

**Sec. 6-71      Pet Licensing Requirements, Wearing of Tags and Microchip Implants.**

All owners residing within the corporate limits of the City of Terre Haute are required to license their dogs and cats as provided in this Division of the *Terre Haute City Code*.

a. Any person owning, keeping, harboring or having custody of any cat or dog over six (6) months of age must provide proof of spay/neuter when applying for city license. A person owning, keeping, harboring or having custody of any cat or dog may purchase an unaltered animal license in lieu of this requirement. No license shall be required of any animal welfare organization, municipal animal control facility or government agency, or certified guide/service dog. Consideration will be given with a health waiver from a veterinarian.

b. A durable tag stamped with number and year of issuance will be provided to pet license holders for each license granted. Dogs and cats must be microchipped or wear their permanent tag or tags (rabies, license, personal ID, microchip *if applicable*) at all times, except when involved in any organized show, obedience demonstration, training situation or under the care of a licensed veterinarian.

c. Any person owning any dog or cat may obtain, in addition to the animal's tags, a microchip implant for the dog or cat. In no case shall the microchip implant replace the requirement for the annual licensure of a dog or cat with the Board of Public Works and Safety.

d. Any person owning any dog or cat, which has been implanted with a microchip, shall keep the microchip registration up to date with the microchip company before a move, sale, trade, barter, gift or transfer of the animal. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02; Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-72      Application for Pet License.**

a. Application for pet licenses may be made at the Board of Public Works and Safety or its designated facility, or by mail, and shall include the name, address of applicant, type of license applied for, number and description of animal(s), proof of rabies vaccination, information regarding sterilization and appropriate fee. Persons applying for breeder licenses shall apply in advance of planned breeding.

b. Pet licenses are to be issued for a term of one (1) year, commencing with the date of issuance. Microchip implants do not preclude yearly licensure.

c. The Board of Public Works and Safety shall maintain records of the identifying license number. The ordinance and its officers shall have access to these records.

d. It shall be unlawful for any pet owner to fail to provide any dog or cat six (6) months of age or older with a current pet license as provided in this Section. The owner of any dog or cat must also have in his possession a current rabies vaccination tag showing that such animal has been vaccinated against rabies as otherwise provided in Sec. 6-89.3. No license shall be issued unless proof of vaccination against rabies is shown at the time of application for the license. Any owner of such animal who moves into the City for purposes of establishing a

residence or residing, or who becomes a resident as a result of annexation shall have thirty (30) days in which to obtain the license required by this Division. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02; Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-73 Identification.**

a. A person who owns a dog or cat in the City shall ensure that each dog or cat owned by the person bears a permanent means of identification at all times, such that the owner of a lost or stolen dog or cat can be ascertained quickly and easily.

b. The means of identification required by this Section shall be in addition to any tags required to be worn by dogs or cats by State law or provision of this *Code*, and shall include either:

(1) A microchip implanted in the dog or cat which bears a registered identification number with tag on collar bearing company phone number, and which can be read by a standard microchip scanner; or

(2) A permanent tag attached to a durable collar worn at all times by the dog or cat, and bearing the owner's current name, address and telephone number.

(3) It shall be unlawful for a person to own a dog or cat six (6) months of age or older which is kept in the City, and which does not bear a permanent means of identification as provided in this Section. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02; Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-74 Kennel Licenses.**

a. Any person owning or harboring more than six (6) dogs or cats or any combination thereof totaling more than six (6), six (6) months of age or older must obtain a kennel license.

b. Any person engaging in boarding dogs or cats for compensation or maintaining a Commercial Animal Establishment as defined herein, must obtain a kennel license.

c. Any property to be used as a kennel site must be in compliance with the City zoning laws. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02)

**Sec. 6-75 Fees.**

The following licenses are required and shall be issued upon payment of the stated fees and compliance with any other requirements herein:

a. **Animal License.**

Spayed or neutered cat or dog	, per animal	\$ 5.00
Unaltered License		\$100.00

**b. Kennel License.**

With proper zoning \$100.00

(3) No fee shall be required of any veterinary hospital, excepting those that do grooming/and or boarding for a fee not connected to medical care or hospitalization; animal shelter; research laboratory or government operated zoological park.

