

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA
MONDAY, NOVEMBER 4, 2024**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions, in the Council Chamber of the City-County Building at 7:06 p.m. on Monday, November 4, 2024, with Councilor Osili presiding.

Councilor Hart introduced Pastor Tim Lindsey, Public Servants' Prayer, who led the opening prayer. Councilor Hart then invited all to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

25 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 ABSENT:

A quorum of twenty-five members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

President Osili welcomed and recognized members of the Alpha Kappa Alpha Sorority, Inc.® - Chi Chi Omega and Alpha Mu Omega chapters. Councilor Perkins recognized members of Jack & Jill of America, Inc. - Indianapolis Chapter.

OFFICIAL COMMUNICATIONS

President Osili called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION
SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen:

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 4, 2024, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Vop Osili
President, City-County Council

Journal of the City-County Council

October 7, 2023

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, October 11, 2024 a copy of a Notice of Public Hearing on Proposal No. 322, 2024, said hearing to be held on Monday, October 21, 2024, at 5:30 p.m. in the Public Assembly Room of the City-County Building.

Respectfully,
s/Yulonda Winfield
Clerk of the City-County Council

October 23, 2023

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 1, 2024 a copy of a Legal Notice of General Ordinance No. 36, 2024 (Proposal No. 314, 2024).

Respectfully,
s/Yulonda Winfield
Clerk of the City-County Council

October 15, 2024

TO PRESIDENT OSILI AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Yulonda Winfield, the following ordinance:

FISCAL ORDINANCE NO. 6, 2024 – adopts the annual budget for the City of Indianapolis and Marion County for 2025

POLICE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2024 – approves the tax levy and rate for the Police Special Service District for 2025

FIRE SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2024 – approves the tax levy and rate for the Fire Special Service District for 2025

SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT FISCAL ORDINANCE NO. 1, 2024 – approves the tax levy and rate for the Solid Waste Collection Special Service District for 2025

GENERAL ORDINANCE NO. 36, 2024 – amends Chapter 441, Article III, of the Revised Code of the Consolidated City of Indianapolis and Marion County to add a new Division 9 pertaining to illegal street activity

SPECIAL ORDINANCE NO. 11, 2024 - amends a prior bond ordinance authorizing the issuance of Indiana, Economic Development Tax Increment Revenue Bonds in a maximum aggregate principal amount not to exceed \$19,500,000 for Phase I, and \$6,500,000 for Phase II, for the purpose of providing funds to pay a portion of the costs of the City Market Redevelopment Project, and approves and authorizes other actions in respect thereto

SPECIAL ORDINANCE NO. 12, 2024 – proposes an ordinance of the Marion County Local Income Tax Council to: 1) modify the local income tax rate, 2) modify the allocation of the previously imposed expenditure rate, 3) determine how the revenue from the property tax relief rate shall be applied to provide property tax credits in subsequent years, and 4) to cast the vote of the Council on such ordinance

GENERAL RESOLUTION NO. 42, 2024 – approves hourly and per diem pay increases for Marion County election workers

s/Joseph H. Hogsett, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councilor Hart moved, seconded by Councilor Bain, to remove Proposal No. 358, 2024 from the agenda this evening, as it is unnecessary due to the introduction of Proposal No. 357, 2024; and is an unenforceable resolution; and he does not believe a discussion is needed on the issue this evening. PROPOSAL NO. 358, 2024. The proposal, sponsored by Councilor J. Brown, supports the immediate implementation of the U.S.-backed ceasefire plan.

Councilor J. Brown said that he wrote this resolution at the beginning of July, and it has been waiting for three months to be heard and should be heard before Proposal No. 358, 2024. Proposal No. 358, 2024 was removed from the agenda on the following roll call vote; viz:

23 YEAS: Allen, Annee, Bain, Barth, Boots, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
2 NAYS: Brown-A, Brown-J

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of October 7, 2024. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 357, 2024. The proposal, sponsored by Councilors Allen, Bain, Barth, Boots, Brown, A., Brown, J., Carlino, Delaney, Evans, Gibson, Graves, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts and Robinson, calls on all residents of Indianapolis and Marion County to commit themselves to peaceful coexistence in the face of local, national, and international conflict. Councilors read the proposals and presented copies of the document and Council pins to Dr. Lionel Rush and other collaborators who helped to draft the resolution. Councilor J. Brown thanked all of the faith leaders who collaborated on this proposal, but due to what has happened in this room this evening, he would like to be removed as a co-sponsor. Councilor Robinson moved, seconded by Councilor Carlino, for adoption. Proposal No. 357, 2024 was adopted on the following voice vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
1 NAY: Brown-J

