

INTRODUCED: 8/12/2024

REFERRED TO: Metropolitan and Economic Development Committee

SPONSOR: Councilors Barth, Osili and Roberts

DIGEST: amends the Revised Code to add a new Chapter 288, Animal Care Services Agency

SOURCE:

Initiated by: Department of Business and Neighborhood Services

Drafted by: Department of Business and Neighborhood Services

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____



Date: August 8, 2024

CITY-COUNTY GENERAL ORDINANCE NO. _____, 2024

A PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to add a new Chapter 288, Animal Care Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," is hereby amended to add Chapter 288 entitled the "Animal Care Services Agency," reading as follows:

CHAPTER 288 – ANIMAL CARE SERVICES AGENCY

ARTICLE I. - AGENCY ESTABLISHED

Sec. 288-101. Agency established.

There hereby is established an animal care services agency for the consolidated city as provided by IC 36-3-4-23.

Sec. 288-102. - Powers and duties.

It shall be the responsibility of the animal care services agency to operate the city's animal shelter and to enforce provisions of statutes and ordinances relating to the care, treatment, and control of animals, or as may be assigned by the mayor including, but not limited to, enforcement of chapter 531, regarding animals.

Sec. 288-103. – Shelter operations; purpose and responsibilities.

The animal care services agency shall operate or contract for the operation of a shelter facility that shall be known as the "animal care services shelter."

- (a) The animal care services shelter is to accept every Marion County resident's animal brought to it. The animal care services shelter may require an appointment to surrender an animal. If the shelter is at or above ninety (90) percent capacity, the shelter may implement a stronger managed-intake approach to reduce the frequency and amount of animal intake.

- (b) The animal care services shelter shall determine the county of residence for the owner, finder, or keeper of each animal brought to it. All non-Marion County residents shall be assessed a surrender fee established by the board of animal care services not to exceed one hundred dollars (\$100.00) per animal drop-off. The shelter may refuse to accept non-Marion County residents' animals if the fee is not paid or if the shelter is at or above eighty (80) percent capacity.
- (c) The agency shall maintain a clean, comfortable, safe, and healthy environment for the animals at the shelter as is reasonably possible.
- (d) The agency shall adopt written standards and operating procedures to ensure that the shelter is as clean, comfortable, safe, and as healthy an environment as is reasonably possible.
- (e) The shelter shall be open for redemption and adoption of animals a minimum of five (5) partial or whole days a week, including one (1) full weekend day.
- (f) The shelter shall be open to the public until at least 7:00 p.m. a minimum of one (1) weeknight each week.
- (g) The shelter shall make arrangements to receive or assist sick or injured animals twenty-four (24) hours a day.
- (h) The shelter shall coordinate with enforcement officers to make arrangements for emergency pickup service for animals.
- (i) The shelter shall contract or arrange for licensed regular veterinary care and for the appropriate veterinary medical supplies for the animals at the facility. This veterinary care shall include, but not be limited to, treatment of sick and injured animals, care for newborn or young animals, administration of preventative vaccines and deworming.
- (j) The shelter shall provide adequate and nutritional food appropriate to the species and circumstances of the individual animal. Animals will be fed in appropriate containers.
- (k) The shelter shall ensure that the kennels and/or cages in which the animals stay at the shelter are cleaned and disinfected regularly and in no case less than once every twenty-four (24) hours. Animals shall be humanely moved from their individual kennel to a clean area while the cleaning and disinfecting are being performed.
- (l) Incoming animals shall be received in an area separate from the rest of the shelter population and shall be immediately examined for injury. They shall remain separated from the rest of the shelter population until they have been evaluated for health and temperament. Incoming animals whose vaccination history is unknown shall be vaccinated before being moved into the shelter population.
- (m) Cages and kennels shall be in good condition, free of sharp or broken edges, covered drains, supplied with clean, fresh bedding as needed. Every animal shall be kept in an appropriate enclosure so as to remain clean, dry, comfortable and free of disease.
- (n) Animals in the shelter shall be separated as follows:
 - (1) Incoming animals from the shelter population for triage and observation period;
 - (2) Sick and injured animals from healthy animals so as to receive appropriate care, including off-site facility care, if needed;
 - (3) Puppies, kittens and nursing mothers with offspring from all other adult animals;

- (4) Further divisions as needed to accommodate temperament and behavior including, but not limited to, females in heat and overly aggressive animals; and
- (5) Dogs from cats.