(4) **Reclassification.** Any individual or business that has a change in class under which the commercial and/or non-commercial kennel license was issued shall report the change to the City and apply for a new license within thirty (30) days of any such change.

**c. Grooming Shop License.**

Fee \$ 25.00

**(d.) Pet Shop License.**

Fee \$100.00

**(e.) Commercial Animal Establishment Licenses.**

(1) Fee \$100.00

(2) Licenses are to be issued for a term of one (1) year, commencing with the date of issuance.

(3) Prior to engagements, license holders will furnish the Board of Public Works and Safety with a schedule of dates and times of exhibits or performances so the ordinance enforcement authorities can perform periodic inspections.

**(f.) Omnibus License.**

(1) Fee \$200.00

(2) This license shall allow the holder to operate a kennel, grooming shop, pet shop, and to be a breeder.

(3) The license holder does not need to obtain individual licenses in the aforementioned areas, but all requirements for each of the aforementioned licenses shall be met before the Omnibus License may be granted.

(4) All licenses will be issued after inspection and approval by ordinance enforcement authorities, provided all requirements of this Division are met.

(5) License holder must be in compliance with the City zoning laws.

(g.) **Miscellaneous Licenses.**

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| (1) | Riding School                                                    | \$150.00 |
| (2) | Stable                                                           | \$150.00 |
| (3) | Animal Auction                                                   | \$250.00 |
| (4) | Zoological Park                                                  | \$250.00 |
| (5) | All license holders must be in compliance with City zoning laws. |          |

(6) Exception: No fee shall be required of any animal shelter, research laboratory or government operated zoological park. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02; Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-76 Appeal, Denial or Revocation of License.**

a. Any person who is denied a license or whose license is revoked may seek reconsideration of the denial or revocation by the full Board of Public Works and Safety within ten (10) days of the date of the denial or revocation of the license.

b. All requests for appeals must be in writing and addressed to the Board of Public Works and Safety. The Board shall set the appeal for hearing within thirty (30) days of the receipt of the written request. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02)

**Sec. 6-77 Obtaining Kennel Licenses.**

Applications for kennel licenses shall be made to the Board of Public Works and Safety. The application for a non-commercial kennel shall include the address of kennel, the name, address, and telephone number of the applicant as well as the description (species, breed, sex, age and coloration) of each animal housed in the kennel and a statement as to whether the applicant has ever been convicted of the offense of cruelty to animals.

If the applicant withholds or falsifies any information on the application, no license shall be issued and any license previously issued on false or withheld information shall be revoked. No person previously convicted of cruelty to animals, animal neglect or animal abandonment shall be issued a kennel license without prior review by the Board of Public Works and Safety and Animal Control Commission.

Applications for commercial kennel licenses must also contain a statement of the total capacity of the kennels.

If the proposed or existing site of a kennel is not located in an area zoned for kennels, the application shall be denied. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02; Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-78 Inspection of Animals and Premises Authorized.**

It shall be a condition to the issuance of any license required by this Division that the ordinance enforcement authorities of the City shall be permitted to inspect at any time the premises and all animals located thereon where such animals are harbored. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02)

**Sec. 6-79 Standards for Commercial Animal Establishments.**

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

- a. Be operated in such a manner as not to constitute a public nuisance;
- b. Be in compliance with the City zoning laws;
- c. 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;
- d. Keep all animals within a secure enclosure or under the control of the owner or operator at all times;
- e. With respect to all animals kept on the premises, comply with all of the provisions of this Division providing for the general care of animals;
- f. Not sell animals under eight (8) weeks of age or diseased;
- g. Provide the USDA Animal Dealer license number (if applicable) or the Commercial Animal Establishment, Pet Shop or Kennel or Breeder license number, or the individual dog/cat license number of the female dog/cat that produced the litter or individual animal; and
- h. All advertisements for the sale, adoption or free placement of these animals within the City must contain the license number whether Commercial Animal Establishment, Pet Shop, Kennel, breeder or individual dog/cat license number. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02)
- i. Be in compliance with *I.C.* 15-21, provisions regulating commercial dog breeders. (Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-80 Commercial Animal Establishment License Period.**