Proposal No. 357, 2024 was retitled SPECIAL RESOLUTION NO. 22, 2024, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 2024

A SPECIAL RESOLUTION calling on all residents of Indianapolis and Marion County to commit themselves to peaceful coexistence in the face of local, national, and international conflict.

WHEREAS, the United States is a diverse nation, founded on the bedrock of the ideal of pluralism, where residents of all backgrounds are called upon to energetically engage across even our deepest differences, not in isolation, but in collaboration and relationship to one another; and

WHEREAS, the City-County Council of Indianapolis and Marion County (Council) seeks to create in Marion County a culture wherein individuals of every faith tradition, religion, cultural background, and ethnic identity are empowered to contribute peacefully to our civil and political discourse; and

WHEREAS, the Council recognizes the limitation of its reach to influence global events, while its members, like all residents of this city and county, nonetheless, bear witness to the devastating impact of political and religious violence across the globe; and

WHEREAS, it is recognized that this Council does exercise considerable influence within the boundaries of its jurisdiction and a respectable amount with its adjacent neighbors; and

WHEREAS, the ability of peoples to coexist without employing violence to settle disagreements is essential in a society increasingly characterized by ethnic, religious, sectarian, economic, and political diversity; and

WHEREAS, as elected leaders of the Council, we, along with faith leaders, recognize that the need for us to speak and act with mutual respect and dignity is at its greatest when our disagreements are at their deepest; and

WHEREAS, faith leaders of the Indianapolis community stand with this Council tonight, united in the belief that making a shared commitment to peaceful coexistence within this city and county is the civic and moral duty of every resident of our city; now, therefore:

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

SECTION 1. The Indianapolis/Marion County City-County Council condemns all hateful and violent speech or action in our community and around the world directed at members of any faith, race, ethnicity, gender identity, or orientation.

SECTION 2. The Council joins with faith leaders of the Indianapolis community to categorically reject anti-Islamic, anti-Semitic, Hinduphobic and any and all bias, racism, xenophobia, bigotry and marginalization in any form, while respecting freedom of speech within the boundaries of law and respectful civility.

SECTION 3. The Council further joins these faith leaders in their pledge to live in peaceful coexistence; to speak and act with mutual respect for one another, committing to respect the diversity of identities and voices that strengthen the values we all cherish even, or especially, when tensions and violence in our community or around the world may induce us to act otherwise; and to allow these commitments to be our message to a war-weary world.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 363, 2024. The proposal, sponsored by Councilor Osili, approves the schedule of regular council meetings for the year 2025. President Osili stated that proposed Council dates have been distributed to all Council members and he called for a motion on the proposal. Councilor McCormick stated that on the draft calendar an Election Day is shown, but there is no election next year, and that should be removed. Councilor Gibson moved, seconded by Councilor Carlino, for adoption. Proposal No. 363, 2024 was adopted on the following unanimous voice vote; viz:

24 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
1 NAY: Brown-J

Proposal No. 363, 2024 was retitled COUNCIL RESOLUTION NO. 71, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 71, 2024

A PROPOSAL FOR A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 2025.

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

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 2025:

- | | |
|------------------------------|---------------------------------|
| (1) Monday, January 6, 2025 | (8) Monday, August 11, 2025 |
| (2) Monday, February 3, 2025 | (9) Monday, September 8, 2025 |
| (3) Monday, March 3, 2025 | (10) Monday, September 22, 2025 |
| (4) Monday, April 7, 2025 | (11) Monday, October 6, 2025 |
| (5) Monday, May 5, 2025 | (12) Monday, November 3, 2025 |
| (6) Monday, June 9, 2025 | (13) Monday, December 1, 2025 |
| (7) Monday, July 7, 2025 | |

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councilor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal Nos. 317 and 324, 2024 on October 21, 2024.

