

**DEKALB COUNTY COMMISSIONERS
DEKALB COUNTY AMENDED ANIMAL CONTROL ORDINANCE
DEKALB COUNTY ORDINANCE NO. 2025-O-8
DEKALB COUNTY CODE 15-3-3**

**AN ORDINANCE FOR DEKALB COUNTY, INDIANA,
FOR ANIMAL CARE RULES AND REGULATIONS**

- **WHEREAS**, the DeKalb County Board of Commissioners are aware of the fact that there have been numerous instances where animals belonging to residents of the County have not been properly cared for, from both a nutrition and hydration standpoint and also from a health care standpoint; and

WHEREAS, the DeKalb County Board of Commissioners are also aware of a problem existing in the County with stray animals allowed to run at large; and

WHEREAS, the DeKalb County Board of Commissioners believes that it would be appropriate to have an ordinance governing animal care rules and regulations; and

WHEREAS, the DeKalb County Board of Commissioners also recognizes that there are farmers, hunters, fishermen, and other property owners whose rights must be protected with regard to their legitimate pursuits; and

WHEREAS, the DeKalb County Board of Commissioners believes it necessary to recognize that the needs and interests of those seeking a strict set of animal care rules and regulations must be balanced against the fact that this Ordinance will govern the care of animals outside the city limits of certain municipalities where stricter control is necessary.

NOW THEREFORE BE IT HEREBY ORDAINED BY THE DEKALB COUNTY COMMISSIONERS OF DEKALB COUNTY, STATE OF INDIANA AS FOLLOWS:

Section 1. Definitions.

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- A. **ABANDON:** To desert an animal or to leave the animal permanently in a place without making provision for adequate long term care of the animal. The term does not include leaving an animal in a place that is temporarily vacated for the protection of human life during a disaster.
- B. **ALTERED:** Any animal that has been physically altered to prevent it from procreating.



- C. ANIMAL:** Domestic animal unless otherwise noted.
- D. ANIMAL CONTROL AGENCY:** Any governmental or private entity charged with or contracted with and given authority by the County Commissioners for the enforcement of the provisions of this Ordinance for and on behalf of the County of DeKalb, Indiana (hereinafter referred to as "County").
- E. ANIMAL CONTROL AGENT:** A civilian person employed or appointed by an animal control agency for the purposes of carrying out the provisions of this Ordinance or any contract for animal control services, but subject to approval by the County Commissioners. This agency can be referred to as the ACO.
- F. ANIMAL CONTROL FACILITY:** A facility or vehicle operated by an animal control agency for promoting animal welfare and humane treatment of animals. This may include not-for-profit entities incorporated for the purpose of promoting animal welfare. However, the status of any such facility is subject to prior approval by the County. At this time, the entity operating the DeKalb County Humane Shelter is approved.
- G. ANIMAL CONTROL OFFICER:** Any deputy of the DeKalb County Sheriff's Office that has been designated by the Sheriff as "Animal Control Officer" for the County.
- H. ANIMAL HOARDER:**
- (1) Possesses any combination of eight or more cats and/or dogs.
Possesses any combination of 15 or more cats, dogs, or other animals including but not limited to hamsters, chinchillas, hedgehogs, gerbils, guinea pigs, sugar gliders, rabbits, ferrets, mice, rats, lizards, snakes, turtles, birds, excluding fish; and
 - (2) Fails to or is unable to provide adequate food, potable water, and/or a sanitary environment; and/or
 - (3) Keeps the animals in an overcrowded environment; and/or
 - (4) Exhibits material disregard for the conditions under which the animals are living and the harmful impact those conditions have on the health and well-being of the animals.
- I. RESTRAINT:** an animal is properly restrained when:
- (1) Secured by a leash or lead and under the physical control of the animal's owner or attending party; or

