

ORDINANCE NO. 2025- 4

**AN ORDINANCE OF THE TOWN COUNCIL OF  
LYNN, INDIANA CONCERNING WILD, DOMESTICATED, EXOTIC PETS OR  
OTHER ANIMALS RESIDING OR ENTERING THE TOWN LIMITS OF THE TOWN  
OF LYNN.**

**WHEREAS**, it is in the interests of public health and safety that the Town of Lynn, Indiana should regulate wild, domesticated, exotic pets, or other animals residing or entering within the Town limits of the Town of Lynn.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Lynn, Indiana that the following ordinance regulating wild, domesticated, exotic pets, or other animals residing or entering within the Town Limits of the Town of Lynn is hereby adopted as follows:

**ARTICLE I DEFINITIONS:**

For the purposes of this Article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (A) Animal is defined as any vertebrae creature imported, exotic, or domesticated.
- (B) Property is defined as any real property within the town which is not a street or highway.
- (C) Running at Large is defined as any animal not confined within its owner's property preventing means of escape.
- (D) Veterinarian is defined as any person licensed to practice veterinary medicine in the state of Indiana.
- (E) Owner is defined as any person having purchased an animal or having been given custody of any animal by another thus harboring, having care of, having charge of, control of, or possession of said animal.
- (F) Pet is defined as any animal bought or given custody to by an individual for purposes of enjoyment, companionship, safety, or other non-commercial purposes.
- (G) Wild Animal is defined as any animal not considered a pet residing inside the Town limits.
- (H) Domesticated Livestock is defined as any animal raised for profit.
- (I) Vicious is defined as any animal which has:
  - 1. Attacked a person or another animal without having been provoked by that person or animal.

2. Attacked at some place other than its owner's property.
3. Chased or approached another living thing at other than its owner's property in a menacing, threatening fashion, or apparent attitude to attack.

## **ARTICLE II NUISANCE OFFENSES**

It shall be considered a nuisance violation when the owner of an animal allows said animal to violate any of the following subsections:

- (A) Running at large not being under the owner's control, not being confined to a cage, lease, tether, fence, etc....or any other means of restraint to prevent said animal from leaving the owner's property.
- (B) Molests or disturbs person, vehicles or property by running, walking, chasing, digging, barking, or biting.
- (C) Consistently barks, whines, howls, meows, cries, squawks, or makes any other noise excessively without having valid cause thus disturbing the peace in the area that the animal is located.
- (D) Defecates upon any public place or private property not owned or controlled by the animal's owner him/herself.
  - a. NOTE – if the owner of said animal immediately removes the waste, he/she shall not be held in violation.
- (E) Creates noxious or offensive odors.
- (F) Creates an insect breeding or gathering sight due to unsanitary conditions.
- (G) Any person who violates any of the provisions of this Article may be given written notice of the practices or conditions which constitute the violation and the enforcing authority may, where appropriate, suggest remedies. Any violation of these sections shall be punishable of a fine of not less than \$50.00 or more than \$250.00.
- (H) Any person convicted of a second offense or subsequent offense of violating provisions of this Article shall be fined in an amount of not less than \$100.00 dollars or more than \$500.00 and the court, upon request, shall order a forfeiture or other disposition of the animal involved. Any judgment which calls for a fine or forfeiture or other disposition of the animal by the town or any third party shall include collection costs, court costs, housing, etc. as part of the judgment.