PROPOSAL NO. 317, 2024. The proposal, sponsored by Councilor Osili, appoints Kameelah Shaheed-Diallo to the Economic Enhancement District Board. By a 10-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Lewis moved, seconded by Councilor Carlino, for adoption. Proposal No. 317, 2024 was adopted on the following roll call vote; viz:

25 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:

Proposal No. 317, 2024 was retitled COUNCIL RESOLUTION NO. 72, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 72, 2024

A COUNCIL RESOLUTION appointing Kameelah Shaheed-Diallo to the Economic Enhancement District Board.

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

SECTION 1. As a member of the Economic Enhancement District Board, the Council appoints:

Kameelah Shaheed-Diallo

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2025. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

PROPOSAL NO. 324, 2024. The proposal, sponsored by Councilor Lewis, reappoints Rylan Hall to the Woodruff Place Economic Improvement District Board. By a 10-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Lewis

moved, seconded by Councilor A. Brown, for adoption. Proposal No. 324, 2024 was adopted on the following roll call vote; viz:

25 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:

Proposal No. 324, 2024 was retitled COUNCIL RESOLUTION NO. 73, 2024, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 73, 2024

A COUNCIL RESOLUTION reappointing Rylan Hall to the Woodruff Place Economic Improvement District Board.

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

SECTION 1. As a member of the Woodruff Place Economic Improvement District Board, the Council reappoints:

Rylan Hall

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2027. The person appointed by this resolution shall serve at the pleasure of the Council. Upon expiration of the term, the appointee may serve until his or her successor is appointed and qualifies, for a period not to exceed the holdover duration set by statute.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 335, 2024. Introduced by Councilors Osili and Jones. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the establishment of the CSX Redevelopment Project Area and CSX Allocation Area in connection with the proposed CSX Building project"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 336, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling of \$29,500,000 from the Capital Asset and Lifecycle Development Fund, a transfer of appropriation of \$30,000 and an additional appropriation of \$480,000 in the Consolidated County General Fund for use by the Office of Finance and Management to fund the construction of the low barrier shelter, facility improvements, and additional contractual costs"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 337, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which transfers existing appropriation from various city-county funds for use by various city-county departments and agencies and appropriates \$6,958,000 of grant awards not previously appropriated"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 338, 2024. Introduced by Councilors Mascari and Boots. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$150,000 and transfers of \$250,000 in the 2024 budget of the Marion County Information Services Agency (Information Services Fund) for the purpose of affording costs related to IT services and equipment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 339, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$42,000 from the County General Fund for use by the Marion County Treasurer to fund additional personnel cost"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 340, 2024. Introduced by Councilors Mascari, Delaney and Hart. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$500,000 and a transfer totaling \$258,434 in the 2024 Budget of the Marion County Election Board (County General Fund) for the purposes of funding increases in absentee team and election day poll worker salaries and costs for legal services associated with the General Election"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 341, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a General Resolution which adopts an investment policy authorizing the investment of public funds of Marion County and to authorize the investing officer of the Marion County Treasurer's Office to make investments having a stated final maturity that is: (1) more than two (2) years; but (2) not more than five (5) years; after the date of purchase or entry into a repurchase agreement"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 342, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 181 Section 601 of the Revised Code of the Consolidated City and County entitled Fiscal Procedures and Requirements, Special Appropriations to extend the usage of promotional accounts to the entire consolidated city and to direct the controller to draft a policy providing further details"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 343, 2024. Introduced by Councilor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which directs the Rules and Public Policy Committee to review and prepare a report pertaining to the fiscal impact statement associated with the Consolidated City of Indianapolis, Marion County union agreement with the American Federation of State, County and Municipal Employees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 344, 2024. Introduced by Councilor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which directs the Rules and Public Policy Committee to review and prepare a report pertaining to the fiscal impact statement associated with the Marion County Clerk, Assessor, Auditor and Surveyor union agreement with the American Federation of State, County and Municipal Employees Local 827"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 345, 2024. Introduced by Councilors Osili and Jones. The Clerk read the proposal entitled: "A Proposal for a Special Ordinance which authorizes the issuance of one or more series of its City of Indianapolis, Indiana Taxable Economic Development Tax Increment Revenue Bonds, Series 202_ (Boxcar Development/CSX Project) (to be completed with the year in which issued and such further series or other designation as determined to be necessary), in a maximum aggregate principal amount not to exceed \$15,600,000, and approving and authorizing

