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BILL NO. G-15-07-01

GENERAL ORDINANCE NO. G- 11-15

GENERAL ORDINANCE AMENDING §91.036 OF
CHAPTER 91 ANIMAL CONTROL, OF THE CITY OF
FORT WAYNE CODE OF ORDINANCES.

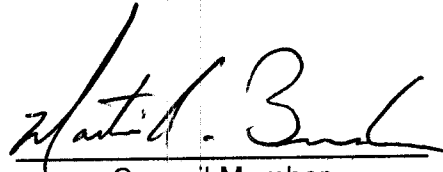
NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FORT
WAYNE, INDIANA, CODE OF ORDINANCES:

SECTION 1. That §91.036 of Chapter 91: ANIMAL CONTROL, of the
City of Fort Wayne, Indiana Code of Ordinances is hereby amended as follows

☐ §91.036 WILD OR EXOTIC ANIMALS.

Ownership, possession, or maintenance of a wild animal indigenous to the state
of Indiana is prohibited. No other wild or exotic animal shall be owned,
possessed, or maintained within the city without all required federal and state
permits.

SECTION 2. That §91.036 of Chapter 91 of the Fort Wayne Municipal Code
shall be in full force and effect from and after its passage and any and all necessary
approval by the Mayor.


Council Member

APPROVED AS TO FORM AND LEGALITY


Carol Helton, City Attorney

REDLINE COPY

BILL NO. G-15-07-01

GENERAL ORDINANCE NO. G- _____

**GENERAL ORDINANCE AMENDING SECTION
91.036 OF CHAPTER 91 ANIMAL CONTROL, OF
THE CITY OF FORT WAYNE CODE OF
ORDINANCES.**

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FORT
WAYNE, INDIANA, CODE OF ORDINANCES:

SECTION 1. That Section 91.036 of Chapter 91: ANIMAL CONTROL, of
the City of Fort Wayne, Indiana Code of Ordinances is hereby amended as follows

§ 91.036 WILD OR EXOTIC ANIMALS.

**Ownership, possession, or maintenance of a wild animal indigenous to the
state of Indiana is prohibited. No other wild or exotic animal shall be owned,
possessed, or maintained within the city without all required federal and
state permits.**

~~No Wild or Exotic Animal shall be owned, kept or maintained within the City
without all required federal and state Permits.~~



CITY OF FORT WAYNE

Animal Care & Control

July 7, 2015

To: Members of Common Council

From: Belinda Lewis, Director
Animal Care and Control

Subject: City Ordinance Wildlife Possession Amendment

The DNR recently identified an inability to regulate wildlife in Indiana due to court action removing their authority to do so. While we currently prohibit dangerous exotic wildlife by ordinance, our local indigenous wildlife are not specifically addressed in the ordinance as they were previously covered by the DNR regulatory system. Those animals (raccoons, foxes, skunks, coyotes, deer, squirrels, rabbits, etc.) have historically presented a much more frequent public health, safety, or animal welfare issue due to their volume and availability in our area.

This amendment provides the city the necessary tools to intervene when animals have been inappropriately removed from the wild and are being held in captivity. The need to attend to this quickly is the unanticipated regulatory "no man's land" that was created for wildlife in our state with this ruling. Our most common safety risk in Fort Wayne involves human bite exposures of rabies carrier wild animals that require testing.

The DNR will continue to issue permits to trained Wildlife Rehabilitators and Nuisance Wildlife Control Operators so those resources will remain available to our agency as well as private citizens who need their assistance.

Thank you for your consideration,
Belinda Lewis

SAFE CITY • QUALITY JOBS • B.E.S.T.

3020 Hillegas Road • Fort Wayne, Indiana • 46808 • www.fwacc.org
phone: 260-427-1244 • fax: 260-427-5514 • adoption information: 260-422-PETS

An Equal Opportunity Employer

Public Hearing Date, if applicable _____

Read the first time in full and on motion by Councilman Martin Bender

Read the second time by title and referred to the Regulations

Committee. Read the third time in full and on motion by Councilman

Martin Bender, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>8</u>	_____	_____	<u>1</u>
BENDER	<u>✓</u>	_____	_____	_____
CRAWFORD	<u>✓</u>	_____	_____	_____
DIDIER	<u>✓</u>	_____	_____	_____
HARPER	<u>✓</u>	_____	_____	_____
HINES	_____	_____	_____	<u>✓</u>
JEHL	<u>✓</u>	_____	_____	_____
PADDOCK	<u>✓</u>	_____	_____	_____
SHOAF	<u>✓</u>	_____	_____	_____
SMITH	<u>✓</u>	_____	_____	_____

DATED: 7-14-15 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. G-11-15 on the 14th day of
July, 2015

ATTEST:
Sandra E. Kennedy
SANDRA E. KENNEDY,
CITY CLERK

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day
of July, 2015, at the hour of 11:00 O'clock Am. E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 21st day of July
2015, at the hour of 8:30 O'clock Am. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR



200 E. Berry St. ♦ Suite 360 ♦ Fort Wayne, IN 46802

Phone: (260) 449-7561 ♦ Fax: (260) 427-1391 ♦ www.allencountyhealth.com

July 9, 2015

To: Members of Common Council

From: Deborah A. McMahan, MD Mindy Waldron, REHS, CFSP
Health Commissioners Department Administrator

Deborah A. McMahan *Mindy Waldron*

Subject: Private Possession of Wildlife; Public Health Implications

We appreciate Council's quick and timely action to address the recent notification across our state that private possession of wild animals would no longer be regulated by the Department of Natural Resources. Within the City of Fort Wayne, the Department of Animal Care and Control acts as our agent to process all animal bites to humans, including those caused by wildlife, and then we complete our statutory requirements with regard to counseling on needed rabies prophylaxis. The frequency of bites to humans by wild animals has decreased markedly over the years. The only notable change over that timeframe has been aggressive regulation of the private possession of these animals.

There are multiple species of wild animals that are considered high risk rabies carriers that live naturally in our community. When left alone, these animals pose no threat. When cornered, frightened, or caged, their likelihood of biting is greatly enhanced. There are only two options when a bite occurs. The animal must be sacrificed and tested for rabies to ensure the health of the victim. If the animal is not available, the victim will be advised to complete a full post exposure rabies vaccine series. Either approach is treated as an emergency by all agencies involved as successful treatment for the victim is time dependent. There is only one lab available in the state for animal testing, post exposure vaccine is administered in an emergency room environment over a month's time, and the vaccine itself is extremely expensive and often in short supply.

The public health and overall expense implications of reintroducing wildlife to private possession are very concerning. Additional zoonotic diseases create risk as well for our Department and our community as a whole. It is our hope the state will respond to this inadvertent situation quickly with legislation that will provide guidance and enforcement ability. In the interim, we would like to support the direction taken by the city to instill ordinance amendments allowing for local control of the possession of these animals.

We very much appreciate your prompt attention and consideration on this very important public health matter.

BILL NO. G-15-07-01 (b) (PASSAGE)

Two third Vote of Council Elect (6 Votes) needed for Passage. Roll Call Vote required.

REPORT OF COMMITTEE ON FINANCE

Regulations

JULY 14, 2015

Glyn
RUSS JEHL - CHAIR
Mitch TOM DIDIER - CO-CHAIR
Ray ALL COUNCIL MEMBERS

General Ordinance amending 91.036 of Chapter 91 Animal Control, of the City of Fort Wayne Code of Ordinance **Two third Votes of Council Elect (6 Votes) needed for Passage. Roll Call Vote required.**

COMMITTEE OF FINANCE HAVE HAD SAID ORDINANCE under Consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Mitch
Tom Didier
Ray
Frank
Jim
Martin
John
Jeff

**SANDRA E. KENNEDY
CITY CLERK**

BILL NO. G-15-07-01 - DISCUSSION

"Suspension of Rules" (7 votes needed and roll call)

REPORT OF COMMITTEE ON ^{Regulations} FINANCE

JULY 14, 2015

Glynn Hines
MITCH HARPER ~~RUSS JEHL~~ - CHAIR
~~TOM DIDIER~~ - CO-CHAIR
ALL COUNCIL MEMBERS

General Ordinance amending 91.036 of Chapter 91 Animal Control, of the City of Fort Wayne Code of Ordinance. **"Suspension of Rules" (7 votes needed and roll call).**

COMMITTEE OF FINANCE HAVE HAD SAID ORDINANCE under Consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<i>Mitch Harper</i>	_____	_____	_____
<i>Thomas Hendrix</i>	_____	_____	_____
<i>[Signature]</i>	_____	_____	_____
<i>[Signature]</i>	_____	_____	_____
<i>[Signature]</i>	_____	_____	_____
<i>Martin A. B. C.</i>	_____	_____	_____
<i>[Signature]</i>	_____	_____	_____
<i>[Signature]</i>	_____	_____	_____
_____	_____	_____	_____

**SANDRA E. KENNEDY
CITY CLERK**

BILL NO. G-15-07-01(a) (PASSAGE)

"Suspension of Rules" (7 votes needed and roll call)

REPORT OF COMMITTEE ON FINANCE ^{Regulations}

JULY 14, 2015

Glynn Hines

RUSS JEHL - CHAIR

M. J. ... **TOM DIDIER - CO-CHAIR**
... **ALL COUNCIL MEMBERS**

General Ordinance amending 91.036 of Chapter 91 Animal Control, of the City of Fort Wayne Code of Ordinance. **"Suspension of Rules" (7 votes needed and roll call).**

COMMITTEE OF FINANCE HAVE HAD SAID ORDINANCE under Consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Handwritten signatures in the 'DO PASS' column]

**SANDRA E. KENNEDY
CITY CLERK**