## **ARTICLE III – CARE AND TREATMENT**

### **Section 1 – General Provisions.**

- (A) All owners of animals shall see that their animal is:
1. Kept in a clean, healthy, sanitary manner so that the animal is not to be forced to sit or lay in its own excrement.
  2. Adequately fed, watered, and sheltered.
    - i. a shelter shall have adequate ventilation from excessive heat and protection from cold.
    - ii. each living area for an animal shall be of adequate size to provide room for sufficient exercise for said animal.
  3. On a tethered leash shall have at least 15 feet in length for movement and weight of said leash shall be strong enough to confine said animal yet allow free movement.
  4. Protected against abuse or mistreatment and separated from other animals that might cause harm to each other.
  5. Properly cared for by a certified veterinarian should it become sick, diseased, or injured.
  6. Separated from other animals should it become diseased, sick, ill, or vicious.
  7. Maintained in compliance with all applicable federal, state, local laws, and regulations respecting animal care or control.
- (B) It shall be unlawful for any person to beat, starve, or otherwise mistreat any animal. Failure to comply with any requirement of sub section (A) shall be deemed mistreatment of the animal.
- (C) It shall be unlawful for any person to feed stray and wild animals by leaving food unattended in an area on any property that is not in a fenced or contained area which allows access by stray and wild animals.
- (D) Any person who violates any of the provisions of this Article may be given written notice of the practices or conditions which constitute the violation and the enforcing authority may, where appropriate, suggest remedies. Any violation of this Article shall be punishable of a fine of not less than \$50.00 or more than \$250.00.
- (E) Any person convicted of a second offense or subsequent offense of violating provisions of this Article shall be fined in an amount of not less than \$100.00 dollars or more than \$500.00 and the court, upon request, shall order a forfeiture or other disposition of the animal involved. Any judgment which calls for a fine or forfeiture or other disposition of the animal by the town or any third party shall include collection costs, court costs, housing, etc. as part of the judgment.

## **Section 2- Animal Abandonment**

It is unlawful for any person(s) to abandon any animal on any property public or private. A violation of this section shall be punishable by a fine of not less than \$50.00 dollars or more than \$250.00.

## **Section 3 – Poisoning Animals**

It shall be unlawful to throw or deposit poisoned meat, any poison or harmful substance on any property public or private with the only exception being for rodent control. A violation of this section shall be punishable by a fine of not less than \$50.00 dollars or more than \$250.00.

## **Section 4 – Provoking Animal Fights**

It shall be unlawful for any person to cause or incite any animals to fight for any reason other than personal protection of said owner. A violation of this section shall be punishable by a fine of not less than \$50.00 dollars or more than \$250.00.

# **ARTICLE IV – ANIMAL LICENSES**

## **Section 1 – Display**

A pet shop license pursuant to this section shall be displayed prominently in the business office at all times.

## **Section 2 – Requirements for Kennels**

In addition to obtaining a license required by this section, all kennels within the Town limits shall:

- (A) Be operated in such a manner as not to constitute a nuisance;
- (B) Provide an isolation ward for boarded animals which are sick or diseased, sufficiently removed so as not to endanger the health of the other animals;
- (C) Retain the name, address and telephone number of the owner and the license number of each animal boarded;
- (D) Retain the name and address of each person selling, trading or giving any animal to the kennel;
- (E) Keep all boarded animals caged or under the control of the owner operator of the kennel;
- (F) With respect to all animals in the kennel, whether or not owned by the kennel, comply with all requirements of the chapter for the general care of animals.

## **ARTICLE V – RABIES CONTROL**

### **Section 1 – Rabies Vaccination Required**

- (A) Each dog, cat, or required animal shall have a rabies vaccination more recent than one (1) year.
- (B) The owner of an animal which does not have a rabies vaccination more recent than one (1) year shall be punishable by a fine of the following amounts, plus the expense to the quarantine authority of proving for the animal a current rabies vaccination;
  - 1. First offense: \$25.00
  - 2. Second offense: \$50.00
  - 3. Each Consecutive Offense there after \$50.00 times the number of offenses, including the first two offenses.

### **Section 2 – Quarantining Authority**

For the purposes of this section, the quarantine authority shall be the Lynn Town Marshal and any of its agents or employees so designated, acting pursuant to the directives and regulations set forth in the Animal Control Contract with the City of Winchester, Indiana.

### **Section 3 – Surrender of Animals**

The owner of any animal suspected by the Lynn Town Marshal or its designee to have bitten any person or been exposed to rabies shall promptly surrender said animal for purposes of quarantine and observation. This shall be at the expense of the owner at the rate established by the Winchester Animal Shelter.

### **Section 4 – Rabies and Quarantine**

- (A) Any animal found to be rabid must be held and quarantined immediately for two weeks observation.
- (B) The animal owner is responsible for reimbursing the town at the rate set by the Winchester Animal Shelter as stated in their contract with the Town of Lynn.
- (C) Should the Town Marshal or its designee deem an animal to be vicious and a threat to the people of Lynn at the end of the two-week period, the animal owner shall be responsible for euthanizing the animal.
- (D) Any owner of an animal suspected to be rabid, that refuses to release said animal for observation shall be fined not less than \$100.00 per day.