other actions in respect thereto"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 346, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which approves the statement of benefits of Rocky Mountain Energy Holdings, LLC and Peregrine Energy Solutions, LLC (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC 36-7-15.1-26"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 347, 2024. Introduced by Councilor Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves the 2025 Budget of the Woodruff Place Economic Improvement District"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 348, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves the 2025 Budget of the Greater Virginia Avenue Corridor Economic Improvement District"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 349, 2024. Introduced by Councilor Gibson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which Amends Chapter 744 (Development Standards) of the Revised Code of the Consolidated City and County by modifying portions pertaining to billboards and making other changes that include technical corrections, correcting typographical errors and omissions, and correcting internal references"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 350, 2024. Introduced by Councilor Jones. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$13,360,000 and transfer of appropriation totaling \$3,110,000 in the 2024 Budget for the Department of Public Works in the Consolidated County General, Capital Asset Lifecycle and Development, Transportation General, and Solid Waste Collection General Funds for the purposes of financing increased costs in the maintenance of the City-County Fleet, DPW Operations facility needs, and additional residential trash collection contractual costs"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 351, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$712,000 in the 2024 Budget of the Marion County Coroner (County General Fund and State of Indiana Grants - County Fund) for the purpose of funding pathology services and continuation of the trauma informed care program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 352, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$378,000 and a transfer of appropriation totaling \$150,000 in the 2024 Budget of the Marion County Public Defender Agency (County General Fund, Federal Grants - County Fund and State of Indiana Grants - County Fund) for the purpose of funding operational costs and continuation of the barrier buster program"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 353, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an additional appropriation totaling \$7,062,350, a transfer of appropriation totaling \$300,000, and a reduction of appropriation totaling \$912,350 in the 2024 Budget of the Marion County Sheriff in the County General Fund, Medical Care for Inmates Fund, Public Safety Income Tax Fund, and Federal Grants Fund for the purposes of funding personnel costs and additional grant awards"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 354, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which directs the Rules and Public Policy Committee to review and prepare a report pertaining to the fiscal impact statement associated with the Marion County Sheriff's Office union agreement with the Fraternal Order of Police"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 355, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which directs the Rules and Public Policy Committee to review and prepare a report pertaining to the fiscal impact statement associated with the Indianapolis Fire Department's union agreement with the Indianapolis Professional Firefighters (Local 416)"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 356, 2024. Introduced by Councilor Osili. The Clerk read the proposal entitled: "A Proposal for a General Resolution which directs the Rules and Public Policy Committee to review and prepare a report pertaining to the fiscal impact statement associated with the Indianapolis Metropolitan Police Department union agreement with the Fraternal Order of Police on behalf of Park Rangers"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 359, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Barbara Lawrence to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 360, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kerry Forestal to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 361, 2024. Introduced by Councilor Mascari. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kate Sweeney Bell to the Information Technology Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 362, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Andrea Neely to the City Market Corporation Board of Directors"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 364, 2024. Introduced by Councilor Brown. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Julie Burns to the Indianapolis Community

Food Access Advisory Commission"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 365, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints William Longest to the Woodruff Place Economic Improvement Board"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 366, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Brian Barton to the Marion County Property Tax Assessment Board of Appeals"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 367, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Cathi Gould to the Marion County Property Tax Assessment Board of Appeals"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 368, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Belinda Drake to the Board of Business and Neighborhood Services"; and the President referred it to the Metropolitan and Economic Development Committee.

PROPOSAL NO. 369, 2024. Introduced by Councilor Evans. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Gregory Hahn to the Indianapolis Public Transportation Corporation Board of Directors"; and the President referred it to the Municipal Corporations Committee.

