports, affidavits of witnesses, and whether the incident reasonably indicates whether or not the animal in question is potentially dangerous and/or vicious in ordinary circumstances where the average person could not reasonably be expected to foresee and take measures to prevent injury.
- (d) The animal control commission may decide all issues for or against the owner/guardian of the animal even if the owner/guardian of the animal fails to appear at the hearing.
- (e) The commission shall issue findings of fact to support its ruling.
- (f) The findings of fact shall be given to the owner/guardian, or his or her legal counsel, by certified mail, return receipt requested, addressed to the owner/guardian's address, or his or her legal counsel's address. Immediately upon the mailing of the commission's findings of fact, the animal shall be classified as potentially dangerous, **dangerous**, or vicious. Concurrently, the director shall notify the owner/guardian of the declaration in person or by phone.
- (g) The commission, in rendering its decision and in issuing its findings of fact, has the authority to attach any and all reasonable conditions to its decision. To that end, the commission may impose conditions on owners/guardians regarding the types of enclosures to be used, the types of restraint systems to be used, and other such things in order to ensure that the both the animal and the public are safe.

(Ord. 15-04, § 43, 4-8-2015)

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7.26.030 Potentially dangerous, ~~Level 1.~~

- (a) The animal, while on the owner/guardian's property, shall, at all times, be kept indoors, or in a secured enclosure from which the animal cannot escape, and into which children cannot trespass.
- (b) ~~Invisible fences are not permitted enclosures.~~ **The animal must be implanted with a microchip.**
- (c) The animal may only be off the owner/guardian's premises if it is restrained by a substantial leash, no more than six (6) feet in length, and if it under the control of an adult.

(Ord. 15-04, § 43, 4-8-2015)

7.26.040 Potentially dangerous, ~~Level 2.~~

- ~~(a) The animal, while on the owner/guardian's property, shall, at all times, be kept indoors, or in a secured enclosure from which the animal cannot escape, and into which children cannot trespass.~~
- ~~(b) Invisible fences are not permitted enclosures.~~
- ~~(c) The animal may only be off the owner/guardian's premises if it is restrained by a substantial leash, no more than six (6) feet in length, and if it under the control of an adult.~~
- ~~(d) The animal must be altered by a licensed veterinarian within thirty (30) days of such designation unless:~~
  - ~~(1) A licensed veterinarian certifies in writing that the animal is incapable of reproduction; or~~
  - ~~(2) A licensed veterinarian certifies in writing that altering the animal would be injurious to the animal's health; provided, however, that if the health condition of the animal is of a temporary nature, then the animal shall be altered immediately after the health condition has been corrected;~~
  - ~~(3) The commission renders a specific finding of fact that alteration of the animal is not required.~~
- ~~(e) The animal must be implanted with a microchip.~~

(Ord. 15-04, § 43, 4-8-2015)

7.26.050 Potentially ~~d~~Dangerous, ~~Level 3.~~

- (a) The animal, while on the owner/guardian's property, shall, at all times, be kept indoors, or in a secured enclosure from which the animal cannot escape, and into which children cannot trespass. No secured enclosure may be used unless and until the City of Bloomington Animal Care and Control Department approves the enclosure.
- ~~(b) Invisible fences are not permitted enclosures.~~
- ~~(b)(c)~~ The animal may only be off the owner/guardian's premises if it is restrained by a substantial leash, no more than six (6) feet in length, and if it **is** under the control of an adult **and wearing a muzzle.**
- ~~(c)(d)~~ The animal must be altered by a licensed veterinarian within thirty (30) days of such designation unless:
  - (1) A licensed veterinarian certifies in writing that the animal is incapable of reproduction; or
  - (2) A licensed veterinarian certifies in writing that altering the animal would be injurious to the animal's health; provided, however, that if the health condition of the animal is of a temporary nature, then the animal shall be altered immediately after the health condition has been corrected.
- ~~(d)(e)~~ The animal must be implanted with a microchip.

