

ORDINANCE NO. 10-1-93

AN ORDINANCE DECLARING CERTAIN ACTIONS BY THE OWNERS, KEEPERS AND POSSESSORS OF DOGS AS NUISANCES AND PROVIDING FOR PENALTIES

WHEREAS, the common council of the Town of Troy, Indiana now deems that due to continued and unabated complaints from constituents regarding dogs that the council determines that it is necessary to prohibit certain actions by owners, keepers and possessors of dogs providing that certain acts relating thereto constitute nuisances and providing for appropriate penalties therefore.

NOW, THEREFORE, BE IT ORDAINED by the common council of the Town of Troy, Indiana as follows:

Section 1. No person shall own, keep, or harbor any dog which, by frequent or habitual howling, yelping, barking or otherwise shall cause serious annoyance or disturbance to persons upon a public street, highway or right-of-way or to persons in the neighborhood in which such dogs are kept and maintained. Furthermore, no person shall own, keep, or harbor any dog which by his failure to clean and disinfect the area where the dog is kept generates smells offensive persons on a public street, highway or right-of-way or to persons in the neighborhood in which such dogs are kept and maintained which are offensive to reasonable public sensibilities. Furthermore, no person who owns, keeps, or harbors any dog shall allow such dog to run or be at large without restraint upon a public street, highway or right-of-way within the limits of the Town of Troy, Indiana.

Section 2. Any person violating any provision of section 1 shall be deemed guilty of a punishable offense and shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00). If any violation is continuing, each days violation shall be deemed a separate violation. Any person found guilty by a court of competent jurisdiction of violating section 1 as stated above, shall, upon conviction, also be required to pay the reasonable attorney's fees and costs incurred by the Town of Troy, Indiana in prosecution of such claim. Such attorney's fees and costs shall be included in any such judgment and shall be treated as an in personam judgment against said individual.

Section 3. All other ordinances in conflict with this ordinance are hereby repealed in their entirety.

Section 4. This ordinance shall be in full force and effect as of November 30, 1993.

Passed and adopted by the town council of the Town of Troy,
Indiana this 10th day of November, 1993.

Town Council:

Richard Fortner

Michael Park

Jim Arboe

Juan Fencitt

Mike Kapp

Attest:

Elizabeth J. Danner
Clerk-Treasurer

11-10-93