PROPOSAL NO. 370, 2024. Introduced by Councilors Allen, Barth, Boots, A. Brown, Carlino, Delaney, Evans, Graves, Lewis, Mascari, McCormick, Nielsen, Osili, Perkins, Roberts and Robinson. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Revised Code Section of the Consolidated City of Indianapolis Marion County to add guidelines for the submittal of Special Resolutions"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 371, 2024. Introduced by Councilor Carlino. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Amy Carroll to the Public Art for Neighborhoods Selection Committee"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 372, 2024. Introduced by Councilor Robinson. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Abdul Hakim Shabazz to the Marion County Public Defender Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 377, 2024. Introduced by Councilors Nielsen and Barth. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which establishes a study commission to evaluate intellectual and developmental disability service providers and funding allocations in Marion County"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 378, 2024. Introduced by Councilor Lewis. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Brent Lyle to the Metropolitan Development Commission"; and the President referred it to the Metropolitan and Economic Development Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 373-375, 2024 and PROPOSAL NO. 376, 2024. Introduced by Councilor Lewis. Proposal Nos. 373-375, 2024 and Proposal No. 376, 2024 are proposals for Rezoning Ordinances certified for approval by the Metropolitan Development Commission on October 2 and July 17, 2024, respectively. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 114-117, 2024, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 114, 2024.

2024-ZON-039

3803, 3805, 3919, 4051, and 4233 Lafayette Road, 4262, 4266, 4270, and 4360 West 38th Street, 4702, 4750, and 4825 Century Plaza Road (*Approximate Addresses*)

Pike Township, Council District #5

PFFO QOZB LLC, by Alex Intermill and Tyler Ochs

Rezoning of 126.55 acres from the C-4, C-5, and MU-2 (FF) districts to the C-S (FF) district to provide for C-4 and MU-2 permitted uses, plus commercial retail, community center, athletic fields and courts, film production studios, hotels, multi-family dwellings, and educational uses

REZONING ORDINANCE NO. 115, 2024.

2024-ZON-062

1025 Jefferson Avenue (*Approximate Address*)

Center Township, Council District #13

Brookside Commercial, LLC, by Joseph D. Calderon

Rezoning of 0.15-acre from the D-5 district to the SU-38 district to provide for additional surface parking area for a community center and apartments.

REZONING ORDINANCE NO. 116, 2024.

2024-ZON-095

230, 238, and 240 South Pennsylvania Street (*Approximate Addresses*)

Center Township, Council District #18

Boxcar Development, LLC, by Timothy Ochs

Rezoning of 1.89 acres from the I-3 (FF) (TOD) (RC) district to the CBD-2 (FF) (TOD) (RC) district for a Mixed-Use Development.

REZONING ORDINANCE NO. 117, 2024.

2024-ZON-026

7405 and 7425 Westfield Boulevard (*Approximate Addresses*)

Washington Township, Council District #2

7425 Westfield Boulevard LLC and 7405 LLC, by Michael Lang

Rezoning of 1.13 acres from the D-4 (TOD) (FF) district to the C-1 (TOD) (FF) district to provide for a mental health treatment facility and office use.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 322, 2024. Councilor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 322, 2024 on October 21, 2024. The proposal, sponsored by Councilor Mascari, approves the declaratory resolution and redevelopment area plan of the Metropolitan Development Commission, establishing a redevelopment area known as the Norwood Housing Redevelopment Area and declaring that the area be designated as the Norwood Housing Tax Increment Financing (HoTIF) Allocation Area. By a 10-0 vote, the committee reported the proposal to the full Council with the recommendation that it do pass. Councilor Lewis moved, seconded by Councilor McCormick, for adoption. Proposal No. 322, 2024 was adopted on the following roll call vote; viz:

25 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:

Proposal No. 322, 2024 was retitled GENERAL RESOLUTION NO. 43, 2024, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 43, 2024

A GENERAL RESOLUTION of the City-County Council of the City of Indianapolis and of Marion County, Indiana, approving (i) a Declaratory Resolution and Redevelopment Area Plan, of the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "Commission") and (ii) the determination of the Commission that an area within the City of Indianapolis, Indiana is a housing allocation area within a redevelopment area.