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~~(e)~~(f) Clearly visible warning signs shall be displayed on all entry points to the premises on which the animal is maintained warning that a ~~potentially~~ dangerous animal is being harbored on such property.

- (1) At least one (1) of the signs shall be posted on the enclosure in which the animal is maintained.
- (2) Signs must inform both children and adults of the presence of a ~~potentially~~ dangerous animal on the property.

(Ord. 15-04, § 43, 4-8-2015)

#### 7.26.060 Vicious.

(a) The animal, while on the owner/guardian's property, shall, at all times, be kept indoors, or in a secured enclosure from which the animal cannot escape, and into which children cannot trespass. No secured enclosure may be used unless and until the City of Bloomington Animal Care and Control Department approves the enclosure.

~~(b) Invisible fences are not permitted enclosures.~~

~~(b)~~(c) The animal may only be off the owner/guardian's premises if it is restrained by a substantial leash, of appropriate length, is muzzled, and if it under the control of an adult.

~~(c)~~(d) The animal must be altered by a licensed veterinarian within thirty (30) days of such designation unless:

- (1) A licensed veterinarian certifies in writing that the animal is incapable of reproduction; or
- (2) A licensed veterinarian certifies in writing that altering the animal would be injurious to the animal's health; provided, however, that if the health condition of the animal is of a temporary nature, then the animal shall be altered immediately after the health condition has been corrected.

~~(d)~~(e) The animal must be implanted with a microchip.

~~(e)~~(f) Clearly visible warning signs shall be displayed on all entry points to the premises on which the animal is maintained warning that a potentially dangerous animal is being harbored on such property.

- (1) At least one (1) of the signs shall be posted on the enclosure in which the animal is maintained.
- (2) Signs must inform both children and adults of the presence of a ~~potentially dangerous~~ **vicious** animal on the property.

**(f) The commission may require evaluation by an approved Veterinary Behaviorist.**

(Ord. 15-04, § 43, 4-8-2015)

#### 7.26.070 Immediate threat.

If it is determined by an animal control officer or a law enforcement officer that probable cause exists to believe an animal poses an immediate threat to public safety, then an animal control officer or law enforcement officer may seize and impound the animal pending the hearing described in this chapter.

- (a) Any animal so seized shall be held until the animal control commission renders a decision in accordance with this chapter.
- (b) The owner/guardian of the animal shall be liable to the City of Bloomington for the costs and expenses of keeping the animal, if the animal is later declared by the commission to be potentially dangerous or vicious.

(Ord. 15-04, § 43, 4-8-2015)



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### 7.26.080 Euthanization.

If an animal is declared vicious in accordance with this chapter, the animal control commission may order the animal humanely euthanized if the commission finds that releasing the animal may create a significant threat to the public health, safety or welfare.

(Ord. 15-04, § 43, 4-8-2015)

### 7.26.090 Status change.

If an animal designated under this chapter dies, sold, transferred or moved to a different location, the owner/guardian shall notify the City of Bloomington Animal Care and Control Department of the changed status and new location of the animal.

- (1) The notice of status change must be done in writing; and
- (2) Must be provided to the department within two (2) business days of the change.

(Ord. 15-04, § 43, 4-8-2015)

### 7.26.100 Reconsideration.

An owner/guardian may submit a request for reconsideration to the animal control commission to have the designation of potentially dangerous removed from his or her animal.

- (a) Owners/guardians of level 1 or 2 potentially dangerous dogs may submit one request for reconsideration upon the expiration of one (1) year from the date of designation, provided no further violations of this title have occurred.
- (b) Owners/guardians of a level 3 potentially dangerous dogs or a vicious dog may submit one (1) request for reconsideration upon the expiration of three (3) years from the date of designation, provided no further violations of this title have occurred.