- (2) Confined within the exterior boundaries of the owner's or harborer's real property.
 - (3) However, if an animal is engaged in legal hunting or farming activities and is under the control and supervision of the owner or owner's agent, it is not considered a violation of this ordinance.
- J. **BITE:** To seize, tear, wound, cut with the teeth (or claw), resulting in a break in the skin. A bite does not include a nip or scratch.
- K. **COMMUNITY CAT:** Shall mean a free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral
- L. **COMMUNITY CAT PROVIDERS, CCP:** Shall mean a person who, in accordance with a good faith effort to conduct Trap-Neuter-Return, provides care. This care includes providing food, shelter, or medical care to a community cat. However, a community cat provider, is not the owner, harborer, controller or keeper of a community cat.
- M. **DANGEROUS ANIMAL:**
 - (1) Any animal which:
 - (a) Has seriously injured a human, domestic animal, or livestock;
 - (b) Has without provocation attacked, bitten, attempted to attack, or belligerently pursued any human whether on or off the property of its owner or the owner's agent;
 - (c) Has attacked or bitten a domestic animal or farm animal while off the property of its owner or the owner's agent; or
 - (d) Has been found to be at large and has been documented to be at large by an animal control agent or law enforcement officer on three (3) or more separate occasions in a twelve (12) month period and been documented to show aggressive behaviors, including those listed above.
 - (2) No animal shall be considered a dangerous animal if the animal causes injury or damage to a person while that person was:

- (a) Committing or attempting to commit, at the time, a trespass or other tort upon the premises lawfully occupied by the owner of the animal;
 - (b) Provoking, tormenting, abusing or assaulting the animal or who can be shown to have repeatedly in the past provoked, tormented, abused, or assaulted the animal; or
 - (c) Was committing or attempting to commit a crime.
 - (3) No animal shall be considered a dangerous animal if the animal causes injury or damage while:
 - (a) Responding to pain or injury;
 - (b) Protecting itself or its offspring; or
 - (c) Protecting or defending a human within the immediate vicinity of the animal from an attack or assault.
 - (4) K-9 patrol dogs and police dogs shall not be considered dangerous animals when used in the line of duty or for law enforcement purposes.
- N. DOMESTIC ANIMAL:** Any animal commonly referred to as a pet including, but not limited to dogs, cats, fish, guinea pigs, hamsters, some lizards, caged birds, gerbils, ferrets, rabbits, and pigeons (homing or racing).
- O. EARTIPPING:** means the removal of a ¼ inch tip of a community cat's left ear, performed while the cat is under anesthesia in compliance with any applicable federal or state law and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.
- P. FARM ANIMALS:** Those animals which are kept for work and/or food production including, but not limited to, horses, cows, pigs, sheep, chickens, llamas, ducks, geese, donkeys, rabbits, goats, turkeys, bison, and oxen. Livestock is another word for farm animals.
- Q. FERAL CAT:** A cat which has been born in the wild or has been separated from domestication through abandonment or loss and has adapted to life in the wild; an unsocialized cat.
- R. FREE ROAMING CAT:** A cat that has no fixed place of abode. Various people typically provide food outside the home.

- S. HARBORER/CAREGIVER:** means any person who for three or more consecutive days performs acts of providing care, shelter, protection, restraint, refuge, food, or nourishment for an animal at or within his or her home, place of business, enclosure, yard, or any premises which such person controls or at which such person resides.
- T. HUMANE OFFICER(S):** Any person(s) and/or agency designated by the State of Indiana, or the county, as a person(s) who is qualified to perform the duties required by the law of the County and State regarding animals, but subject to prior approval by the County Commissioners.
- U. IMPOUNDMENT:** means the act of taking physical possession and control of an animal by an animal control officer or other officer empowered to act by law and transporting it to an animal control facility or humane society.
- V. LEASH:** A restraint device which, when used properly, will not allow an animal to move greater than twelve (12) feet from a person, but which is commonly held by a person when walking the animal.
- W. LIVESTOCK:** means domesticated animals raised or kept in an agricultural setting to produce labor and/or commodities such as meat, eggs, milk, fur, leather, and wool. Farm Animals is another word for livestock.
- X. MICROCHIP:** A tiny computer chip, implanted underneath the skin of an animal that contains identification information relating to that animal.
- Y. MUZZLE:** A device constructed of strong, soft material or metal, designed to fasten over the mouth of an animal, without interfering with its vision or respiration or causing injury to the animal, to prevent the animal from biting any person or animal.
- Z. OFF THE PROPERTY:** Not confined on the property of animal's owners so as to prevent people, other than the owner, family, or invitees, from accidental contact with the animal.
- AA. OWNER:** Any person eighteen (18) years of age or older having ownership rights to any animal covered by this Ordinance.
- BB. PUBLIC NUISANCE ANIMAL:** An Animal which (1) interferes with passersby or passing vehicles; (2) attacks other animals or persons without provocation; (3) is repeatedly at large or unrestrained; (4) damages private or public property not belonging to the Owner, or (5) barks, whines, howls or makes other sounds common to its species in excess of 15 minutes at a

