

## ORDINANCE NO. 30-21

### AN ORDINANCE PROVIDING FOR THE HEALTH AND SAFETY OF ANIMALS

WHEREAS, the City of West Lafayette has a duty to conserve and promote the health, safety, peace, and good order of the community, which includes the need to provide for and promote the health and safety of animals; and

WHEREAS, to provide for and promote the health and safety of animals, the City now desires to amend City Code Chapter 4.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that the following changes are to be made to the West Lafayette City Code:

**CHAPTER 4, ANIMALS** of the West Lafayette City Code shall be amended by adding the following sections **(in bold)** as follows:

#### **Sec. 4-12. - Animal Health and Safety**

- (a) It is unlawful for the owner and/or person having custody, care or control of a vertebrate animal to leave the vertebrate animal in a vehicle or location when any internal, external, or environmental conditions in that vehicle or location, regardless of the condition of the vehicle windows, are reasonably likely to adversely and materially affect the vertebrate animal's life, health, or physical wellbeing.**

**It is a defense to this section of the Chapter if the Defendant can show, by a preponderance of the evidence, that the vertebrate animal was not exposed to extreme heat or cold or any other condition that could constitute a health hazard to the vertebrate animal.**

- (b) It is unlawful for any dog or cat to ride in the bed of a pickup truck on public streets, highways and/or rights-of-way unless the animal is securely caged and said cage is secured to the vehicle to prevent it from being ejected in the event of a collision or other event, and the vertebrate animal is protected from the environment or if the bed of the pickup truck is enclosed with a camper shell or other device that allows is appropriate and sufficient ventilation.**

**(Ord. No. 2014-27, § 1, 11-3-14)**

#### **Sec. 4-13. - Penalty.**

- (a) Any person who violates any provision of this chapter shall be issued a citation which shall contain the name and address of the violator, the code section violated, the date, time and nature of the violation, location of the violation, and the name of the person issuing the citation.**

- (b) Any person violating any of the provisions of this chapter that does not have a specific penalty for that provision shall be fined for each offense per each animal, in any sum not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) and each day's violation shall constitute a separate offense.

**Sec. 2-6. - Continuous violations; schedule of fines** of the West Lafayette City Code shall be amended by adding the following **bolded items** to the table as follows:

4-13	General Penalty for violation of provision of Chapter 4 - Animals	\$50 - \$250 per animal / per offense
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INTRODUCED ON FIRST READING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

MOTION TO ADOPT MADE BY COUNCILOR \_\_\_\_\_, AND SECONDED BY COUNCILOR \_\_\_\_\_.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, HAVING BEEN PASSED BY A VOTE OF \_\_\_\_ IN FAVOR AND \_\_\_\_ OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Blanco				
Brown				
Bunder				
DeBoer				
Kang				
Leverenz				
Parker				
Sanders				
Thomas				

\_\_\_\_\_  
Peter Bunder, Presiding Officer

Attest:

\_\_\_\_\_  
Sana G. Booker, Clerk

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2022.

\_\_\_\_\_  
John R. Dennis, Mayor

Attest:

\_\_\_\_\_  
Sana G. Booker, Clerk