(Ord. 15-04, § 43, 4-8-2015)

## Chapter 7.40 WILD ANIMALS, EXOTIC ANIMALS, ~~AND~~ PROHIBITED REPTILES AND DEER FEEDING<sup>1</sup>

### 7.40.010 Keeping wild or exotic animals.

No person shall keep or permit to be kept on his or her premises any wild or exotic animal for any purpose. This section shall not be construed to apply to zoological parks, circuses, animal exhibitions, research laboratories,

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<sup>1</sup>Editor's note(s)—Ord. 15-04, § 59, adopted April 8, 2015, amended Ch. 7.40 in its entirety to read as herein set out. Former Ch. 7.40, §§ 7.40.010—7.40.030, pertained to Wild animals. See the Code Comparative Table for complete derivation.

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licensed wildlife rehabilitators, or a wildlife educator who is in possession of all necessary federal or state licenses, permits, and/or approvals.

(Ord. 15-04, § 59, 4-8-2015)

#### 7.40.020 Keeping prohibited reptiles.

No person shall keep or permit to be kept on his or her premises any reptile herein listed for any purpose. This section shall not be construed to apply to zoological parks, circuses, animal exhibitions, research laboratories, licensed wildlife rehabilitators, or licensed educators.

- (a) Any reptile on the federal endangered or threatened species list or on the convention or international trade in endangered species list;
- (b) Any venomous reptile, including front- or rear-fanged reptiles;
- € Any python of a species which naturally exceeds twelve (12) feet in length;
- (d) All crocodylians, including alligators, caimans, and crocodiles;
- € Monitor lizards;
- (f) Anacondas;
- (g) Any reptile of a species native to Indiana; or
- (h) Any reptile protected by state or federal law.

(Ord. 15-04, § 59, 4-8-2015)

#### 7.40.030 Deer feeding.

- (a) Deer feeding prohibited. Except as provided subsection (d) below, a person commits an offense if the person intentionally feeds deer or makes food available for consumption by deer on private or public property within the corporate boundaries of the City of Bloomington.**
- (b) A person shall be presumed to have intentionally fed deer, or made food available for consumption by deer, if the person places food, or causes food to be placed, on the ground outdoors or on any outdoor platform that stands fewer than five feet above the ground.**
- (c) For the purpose of this section, the following shall constitute food: corn, fruit, oats, hay, nuts, wheat, alfalfa, salt blocks, grain, vegetables, and commercially sold wildlife feed and livestock feed.**
- (d) Exceptions. This section does not apply to an animal control officer, veterinarian, peace officer, City employee, federal or state wildlife official, or property owner who is authorized by the Indiana Department of Natural Resources to treat, manage, capture, trap, hunt, or remove deer and who is acting within the scope of the person's authority.**
- (e) The following are excluded from prohibition in this section:**
  - (1) Planted material growing in gardens or standing crops;**
  - (2) Naturally growing matter, including but not limited to fruit and vegetables;**
  - (3) Fruit or nuts that have fallen on the ground from trees;**
  - (4) Stored crops, provided the stored crop is not intentionally made available to deer;**

- (5) Feed for livestock and/or the practice of raising crops and crop aftermath, including hay, alfalfa and grains, which is produced, harvested, stored or fed to domestic livestock in accordance with normal agricultural practices;
- (6) A lawn or garden;
- (7) Bird feed.
- (f) Violations.
  - (1) Any animal control officer may issue to any person in violation of this section a notice of ordinance violation.
  - (2) Upon notice, it shall be the duty of each property owner to remove any and all food placed on the property in violation of this section. Failure to remove such food within 24 hours after written notice from the city, or otherwise continuing to feed deer after receiving notice from the city, shall constitute violation of this chapter.

## Chapter 7.54 FEES<sup>2</sup>

### 7.54.010 Surrender fees.

- (a) The fee charged to a resident of any county other than Monroe County who surrenders an animal(s) to the City of Bloomington Animal Shelter shall be as listed in the table below.