ARTICLE II. – ORGANIZATION

Sec. 288-201. - Director.

The director of the animal care services agency shall be appointed by the mayor, subject to the approval of the city-county council as required by IC 36-3-5-2, to serve at the pleasure of the mayor for a term ending December 31 of the year the appointment is effective and until a successor is appointed and qualified.

Sec. 288-202. - Duties of the director.

- (a) The director shall:
 - (1) Supervise and coordinate the activities of divisions within the agency;
 - (2) Oversee the daily operations of the agency;
 - (3) Prepare and submit the agency's budget to the controller as required by IC 36-3-6-4;
 - (4) Appoint a deputy director or administrator to manage each division subject to the approval of the mayor as provided in IC 36-3-5-5;
 - (5) Approve the hiring and dismissal of the personnel of the agency subject to the limitations prescribed by law and rules adopted by the mayor as provided in IC 36-3-5-5(c);
 - (6) Manage the personnel of the agency;
 - (7) Delegate to the personnel of the agency authority to act on behalf of the director as provided in IC 36-3-5-5(c);
 - (8) Execute contracts subject to the authority of the mayor and any other limitations prescribed by law; and
 - (9) Exercise any other powers that may be granted by statute or ordinance or delegated by the mayor.
- (b) The consolidated city of Indianapolis and Marion County through its animal care services agency shall be the successor in interest to all contracts executed by the department of business and neighborhood services on behalf of Indianapolis animal care and control.

Sec. 288-203. - Divisions.

The animal care services agency shall be comprised of the following divisions:

- (a) The division of administration and financial operations;
- (b) The division of shelter operations;
- (c) The division of medical operations; and
- (d) The division of placement operations.

Sec. 288-204. - Board of animal care services.

- (a) *Established.* There is hereby established a board of animal care services pursuant to IC 36-3-4-23.
- (b) *Members.* The board shall be composed of five (5) members; the agency director, who serves as presiding officer of the board; two (2) members appointed by the mayor, and two (2) members appointed by the city-county council. Each appointed member shall serve a one-year term and until his or her successor is appointed and qualified, but serves at the pleasure of the appointing authority. In the event of a vacancy prior to the expiration of a term, the appointing authority shall appoint a member for the remainder of the unexpired term.
- (c) *Meetings.* The board shall schedule regular meetings at least once a month, at times and places prescribed by its rules or established by resolution. No notice to members is required for holding or taking any action at a regular meeting. A special meeting of the board may be called by the presiding officer or by two-fifths ($\frac{2}{5}$) of the members, at any place in the county designated in the call. Each member shall be notified of the time and place of such a meeting by written notice that must be delivered, mailed or sent by other expedient means so that each member has at least seventy-two (72) hours' notice of the meeting. The notice requirements may be waived as to a member if he or she attends the meeting or executes a written waiver of notice. The waiver may be executed either before or after the meeting, but if executed after, it must state in general terms the purpose of the meeting.
- (d) *Board action.* A majority of all the members of the board constitutes a quorum. A majority vote of all the board members is required to pass a resolution.
- (e) *Powers.* The board of animal care services shall have the following powers:
 - (1) To review all budgets prepared by the agency and recommend to the city-county council any revisions the board feels desirable;
 - (2) To hold any hearings to be held following public notice and make findings and determinations required by applicable law;
 - (3) To approve the award and amendment of contracts let by the agency for the purchase or lease of capital equipment or other property where the contract is required to be bid under IC 5-22;
 - (4) To approve the award and amendment of public construction contracts let by the agency that are required to be bid under IC 36-1-12;
 - (5) To approve the acquisition of and leases for real estate by the agency;
 - (6) To approve the employment of persons engaged by the agency by contract to render professional or consulting services;
 - (7) To establish fees issued by the agency, as provided by the city-county council;
 - (8) To adopt, amend and repeal standards, where allowed by code, pursuant to the procedures established in section 141-201 of the Code; and
 - (9) In addition, the board shall have the powers granted to the board of animal care services of a consolidated city by ordinance or by the mayor.