time or 30 minutes of any 1-hour period of time.

- CC. SERVICE ANIMAL:** Any animal that is certified or in training to assist a disabled person.
- DD. STRAY:** Any animal that is not under restraint or, upon reasonable inquiry by a law enforcement officer or animal control officer, does not appear to have an owner.
- EE. TRAP-NEUTER-RETURN:** Means the nonlethal process of humanely trapping, sterilizing, vaccinating for rabies, eartipping, and returning community cats to their managed community.
- FF. WILD OR EXOTIC ANIMAL:** Those animals which are defined by the state of federal government and require state or federal licenses or permits.

Section 2. General Animal Care Requirements.

- A. FOOD AND WATER:** Every owner or keeper of a domesticated animal in DeKalb County, Indiana shall see that such animal has food that is appropriate for the species in adequate amounts to maintain good health, fresh potable drinking water, shelter where appropriate, and ventilation, including quarters, where appropriate, that are protected from excessive heat and cold and are of sufficient size to permit the animal to exercise and move freely.
- B. VACCINATIONS; TAGS:** Cats and dogs over the age of six months must be vaccinated by a licensed veterinarian for rabies. Dogs must be vaccinated yearly; cats must have a current rabies vaccination. Both cats and dogs must wear a current rabies tag at all times attached to a properly fitted collar or harness. The Sheriff=s Department will attempt to educate the public to the availability of three-year vaccines for cats.
- C. MEDICAL CARE:** All animals shall be provided with necessary medical care in addition to the required rabies vaccination.
- D. SANITATION:** All animals, where kept inside, or in a pen, tied, fastened, hitched, leashed, or enclosed in a fence, shall be kept in a sanitary manner. The persons responsible for the animal(s) shall regularly, and as often as necessary to prevent odor or health and sanitation problems, maintain all animal areas or areas of animal contact.

- E. **CRUELTY TO ANIMALS:** No person shall beat, cruelly treat, neglect, torment, overload, overwork, or otherwise abuse any animal except that reasonable force employed to drive off vicious or trespassing animals.
- F. **TRAINING METHODS:** No animal may be induced or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner which will cause or is likely to cause physical injury or suffering.
- G. **ABANDONMENT:** No person shall abandon or cause to be abandoned any animal anywhere within DeKalb County, Indiana limits in any public or private place, way, or building.

Section 3. Requirements and Prohibitions:

- A. **WILD OR EXOTIC ANIMALS PROHIBITED:** No wild or exotic animal shall be kept within DeKalb County, Indiana without the necessary state and/or federal permits.
- B. **FIGHTING ANIMALS:** No person shall permit or conduct any dog fight, cock fight, or other combat between animals or between animals and humans.
- C. **MOTOR VEHICLE-CAUSED INJURIES:** Any person operation a motor vehicle who causes injury or death to an animal shall stop at once, assess the extent of injury, and immediately notify the owner or Sheriff=s Department of the location of the animal.
- D. **UNATTENDED ANIMALS:** No animal shall be left unattended in a public place within DeKalb County, Indiana.
- E. **ABANDONMENT:** No person shall abandon or cause to be abandoned off the property of that person any animal anywhere within DeKalb County, Indiana in any public or private place, way, or building.
- F. **ANIMALS AS PRIZES OR INDUCEMENTS:** No person shall sell, offer for sale, trade, barter or give away any live animal, bird, or reptile as a prize for, or use such as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter any business establishment or enter into any business agreement whereby the offer was made for the purpose of attracting trade, for business other than establishments selling

animals as their primary business. This provision shall not prohibit events authorized by the DeKalb County Fair Association, Inc., conducted in accordance with health regulations, for exhibition of domestic and farm animals in the state, or shows, rides and concessions approved by said Association.

