

**STARKE COUNTY COMMISSIONERS
ORDINANCE 2019-_____
STARKE COUNTY LEASH LAW**

THE BOARD OF COMMISSIONERS OF STARKE COUNTY, INDIANA (the “Commissioners”) has received, both directly and through the Sheriff’s Department, numerous complaints about unattended or uncontrolled dogs intruding upon private property or into public spaces. Often, these complaints include expressions of fear or concern for the safety of persons, especially children, or state that the unattended or uncontrolled dogs were threatening to or were causing damage to property, livestock, or wildlife. The Commissioners have therefore determined that unattended or uncontrolled dogs intruding upon public spaces or upon private property is contrary to the public safety, health, welfare of the citizens of Starke County, and to persons visiting Starke County or persons owning property in Starke County;

WHEREFORE, the Commissioners hereby enact the Starke County Leash Law, as follows:

1. Owner Responsible for Restraint of Dogs. All dogs shall be kept under restraint. It is the responsibility of any person who owns or harbors a dog (the “Owner”) to insure that dog is restrained whether on the owner’s property or off of the owner’s property.

2. When the Dog Accompanies Owner off of Owner’s Property. When off the Owner’s real property, dogs shall be on a leash not to exceed six feet in length; or if without a leash, the dog must be under complete control of the owner and not more than three feet from the owner.

3. When the Dog is on the Owner’s Property. While on the Owner’s property, dogs must be inside the residence or within a fenced area sufficient in height to prevent the animal’s escape; or if on a leash, the animal must be secured on a leash that is at least six feet in length and located where the animal cannot trespass beyond its owner’s property line.

4. The County Option Dog Tax. The Starke County Leash Law is supplementary to the County Option Dog Tax (Council Ordinance 2011-__) and intended to be interpreted in concert with the County Option Dog Tax. The Ordinance does not repeal the County Option Dog Tax.

5. Penalties Prescribed by Indiana Code. Owners are advised that failure to control dogs owned or harbored by them as required by this Ordinance may also constitute criminal offenses pursuant to Ind. Code § 15-20-1-4 as amended.

6. Exemptions. The following are exempt from this Ordinance: (a) a dog that is engaged in lawful hunting and is accompanied by the owner or a custodian; and (b) a dog that is engaged in herding of domestic animals for the benefit of the domestic animals' owner.

7. Private Lawsuits. This Ordinance is intended as an expression of the public policy of Starke County regarding control of dogs. Nothing herein shall be construed as prohibiting or precluding any private lawsuit, complaint or cause of action regarding the subject matter hereof.

NOW, THEREFORE, BE IT ORDAINED that the Starke County Code be amended to add Commissioners Ordinance 2019-____, the STARKE COUNTY LEASH LAW superseding, replacing and repealing all prior ordinances inconsistent with the terms hereof. This Ordinance shall take effect upon passage.

Presented to the Board of Commissioners of Starke County, Indiana, and approved on the ____ reading the ____ day of April 2019, by the following vote:

Dated: April _____, 2019.

STARKE COUNTY COMMISSIONERS

VOTE

_____ Charles Chesak, *President*

_____ Kathryn Norem, *Vice President*

_____ Bryan Cavender, *Commissioner*

ATTEST:

Rachel Osterreich, *Auditor*
Of Starke County Indiana