Dogs <del>and</del> or cats over six months of age	<del>\$230.00</del>
Litters of puppies or kittens with five or fewer animals, all of which are younger than six months of age	<del>\$235.00</del>
Litters of puppies or kittens with more than five animals, all of which are younger than six months of age	<del>\$345.00</del>
Animals other than dogs and cats	\$10.00

- (b) If an animal over six months of age is surrendered with a litter, both the ~~twenty~~**thirty**-dollar (~~\$230.00~~) adult fee and the litter fee shall be charged.
- (c) Surrender fees may be waived at the discretion of the director of the animal care and control department, or his/her designee(s), provided the director believes waiver of the surrender fee is in the best interests of the animal(s) being surrendered.

(Ord. 15-04, § 67, 4-8-2015)

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<sup>2</sup>Editor's note(s)—Ord. 15-04, § 67, April 8, 2015, repealed the former Ch. 7.54, §§ 7.54.010, 7.54.020, and enacted a new Ch. 7.54 as set out herein. The former Ch. 7.54 pertained to Miscellaneous fees and derived from Ord. 10-16, §§ III, IV, 12-1-2010.

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7.54.020 Incinerator fee.

The fee to use the City of Bloomington Animal Shelter incinerator shall be fifteen cents (**\$0.15**) per pound. The Monroe County Highway Department is exempt from paying this fee.

(Ord. 15-04, § 67, 4-8-2015)

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	\$250.00
(7) For each nonmunicipal animal shelter/sanctuary	\$0.00 private/\$0.00 nonprofit

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

(Ord. 15-04, § 67, 4-8-2015; Ord. No. 21-45, §§ 12, 13, 12-3-2021)

7.54.040 Kennel permit fees.

(a) The fee for noncommercial kennel permits shall be:

- (1) 5—8 altered dogs: \$25.00;
- (2) 9—12 altered dogs: \$50.00;
- (3) 13—16 altered dogs: \$75.00;
- (4) 17—19 altered dogs: \$100.00;
- (5) 7—11 altered cats: \$25.00;
- (6) 12—16 altered cats: \$50.00; and
- (7) 17—19 altered cats: \$75.00.

(b) The fee for commercial kennel permits shall be:

- (1) Class B, boarding:
  - (A) 1—25 kennels: \$100.00;
  - (B) 26—50 kennels: \$250.00; and€ Additional kennels in increments of 25: \$200.00 per increment of twenty-five (25).
- (2) Class C, training: \$75.00; and
- (3) Class D, grooming: \$50.00.

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(Supp. No. 42)

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- (e) No fee shall be required of any veterinary hospital or municipal animal shelter, research laboratory or government-operated zoological park.
- (d) Persons whose establishments operate under more than one class, as defined by this chapter, shall be required to apply for a permit for each applicable.

(Ord. 15-04, § 67, 4-8-2015)

**7.54.050 Intact animal and litter permit fees.**

- (a) Fees for intact animal permits shall be:
  - (1) 1—2 unaltered animals: \$50.00;
  - (2) 3—6 unaltered animals: \$100.00;
  - (3) 7—10 unaltered animals: \$150.00;
  - (4) 11—14 unaltered animals: \$200.00; and
  - (5) 15—19 unaltered animals: \$250.00.
- (b) Fees for litter permits shall be:
  - (1) First litter in a twelve-month period: \$100.00; and
  - (2) Additional litters: \$150.00/litter.

(Ord. 15-04, § 67, 4-8-2015)

**7.54.060 Impounded animal fees.**

An owner/guardian reclaiming an impounded animal shall pay a board fee as follows, in addition to a fee of seven dollars (\$7.00) for vaccinations of reclaimed cats and dogs:

(1) Dog, impounded for 1-5 days	\$10.00 per day
(2) Dog, impounded for 6 or more days	\$20.00 per day
(3) Cat or ferret, impounded for 1-5 days	\$5.00 per day
(4) Cat or ferret, impounded for 6 or more days	\$10.00 per day
(5) Horses, goats, pigs, poultry	\$10.00 per day
(6) Other animals	\$5.00 per day

(Ord. 15-04, § 67, 4-8-2015)

**7.54.070 Rabies boarding fees.**

An owner/guardian reclaiming an impounded bite case animal, having been boarded at the City of Bloomington Animal Shelter, shall pay a board fee as follows:

(1) Dog	\$10.00 per day
(2) Cat or ferret	\$5.00 per day

(Ord. 15-04, § 67, 4-8-2015)

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#### 7.54.080 Adoption fees.