WHEREAS, on October 2, 2024, the Commission adopted its Resolution No. 2024-E-030 (the "Declaratory Resolution") initially approving a Redevelopment Area Plan (the "Plan") for a redevelopment area to be established in the City known as the "Norwood Housing Redevelopment Area" (the "Area"), and declaring that the Area be designated as the "Norwood Housing Tax Increment Financing (HoTIF) Allocation Area" (the "Allocation Area") pursuant to Indiana Code 36-7-15.1 *et seq.*, as amended (collectively, the "Act"); and

WHEREAS, the Act requires approval of the Declaratory Resolution, the Plan, the Area and the establishment of the Allocation Area by the City-County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"); and

WHEREAS, the Declaratory Resolution and Plan have been submitted to this Council; now, therefore:

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

SECTION 1. The Declaratory Resolution, Area and Plan for the Area, are in all respects approved, ratified and confirmed by the Council.

SECTION 2. The determination of the Commission that the Allocation Area described in the Declaratory Resolution is an allocation area pursuant to the Act is in all respects approved, ratified, and confirmed by the Council.

SECTION 3. This resolution shall be in full force and effect upon its adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15 and 36-3-4-16.

PROPOSAL NO. 334, 2024. Councilor Lewis reported that the Metropolitan and Economic Development Committee heard Proposal No. 334, 2024 on October 21, 2024. The proposal, sponsored by Councilors Roberts and Barth, amends various sections of the Revised Code of the Consolidated City and County to reflect the actions of General Ordinance No. 33, 2024, which created the Indianapolis Animal Care Services Agency. By a 10-0 vote, the committee reported

the proposal to the full Council with the recommendation that it do pass. Councilor Lewis moved, seconded by Councilor A. Brown, for adoption. Proposal No. 334, 2024 was adopted on the following roll call vote; viz:

25 YEAS: Allen, Annee, Bain, Barth, Boots, Brown-A, Brown-J, Cahill, Carlino, Delaney, Dilk, Evans, Gibson, Graves, Hart, Jones, Lewis, Mascari, McCormick, Mowery, Nielsen, Osili, Perkins, Roberts, Robinson
0 NAYS:

Proposal No. 334, 2024 was retitled GENERAL ORDINANCE NO. 37, 2024, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 37, 2024

PROPOSAL FOR A GENERAL ORDINANCE to amend various sections of the Revised Code of the Consolidated City and County to reflect the actions of General Ordinance No. 33, 2024, which created the Indianapolis 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 by adding the sections that are underlined and deleting the sections that have been stricken through to read as follows:

Sec. 226-202. - Duties of the director.

- (a) The director of the department of business and neighborhood services shall:
 - (1) Supervise and coordinate the activities of divisions within the department;
 - (2) Oversee the daily operations of the department;
 - (3) Prepare and submit the department'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, and approve the appointment of bureau administrators as provided in Article III of this chapter;
 - (5) Approve the hiring and dismissal of the personnel of the department 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 department;
 - (7) Delegate to the personnel of the department 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;
 - (9) Procure for the consolidated city a set of the weights and measures provided in IC 24-6-2-1; and
 - (10) 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 department of business and neighborhood services shall be the successor in interest to all contracts executed by the consolidated city of Indianapolis and Marion County through its department of code enforcement.
- ~~(c) The consolidated city of Indianapolis and Marion County through its department of business and neighborhood services shall be the successor in interest to all contracts executed by the department of public safety on behalf of Indianapolis animal care and control.~~

Sec. 226-203. - Divisions and bureaus.

The department of business and neighborhood services shall be composed of the following divisions and bureaus, as provided in Article II, Article III, Article IV, Article V, and Article VI of this chapter:

- (1) The division of construction and business services, which shall be organized into bureaus and provide the following services:
 - a. Construction and use permitting;
 - b. Business licensing; and
 - c. Construction inspections.
- (2) The division of property and land use services, which shall be organized into bureaus and provide the following services:
 - a. Unsafe building program;
 - b. Environmental inspections;
 - c. Business and use inspections.
- ~~(3) The division of animal care services, which shall be organized into bureaus and provide the following services:
 - a. Animal shelter operations;
 - b. Animal control operations; and
 - c. An animal services advisory board.~~
- ~~(4)~~(3) The division of administrative and financial operations, which shall provide the following services:
 - a. Administration services;
 - b. Financial services; and
 - c. Logistical services.