The Commercial Animal Establishment license period shall begin on January 1<sup>st</sup> and shall run for one (1) year. Applicants requiring a license during the year shall pay a prorated fee for the remaining portion of the year. Applications must be made at least ten (10) days before the opening of a Commercial Animal Establishment. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02)

**Sec. 6-81 Breeder Licenses.**

a. Any person who intentionally or unintentionally causes the breeding of any cat or dog, or allows any cat or dog available for breeding purposes,

b. Any person who offers for sale, sells, trades, receives other compensation for or gives away any cat or dog,

c. And such person shall:

(1) Be in compliance with the City zoning laws.

(2) Not allow the birthing of more than one (1) litter per animal per year; and

(3) Furnish the Board of Public Works and Safety with information on the birth of each litter of dogs or cats as may be required to register that litter of dogs or cats with the Board of Public Works and Safety, and to be assigned a litter number for each litter; and to use this litter number for all advertisements regarding sale, giveaway or relinquishment of animal(s); and

(4) Be required to register with the Board of Public Works and Safety the name, address, and telephone number of each buyer or new owner of any dog or cat sold or transferred within five (5) days after the date of such sale or transfer; and

(5) Transmit to the new owner or buyer the litter number of the animal acquired, and the breeder's license number in order that the new owner has assurance and proof that the animal was legally bred (bred by a licensed breeder); and

(6) Immunize all cats and dogs offered for sale, trade or other compensation or for free giveaway (except an animal taken to the Humane Shelter) against common disease; in the case of dogs, against canine distemper, adeno-virus parainfluenza, parvovirus, coronavirus, and leptospirosis, and in the case of cats, against feline rhinotracheitis, and panleucopenia; and

(7) Not offer a puppy or kitten under the age of eight (8) weeks for sale, trade, other compensation or for free giveaway, except a puppy or kitten or litters of them taken by ordinance enforcement authorities. Any fees incurred by ordinance enforcement authorities for animals taken to the Humane Shelter will be charged to the pet owner for all animal(s) taken; and

(8) Breeder must furnish warrant of health for each animal sold, traded or given away free for a period of not less than fifteen (15) days with recommendation to have animal examined by a licensed veterinarian. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02; Gen. Ord. No. 11, 2009, As Amended, 9-11-09)

**Sec. 6-83 Violations.**

a. Any employee of an authority charged with ordinance enforcement may issue any individual or business in violation of any of the provisions regarding payment of fees and licensing in this Division a notice of ordinance violation called a Citation. Upon issuance of a

Citation, the individual or business has twenty-four (24) hours to bring itself into compliance with this Division. Each day thereafter is a separate violation subject to the penalty established in Subsection b. The penalty established in Subsection b. shall be paid to the City within twenty-four (24) hours of the notice of ordinance violation. In the event the individual or business does not bring itself into compliance and/or such payment is not made within twenty-four (24) hours, the City may file a proceeding in any court of competent jurisdiction to collect the applicable penalty and/or enforce compliance.

b. Individuals or businesses who violate any provisions of this Division shall be subject to a fine of double the applicable license fee for the first offense, with the fine for each subsequent offense of this Division increasing by an increment of double the license fee. In the event that the individual or business has no additional violations of this Division for a period of twelve (12) consecutive months, the fine for any violation of the Division after that period shall be double the applicable license fee for the first offense, with the fine for each subsequent offense increasing by an increment of double the applicable license fee.

c. The Board of Public Works and Safety may bring any action permitted by State law to enforce this Division including, but not limited to, an action seeking an injunction. (Gen. Ord. No. 25, 2001, As Amended, 3-14-02)