- G. **PUPPY AND KITTEN SALE OR GIVEAWAY:** No puppy or kitten which is under the age of eight weeks may be offered for sale, trade, or for other compensation or free giveaway (except a puppy or kitten litter or litters may be taken to the animal control shelter during posted hours.
- H. **ANIMALS AS NOVELTIES:** No person or establishment shall sell, offer for sale, barter, or give away chicks, goslings, ducklings, or other fowl as pets or novelties. This section shall not apply to the sale of farm animals at the DeKalb County Free Fall Fair.
- I. **ANIMAL EVENTS PROHIBITED:** No person or group of persons or any profit or nonprofit organization, whether for pay or other compensation or for free promotional purposes, shall conduct or allow any event involving contests between animals or persons using animals in any form or manner, except those events reviewed and approved for the safety, well-being, and comfort of the animals involved by the DeKalb County Commissioners.
 - A) This provision shall not prohibit events authorized by the DeKalb County Fair Association, Inc., conducted in accordance with health regulations for exhibition of domestic and farm animals in the state, or shows, rides, and concessions approved by said Association.
 - B) No event, ride, and/or cession shall be exempt from the provision of F and H above.
- J. **NOISY DOGS:** No person shall allow the continuous barking, yelping, whining, or howling of a dog. With the prior authorization by a DeKalb County Commissioner, the Animal Control Officer may take steps immediately to correct the situation and cause the noise to be abated, either through issuance of a citation or impounding the animal if no owner or agent can be found at the time of the disturbance.
- K. **INTERFERING WITH ENFORCEMENT:** No person shall interfere with the Animal Control Officer in the pursuit of his/her duties as an officer.

L. NUISANCE ANIMALS PROHIBITED: No person shall own or harbor an animal which creates a public nuisance.

M. VICIOUS ANIMALS PROHIBITED:

A) No person shall own, keep, or harbor a vicious animal within DeKalb County, Indiana, provided this section shall not apply to animals under the control of a law enforcement or military agency. For the purpose of this section, an animal may be declared vicious by the County Commissioners by applying the following criteria:

(1) The animal, while running at large, has bitten a person or persons and the bite and attack was unprovoked, or that the animal exhibits vicious propensities in present or past conduct including, but not limited to, conduct such that the animal (1) has bitten a person or persons in a consecutive 12 month period three times; (2) injuries creating a potential danger to health and life of the victim; or (3) could not be controlled or restrained at the time of the bite or attack to prevent the occurrence; and

(2) In order to preserve the public health, safety, and welfare of the community the destruction of said animal is necessary following a hearing before the DeKalb County Commissioners.

B) Whenever an animal is declared vicious, the DeKalb County Sheriff=s Department shall notify the owner of said animal of the declaration. Such notice shall be served either in person or by certified or registered mail. The owner shall be notified and they must appeal the declaration to the DeKalb County Commissioners or said animal will be humanely destroyed by the DeKalb County Sheriff=s Department through the animal shelter at the owner=s expense. The owner may also release the animal, if not already held in quarantine, to the shelter at any time during this ten day period.

C) Any decision by the DeKalb County Commissioners may be appealed to a county court of competent jurisdiction. Such appeal must be brought within ten (10) days after receipt of the written decision of the DeKalb County Commissioners.