## **ARTICLE VI – CODE ENFORCEMENT**

### **Section 1 – Enforcement Powers**

The person individually charged with the enforcement of this Article shall be the Lynn Town Marshal or its designee.

- (A) Such officer shall have full power to enforce all provisions of this chapter including the right to proceed upon public and private property within the Town limits in pursuit of animals in violation of this section.
- (B) Such officers shall not have the right to enter a privately-owned enclosure in pursuit of any animal without consent of the owner lessee, or occupant unless immediate danger warrants such to prevent injury or other legal process is used. Provided however, if any animal is believed to be enclosed without adequate food and water or dead animals are believed to be present with just cause, the officer may attach a notice upon said structure in an obvious location directing the occupant to contact the officer at a given location or phone number. If contact is not made within twenty-four hours, the officer may enter said enclosure to determine if this chapter has been violated.
- (C) Any animals deemed vicious by the officer and cannot be captured safely without injury may be immediately destroyed for the safety of the people of Lynn and its employees.
- (D) Any animal trapped or captured in violation under this chapter shall be held for three days at the Lynn animal holding cages or the Winchester Animal Shelter, with only the following exceptions:
  - 1. Any animal that is hurt, injured, ill, sick, or diseased in any way.
  - 2. Any animal too small or too large to be held in Lynn's holding cages.
  - 3. Any animal deemed vicious or dangerous to control.

### **Section 2 – Interference with the Lynn Town Marshal**

It shall be unlawful for a person to interfere with the Lynn Town Marshal or his designee in the performance of his duties. Any violation of this section shall be punishable by a fine of not less than \$50.00.

- (A) Anyone owner or otherwise releasing any animal from a live trap, cage, or holding area shall be held in violation of this Article.
  - 1. At no time shall anyone release any animal from the Town of Lynn's custody without prior knowledge of the Town Marshal or his designee.

### **Section 3 – Absence of a Town Marshal**

At any time the Town Marshal is not present, his Deputies and Reserve Deputies of the Town of Lynn may enforce this Article.

## **ARTICLE VII – IMPOUNDMENT:**

### **Section 1 – Ground for Impoundment**

- (A) Animals found at large in violation of this Article shall be captured and impounded with the Town of Lynn or with the Winchester Animal Shelter per contract.
- (B) Any animal found abandoned or confined on private property in violation of this Article shall be impounded with the Town of Lynn or with the Winchester Animal Shelter per contract.

### **Section 2 – Notice to Owner**

Upon the impoundment of any animal, a reasonable attempt shall be made to notify and inform the owner of the animal the requirements of this section for regaining the custody of the animal.

- (A) In cases of animal neglect and abuse, the Town Marshal or his designee may refuse to release said animal to the original owner.

### **Section 3 – Release of Captured Animal without Impoundment**

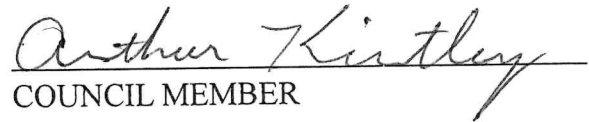
When the owner of a captured animal is known, such animal need not be impounded (at the Town Marshal's discretion) but may be released to the owner upon payment of fees and fines, if any, or upon the application for license if required.

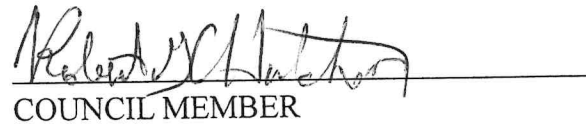
### **Section 4 – Impoundment Fees**

Any impoundment fees or shelter costs shall be in accordance with the fees charged by the Winchester Animal Shelter pursuant to the contract with the Town of Lynn.

Passed and adopted by the Town Council of the Town of Lynn, Indiana, this 6<sup>th</sup> day of August 2025.

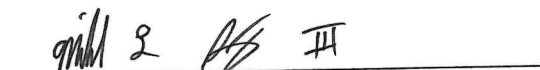
TOWN COUNCIL OF THE TOWN OF  
LYNN, INDIANA

  
COUNCIL MEMBER

  
COUNCIL MEMBER

  
COUNCIL MEMBER

ATTEST:

  
Michael Straley, III, Clerk/Treasurer