The fee to adopt any animal shall be as listed in the table found in this section. The adoption fee must be paid prior to the animal being taken to his or her new home.

Domestic Animals	
Dogs and cats under 5 years of age	<b>Fee not to exceed \$75</b> <del>120.00</del>
<del>Dogs and cats over 5 years of age</del>	<del>\$55.00</del>
Rabbits and ferrets	<b>Fee not to exceed \$475.00</b>
Goats, pigs, horses, etc.	\$20.00
Birds	
Parakeets/Finches	\$10.00
Lovebirds/Cockatiels	\$20.00
Reptiles	\$20.00
Small Animals	
Guinea pigs	\$5.00
Mice	\$2.00
Rats	\$2.00
Hamster/Gerbils	\$2.00

(Ord. 15-04, § 67, 4-8-2015)

#### 7.54.090 ~~Potentially d~~Dangerous and vicious animal monitoring fee.

The fee for monitoring any ~~Level 3 potentially dangerous dog animal or vicious dog~~ shall be twenty-five dollars (\$25.00) per calendar year.

**The fee for monitoring any vicious animal shall be fifty (\$50.00) per calendar year.**

(Ord. 15-04, § 67, 4-8-2015)

#### 7.54.100 Prorating fees.

Applicants requiring any of the permits described in this chapter during the year shall pay a prorated fee for the remaining portion of the year.

(Ord. 15-04, § 67, 4-8-2015)

#### 7.54.110 Fee waiver.

(a) In order to help more companion animals find suitable homes, the director of the City of Bloomington Animal Care and Control Department has the discretion to raise, lower or waive the adoption fees described in Section 7.54.080 under the following circumstances:

- (1) Adoptions of animals which have incurred extraordinary expenses while under the shelter's care;
- (2) Adoptions of hard-to-adopt animals or of foster animals by foster parents;
- (3) Adoptions by breed rescue organizations or transfers to humane associations; or

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- (4) Adoptions through special promotions or when the kennel is full.
  - (b) The Director of the City of Bloomington Animal Care and Control Department has the discretion to raise, lower or waive any of the permit fees described in this chapter ~~shall~~ **should** he or she deem such an action to be in the best interests of the city or its citizens.
  - (c) The director shall inform the animal control commission of any such adjustments at their monthly meeting.
- (Ord. 15-04, § 67, 4-8-2015)

#### 7.54.120 Disposition of funds.

All fees or moneys shall be paid to the City of Bloomington Controller, the City of Bloomington Legal Department, the City of Bloomington Animal Care and Control Department or agents designated by the either of the three (3) departments. Money so paid shall be transmitted to the City of Bloomington Controller and shall be used in carrying out the provisions of this title.

(Ord. 15-04, § 67, 4-8-2015)

## Chapter 7.56 ENFORCEMENT, PENALTIES AND APPEALS

#### 7.56.010 Authority.

The director of the animal care and control department, or his or her designees, are the designated enforcement officials with full authority to investigate, conduct inspections, issue notices of violation, and secure remedies, including but not limited to fines and injunctive relief for any violation of this title.

(Ord. 15-04, § 68, 4-8-2015)

#### 7.56.020 Violations.

- (a) For purposes of this title, a violation shall be defined as a violation or failure to comply with:
  - (1) Any provision or requirement of this title; or
  - (2) Any condition or requirement established or issued by the animal control commission.
- (b) Any violation, as defined in Section 7.56.020(a) above, shall be subject to the penalties provided in Chapter 7.56, and the city shall have recourse to any remedy available in law or equity.
- (c) Each day that a violation continues shall be considered a separate violation for purposes of the penalties specified in Chapter 7.56. A violation continues to exist until corrected and verified by the director of the animal care and control department, or his or her designees. Correction includes, but is not limited to:
  - (1) Cessation of an unlawful practice;
  - (2) Remediation of a violation;
  - (3) Payment of fees or fines; or
  - (4) Other remedy acceptable to the city.
- (d) For purposes of issuing penalties and fines in accordance with this chapter, the following persons shall be considered responsible parties, with liability for fines and responsibility for the remediation of the violation:

- (1) Owner of animal;
  - (2) Guardian of animal: or
  - (3) Keeper of animal.
- (e) Colony caretakers shall not be subject to penalties and fines under this chapter.
- (f) The city legal department may institute appropriate action to impose and collect fines, fees and/or other penalties; to enforce or defend any action taken pursuant to this Title; and to prevent, enjoin, abate, remove or correct any violation of or noncompliance of this Title.
- (Ord. 15-04, § 68, 4-8-2015)

**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 two thousand five hundred dollars (\$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 seven thousand five hundred dollars (\$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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> offense.
Reptile Violations in Chapter 7.- <del>240</del>	\$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 <del>prior</del> <b>recent</b> offense.
<b>Deer Feeding Violations in Chapter 7.40</b>	<b>\$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.</b>
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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> 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 <del>prior</del> <b>recent</b> offense.
Sale of dog or cat by pet shop in violation of Section 7.16.070.	\$500.00

- (c) Any of the above-described fines can be waived at the discretion of the director of the animal care and control department, or his or her designees, or by the city's legal department.

(Ord. 15-04, § 68, 4-8-2015; Ord. No. 21-45, § 15, 12-3-2021)

#### 7.56.040 Enforcement procedure.

- (a) If the director of the city's animal care and control department, or his or her designees, finds that any violation of this title is occurring, or has occurred, notice shall be given to the responsible party. For purposes of issuing a notice, the following persons may be considered responsible parties, with liability for fines and responsibility for remediation of the violation:
- (1) The owner of the animal;
  - (2) The guardian of the animal; and/or
  - (3) The keeper of the animal.
- (b) The notice shall be in writing and shall be served on the responsible parties and shall be in accordance with all of the following:

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- (1) Include a description of the animal;
  - (2) Include a statement of the violation(s) and why the notice is being issued;
  - (3) Include any fines; and
  - (4) Inform the responsible party of his or her right to an appeal.
- (c) The notice shall be deemed properly served if a copy thereof is:
- (1) Delivered personally;
  - (2) Mailed via first-class mail, postage prepaid; or
  - (3) Posted on the responsible party's last known residence.
- (d) In addition to issuing a notice and fines, the director of the city's animal care and control department, or his or her designee, may ask the animal control commission to revoke any permits issued under this title.
- (e) In addition to issuing a notice and fines, any animal which is found to be a stray or at-large animal for a second time within the same twelve (12) month period is required to be:
- (1) Implanted with a microchip by the City of Bloomington Animal Care and Control Department at the owner/guardian's expense for the purpose of future identification; and
  - (2) Spayed or neutered by a licensed veterinarian at the owner/guardian's expense prior.
  - (3) If the animal has been impounded at the city animal shelter it shall be implanted with a microchip and spayed or neutered prior to being released to its owner/guardian.
  - (4) If the animal has not been impounded at the city animal shelter it shall be implanted with a microchip and spayed or neutered within thirty (30) days of its owner/guardian receiving notice that such actions are required. Proof of the implantation and spaying or neutering shall be provided to the city shelter within the same thirty (30) day period.