- D) Notice of appeal shall act as a stay of the DeKalb County Commissioners' decision. However, the animal shall remain in the custody of the animal shelter.
- N. **ANIMAL TRAPS; REQUIREMENT AND PROHIBITIONS:** It shall be unlawful for a person to use, place, set or cause to be used, placed, or set any leg-hold trap upon any land or waters in DeKalb County, Indiana, unless properly licensed or authorized by the State of Indiana.
- O. **OPEN FEEDING OF ANIMALS:** It shall be unlawful for a person to openly place food and/or refuse out for animals that is spoiled and/or creates a pungent or noxious odor that can be distinctly detected beyond the property line of the owner or resident of a property. In addition, it shall be unlawful for a person to openly place food and/or refuse out for animals off the property.
- P. **ANIMAL HOARDING:** No person shall engage in animal hoarding as defined in this chapter.
- Q. **RESTRAINT OF ANIMALS:** Animals shall be properly restrained as defined in this chapter.
- R. **INTERFERENCE WITH ENFORCEMENT:** No person shall interfere with an animal control officer in the performance of his/her duties as an officer under this chapter.

4. Trap Neuter Return

4.1 **TRAP-NEUTER RETURN GUIDELINES:** The DeKalb County Animal Control Agency or its designee, in order to encourage the stabilization of the free-roaming cat population, otherwise known as feral cats, and may: (A) Trap any free-roaming cat in a humane manner; (B) Have the cat surgically sterilized, ear-tipped, and vaccinated against rabies by a licensed veterinarian; and (C) Release the cat to the DeKalb County Animal Control Facility for adoption or other disposition in accordance with law, or to a colony caretaker who will maintain the cat as part of a managed colony of free-roaming cats. Or to its original location. (D) The DeKalb County Animal Control may impound free-roaming cats in violation of this chapter and dispose of the cats in accordance with the DeKalb County Animal Shelter guidelines. (E) Outdoor feeding times for Community Cat Providers, CCP, is limited to the hours of 6:00 a.m.-9:00 p.m daily to avoid nuisance animal feeding. Any free-roaming cat or feral cat, impounded by the DeKalb County Animal Control that bears an appropriate ear-tipping indicating it

belongs to a managed colony may, at the discretion of the DeKalb County Animal Control, be returned to its managed colony unless illness or injury present an imminent danger to public health or safety.

4.2 Any community cat provider trapping, neutering and releasing the cat back to its original location, to a colony caretaker, or the the County ACO is not deemed to have abandoned the cat.

5. ALTERING OF ADOPTED ANIMALS

Per IC 15-20-4, (A) No adoptions may be finalized by any adoption agency or animal shelter without required spay or neuter surgery prior to leaving the adoption facility. (B) This law will be enforced by the DeKalb County Sheriff's Department, DeKalb ACO and DeKalb County Board of Commissioners. Violations may have a fine of \$500 per each instance.

6. Enforcement:

A. **ENFORCEMENT:** It shall be the responsibility of the DeKalb County Sheriff's Office and/or the Animal Control Officer to issue citations for violations of this chapter and the accompanying fines.

- a. The County Attorney or his designate [including County Prosecutor] shall prosecute the cause on behalf of the County.
- b. All proceedings shall also follow the Indiana Code Section 34-28-5 Ordinance Violation Enforcement rules.

B. ANIMAL IMPOUNDMENT PROCEDURES:

- A) An animal control officer or Sheriff's Deputy may immediately seize, impound or confine any of the following animals:
 1. Any animal that is not restrained as required by this chapter;
 2. Any unattended animal that is ill, injured or otherwise in need of care;
 3. Any unattended animal that is reasonably believed to have been abused or neglected and is found off the property. If reasonably believed to have been abused or neglected and

is on the property, the unattended animal believed to have been abused or neglected may only be seized pursuant to the due process provisions of this Ordinance or under state law for removal of animals;

4. Any animal that is reasonably suspected of having rabies;
5. Any animal determined to be dangerous by the Animal Control Agency or the County Animal Control Officer;
6. Any animal unattended showing vicious and dangerous behavior while not sufficiently confined on its owner's property may be taken by the Animal Control Officer or Animal Control Agency.

B) Any law enforcement officer or animal control agent with probable cause may impound the animal involved:

- (1) For which there has been a violation under IC 35-46-3-6;
- (2) For which there has been a violation under IC 15-20-1-4; or
- (3) For which there has been a violation under IC 35-46-3.

