

**TOWN OF LAGRANGE**

**ORDINANCE NO. 2018-03-19(B)**

**AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR PET WASTE**

WHEREAS, it has come to the attention of the Town Council of the Town of LaGrange that there is growing concern over pet waste being left on public property and on private property adjacent to public easements; and

WHEREAS, the Town Council of the Town of LaGrange recognizes the importance of ensuring a safe, healthy, and compassionate community for both citizens and animals; and

WHEREAS, the addition of this ordinance promotes the public safety and welfare of the citizens and property owners of the Town LaGrange and will be in the best interests of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAGRANGE, INDIANA AS FOLLOWS:

**SECTION I:           **Purpose****

An ordinance to establish requirements for the proper disposal of pet solid waste in the Town of LaGrange, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

**SECTION II:           **Definitions****

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.

- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement
- f. Proper disposal – placement in a suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.
- g. Removal Equipment – any tool, implement, or other device carried for the purpose of picking up and contain pet waste.

**SECTION III:            Requirement for Disposal**

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person, absent the owner's consent, excepting all public roadways and/or public streets.

**SECTION IV:            Duty to Possess Removal Equipment**

All pet owners and keepers are required to possess means of removal of their pet's solid pet waste at all times while present with said pet on any property, public or private, not owned or possessed by that person, absent the owner's consent.

**SECTION V:            Exemptions**

Any owner or keeper who requires the use of a disability assistance service animal shall be exempt from the provisions of this ordinance while such animal is being used for that purpose. This exemption does not apply to therapy animals and/or emotional support animals.

On duty law enforcement officers operating with K-9 animals shall also be exempt from the provisions of this ordinance while such personnel and animal are engaged in law enforcement duty.

**SECTION VI:            Enforcement**

The provisions of this Article shall be enforced by the Town Marshall of Town of LaGrange.

**SECTION VII:            Violations and Penalty**

Any person violating the provisions of this Ordinance commits a Class D infraction and shall, upon conviction thereof, be fined in an amount not to exceed Twenty-Five dollars (\$25.00) plus any and all attorney fees and costs of collection.

Any subsequent violation thereafter within a calendar year shall be subject to double the penalty set forth above as the total civil penalty plus any and all attorney fees and costs of collection.

**SECTION VIII: Severability**

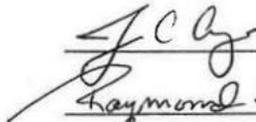
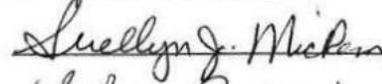
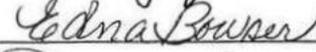
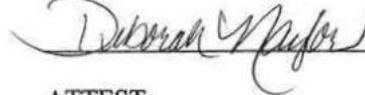
Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION IX: Effective date**

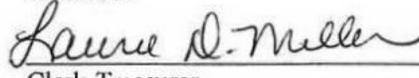
This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

All of which is duly ordained the 19<sup>th</sup> day of March, 2018.

TOWN COUNCIL OF THE  
TOWN OF LAGRANGE, INDIANA

  
\_\_\_\_\_  
Raymond E. Sooner  
  
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Shelley J. Mickler  
  
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Edna Bousper  
  
\_\_\_\_\_  
Deborah Meyer

ATTEST:

  
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Laurie D. Miller  
Clerk-Treasurer