(Ord. 15-04, § 68, 4-8-2015)

#### 7.56.050 Revocation of permits.

- (a) The director of the city's animal care and control department may ask the animal control commission to revoke any permit issued under this title if the permit holder is found to have violated this title or any other applicable law or ordinance, or ceases to possess the qualifications required for permitting hereunder, or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a permit under this title.
- (b) The animal control commission shall schedule a hearing on the director's revocation request. The hearing shall not occur unless the permit holder has been given at least fourteen (14) days advance notice of the hearing.
- (c) The permit holder shall be entitled to appear at the hearing, with or without legal counsel, and shall be permitted to testify, present evidence, and present a defense.
- (d) The animal control commission shall consider all evidence and upon conclusion of hearing said evidence, the commission shall either revoke the permit or allow the permit to remain in place.
- (e) The commission shall issue findings of fact to support its ruling.
- (f) The findings of fact shall be given to the permit holder, or his or her legal counsel, by certified mail, return receipt requested, addressed to the permit holder's address, or his or her legal counsel's address.

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Immediately upon the mailing of the commission's findings of fact, the permit shall be come null and void. Concurrently, the director shall notify the permit holder of the revocation in person or by phone.

(Ord. 15-04, § 68, 4-8-2015)

#### 7.56.060 Habitual offender.

- (a) The director of the city's animal care and control department may ask the animal control commission to declare an owner/guardian a habitual offender in two (2) instances:
  - (1) If the owner/guardian is found to have violated any provision(s) of this title on at least three (3) separate occasions within the same twenty-four (24) month period of time; or
  - (2) If the owner/guardian of an animal which has been declared potentially dangerous, **dangerous**, or vicious fails to comply with the terms and conditions required by this title and the animal control commission for maintaining such an animal.
- (b) The animal control commission shall schedule a hearing on the director's request. The hearing shall not occur unless the permit holder has been given at least fourteen (14) days advance notice of the hearing.
- (c) The owner/guardian shall be entitled to appear at the hearing, with or without legal counsel, and shall be permitted to testify, present evidence, and present a defense.
- (d) The animal control commission shall consider all evidence and upon conclusion of hearing said evidence, the commission shall either declare the owner/guardian a habitual offender or not make any such declaration.
- (e) The commission shall issue findings of fact to support its ruling.
- (f) The findings of fact shall be given to the owner/guardian, or his or her legal counsel, by certified mail, return receipt requested, addressed to the owner/guardian's address, or his or her legal counsel's address. Immediately upon the mailing of the commission's findings of fact, the owner/guardian shall be declared to be a habitual offender. Concurrently, the director shall notify the owner/guardian of the declaration in person or by phone.
- (g) In declaring an owner/guardian to be a habitual offender, the animal control commission has the authority to take any or all of the following actions and issue the following orders:
  - (1) Fine the owner/guardian in accordance with Section 7.56.030(b);
  - (2) Prohibit the owner/guardian from acquiring any new animals for a period of time, said time period not to exceed three (3) years.
  - (3) Void the owner/guardian's ownership of the relevant animal(s) and allow the city's animal care and control department to take possession and ownership of said animal(s), knowing the department may euthanize or adopt the animal(s) as appropriate.
  - (4) Require the owner/guardian to take steps to rectify whatever problem(s) has causes his or her declaration of habitual offender. Examples may include building a fence if the animal is constantly at-large or buying and using a bark collar if the animal is constantly a public nuisance.
  - (5) **Require the owner to attend a "responsible pet owner course" approved by the commission.**

(Ord. 15-04, § 68, 4-8-2015)

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7.56.070 Appeals.

- (a) Any person directly affected by a decision of the director of animal care and control, or his or her designees, or any animal control officer, or by a notice issued under this title shall have the right to appeal to the animal control commission.
  - (1) All appeals shall be filed in writing.
  - (2) All appeals shall be delivered to the city's animal shelter.
  - (3) All appeals shall be filed within ten (10) calendar days of the decision or notice being rendered.
- (b) Fines levied for violations of this Title may not be appealed to the animal control commission, they may only be challenged in the Monroe County Circuit Court, and that challenge must be filed within ten (10) days of the fine being levied.
- (c) Appeals of any decision rendered by the animal control commission may be appealed to the Monroe County Circuit Court, provided said appeal is filed with the circuit court within ~~ten (10)~~ **sixty (60)** days of receipt of the Commission's written decision, order or findings.

(Ord. 15-04, § 68, 4-8-2015)