C) If any dangerous animal is found unrestrained and cannot be safely captured, a law enforcement officer and/or the Animal Control Officer may seek assistance or take action deemed appropriate, such as tranquilizing or killing said animal to prevent harm to individuals.

D) An owner reclaiming an impounded animal shall pay all fees for redemption plus total daily boarding, and any veterinary bills.

E) If an animal bearing no identification or microchip is picked up or turned in to an animal control facility, and the owner's information is contained in the animal control facility's records, an attempt shall be made by the animal control facility to return the animal to its owner as soon as is practical after it is picked up or turned in. If the return of the animal is impossible or attempted without success, the animal control facility shall send a written notice to the owner at the address indicated in the records of the animal control facility and/or the microchip company if known. Such notice shall include the information that the animal control facility has the animal and that unless the animal is claimed by the owner within ten (10) days from the date of impoundment; the animal may be placed for adoption or humanely euthanized.

This process shall only apply for the first time occurrences. On any subsequent occurrence, an impounded animal shall be kept for no fewer than five (5) days to permit the owner to claim it. After the fifth day, if the owner has not claimed the animal and paid the required fees, the animal may be placed for adoption or humanely euthanized.

- F) Stray animals without any means of identification of their owners will be held at the animal control facility a minimum of five (5) days in order to permit any potential owner adequate time to reclaim them.
 - G) The animal control facility, but only with the prior approval of a licensed Veterinarian, shall have the authority to take whatever action is reasonably necessary, including humane euthanization, to deal with a sick or injured animal, to prevent unnecessary suffering of the animal.
 - H) Nothing contained herein shall limit the animal control facility's ability to take whatever action is reasonably necessary to provide veterinary care by a veterinarian for a sick or injured animal.
 - I) Any animal taken into an animal control facility, if not reclaimed by its owner as provided for herein, may be placed for adoption or placed with an animal rescue organization, and, if not adopted by the public or placed with an animal rescue organization, may be humanely euthanized.
- C. **RIGHT OF ENTRY:** The DeKalb County Sheriff's Department and/or its Animal Control Officer may use any force necessary to remove any animal locked in a closed vehicle when the ambient temperature is eighty (80) degrees Fahrenheit or above outside the vehicle.
- D. **RIGHT OF EUTHANASIA:** An animal must be euthanized at any time, when, in the judgment of the DeKalb County Sheriff's Department, it is determined that:

At the scene of an accident, an animal is obviously injured beyond medical help, or vicious;

An animal presented to the DeKalb Humane Society is obviously injured beyond medical help, or exhibits obvious signs of infectious disease or parasite infestation that would impose a health risk to animals or parasite

infestation that would impose a health risk to animals housed in the shelter, or that exhibits symptoms of malignancy;

A cat, brought to the DeKalb Humane Society in a trap, exhibits signs that it is feral, and that it cannot be handled safely after a seventy two-hour holding period (excluding the date impoundment).

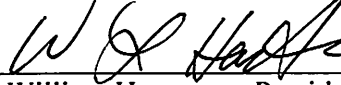
E. PENALTY:

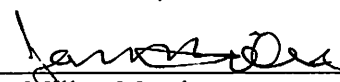
- A) Any person who violates any provision of this chapter for which a penalty is not specifically provided shall, upon conviction, be fined not less than \$50.00 and not more than \$1,000.00.
- B) Any person who violates any provision of Section 3 shall, upon conviction, be fined \$100.00. Each day a violation continues is a separate violation.
- C) If legal proceedings are brought in a Court of Law to enforce any fines or costs in this chapter, the person fined shall also owe all attorney fees and any other costs of collections.

READ AND PASSED ON FIRST READING: Monday, October 27, 2025
READ AND PASSED SECOND READING: Monday, November 10, 2025
READ AND PASSED ON THIRD READING: Monday, November 10, 2025

THIS ORDINANCE IS PASSED AND ADOPTED BY THE DEKALB COUNTY COMMISSIONERS.

DEKALB COUNTY COMMISSIONERS:

BY: 
William Hartman, President

BY: 
James Miller, Member

BY: 
Kellen Dooley, Member

Attested:


Susan Sleeper, Auditor