ARTICLE III. – DIVISIONS

Sec. 288-301. – Division of administration and financial operations.

The administration and financial operations division shall:

- (1) Provide support in areas of human resources and staff development, training, payroll administration, personnel policy and procedures, employee relations and labor negotiations;
- (2) Oversee the administration of all grants and sponsorships;
- (3) Manage all aspects of the agency's information systems;
- (4) Provide all marketing, promotion, and communication needs of the agency including public and media relations, social media, and event coordination;
- (5) Provide support in areas of purchasing, procurement, and stock inventory;
- (6) Be responsible for the preparation of the budget and fiscal ordinances, as well as financial planning and analysis for the agency;
- (7) Be responsible for the management of all aspects of the agency's accounting and auditing systems including the monitoring of any cash control systems;
- (8) Administer and coordinate the preparation of all contracts within the agency;
- (9) Develop, implement and manage partnership programs for the agency; and
- (10) Coordinate agency relations with the Friends of Indy Animals organization;

Sec. 288-302. – Division of shelter operations.

The shelter operations division shall:

- (1) Oversee the day-to-day management of the kennels including, but not limited to, feeding animals, taking them outside, and providing enrichment;
- (2) Keep kennels and kennel areas clean as is reasonably possible;
- (3) Implement procedures to limit the spread of infectious diseases;
- (4) Provide notes in the shelter's information system on animals in the shelter's care including, but not limited to, behavior, eating habits, and interactions with other animals;
- (5) Oversee enforcement authority and responsibilities outlined in section 531-712 of the Revised Code;
- (6) Issue and collect civil penalties for animal-related violations outlined in section 103-52 of the Revised Code;
- (7) Provide administrative support to the enforcement authority including filing police reports and affidavits;
- (8) Inspect pet shops, kennels, breeders, and special events for licensing and suitable conditions for animals;
- (9) Be responsible for inventory of food and items regularly used by kennel and enforcement staff; and

- (10) Assist the Indianapolis Metropolitan Police Department, as well as other local and national enforcement authorities on runs or with cases that include animals.

Sec. 288-303. – Division of medical operations.

The medical operations division shall follow the guidance of a licensed veterinarian per IC 25-38.1-4-3, and under that guidance shall:

- (1) Provide initial assessments of animals entering the shelter including, but not limited to, identifying age, breed, sex, spay/neuter status, weight, and pregnancy;
- (2) Administer vaccines, de-worming, flea prevention, medications and other treatments prescribed by the veterinarian;
- (3) Collaborate with kennel operations on animal wellness and care;
- (4) Perform medical and behavioral euthanasia as needed;
- (5) If the employee or contractor is a registered veterinary technician as per IC 25-38.1-3-6, may perform routine procedures as per IC 25-38.1-4-2;
- (6) Maintain records of medical care for each animal;
- (7) Prepare rabies samples for state board of health testing;
- (8) Be responsible for medical supply and drug inventory; and
- (9) Be responsible for managing, coordinating, and arranging licensed veterinary care and contracts with outside service providers.

Sec. 288-304. – Division of placement operations.

The placement operations division shall:

- (1) Oversee the organization's animal adoptions efforts;
- (2) Manage the shelter's diversion program;
- (3) Assist with the intake process when members of the public reach out to surrender animals;
- (4) Oversee the shelter's volunteer program;
- (5) Manage the shelter's partnership with local and regional rescues including, but not limited to, vetting rescue partners and facilitating placement with them; and
- (6) Manage the shelter's foster program including, but not limited to, vetting applications, educating potential fosters, assisting with any necessary medical precursors to foster placement, placing animals in foster homes, and ongoing communication with active and inactive fosters.

SECTION 2. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 3. This ordinance shall be in effect from and after January 1, 2025, and compliance with Ind. Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2024, at _____ p.m.

ATTEST:

Vop Osili
President, City-County Council

Yulonda Winfield
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2024, at 10:00 a.m.

Yulonda Winfield
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2024.

Joseph H. Hogsett, Mayor