~~ARTICLE V. DIVISION OF ANIMAL CARE AND CONTROL~~

~~DIVISION 1. ORGANIZATION~~

~~Sec. 226-511. Division established, powers and duties.~~

- ~~(a) The division of animal care services is established within the department of business and neighborhood services. The division shall be managed by a deputy director who is appointed by and serves at the pleasure of the director, in consultation with the mayor.~~
- ~~(b) The division shall have the powers and duties 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. 226-512. Shelter operations; purpose and responsibilities.~~

~~The animal care services division shall operate or contract for the operation of the facility located at 2600 South Harding Street which 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. The animal care services shelter shall determine the county of residence for the owner of each animal brought to it. All non-Marion County residents shall be assessed a surrender fee established by the board of business and neighborhood 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. The division shall use the income from the non-resident fee to promote spay and neuter programs.~~
- ~~(b) The division shall maintain a clean, comfortable, safe and healthy environment for the animals at the shelter.~~

- ~~(4) The division shall adopt, subject to the approval of the animal services advisory board, written standards and written standard operating procedures to ensure that the shelter is as clean, comfortable, safe and as healthy an environment as is reasonably possible.~~
- ~~(5) The shelter shall be open for redemption and adoption of animals a minimum of six (6) partial or whole days a week, including one (1) full weekend day.~~
- ~~(6) The shelter shall be open to the public until at least 7:00 p.m. a minimum of one (1) week night each week.~~
- ~~(7) The shelter shall make arrangements to receive and assist sick or injured animals twenty four (24) hours a day.~~
- ~~(8) The shelter shall coordinate with enforcement officers to make arrangements for emergency pickup service for animals.~~
- ~~(9) The shelter shall contract or arrange for licensed regular veterinary care and for the appropriate veterinary medical supplies for the animals at the facility, which 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 worming.~~
- ~~(10) 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.~~
- ~~(11) The shelter shall assure 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.~~
- ~~(12) 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.~~
- ~~(13) Cages and kennels shall be in good condition, free of sharp or broken edges, covered drains, supplied with clean, fresh bedding daily. Every animal shall be kept in an appropriate enclosure so as to remain clean, dry, comfortable and free of disease.~~
- ~~(m) 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;~~
 - ~~(14) 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.~~

DIVISION 2.— ANIMAL SERVICES ADVISORY BOARD

Sec. 226-521.— Animal services advisory board established.

The animal services advisory board is hereby established to help identify the problems and needs of animal care and control in the city, to suggest answers and to recommend solutions to these needs and problems, and to educate the public regarding the care and ownership of animals.

Sec. 226-522.— Board membership.

(a) The animal services advisory board shall be composed of five (5) voting members who are residents of the city and have an interest in and knowledge of care and control of animals, and who are chosen as follows:

(1) A veterinarian licensed by the State of Indiana and actively engaged, if possible, in private practice in Marion County, who shall be appointed by the mayor;

(2) A representative from the Health and Hospital Corporation of Marion County board of public health, who shall be appointed by the council;

(3) A representative from the Humane Society of Indianapolis, who shall be appointed by the mayor;

(4) Two (2) members from the community, one (1) of whom shall be appointed by the council, and one (1) of whom shall be appointed by the mayor.

In addition to the five (5) voting members, the deputy director of the animal care services division shall be an ex officio, non-voting member of the board.

(b) Each board member shall serve at the pleasure of the appointing authority for a term ending December 31 following appointment and until a successor is appointed. A member may be reappointed for successive terms.

(c) If any board member dies, resigns, vacates office or is removed from office, a new member shall be appointed to fill the vacancy in the same manner as the member in respect to whom the vacancy occurs was appointed.

(d) Any board member who fails to attend three (3) consecutive regular meetings of the board shall be treated as if he had resigned, unless sufficient written justification is submitted to and approved by the appointing authority. The deputy director shall inform the appointing authority in writing of any board member of such board member's failure to attend three (3) consecutive regular meetings.

(e) An appointing authority shall not make all of its appointments from the same political party.

Sec. 226-523.— Officers, quorum, meetings.

(a) The voting members of the board shall select a chairman and a vice chairman. A recording secretary who shall keep the official minutes of the meetings, reserve meeting room space, handle all of the communications, including but not limited to meeting notices, will be supplied by the department of business and neighborhood services. All official action of the animal services advisory board shall be in writing and be executed by the board upon being authorized by motion passed by the animal services advisory board by simple majority of its members present.

(b) A quorum of the board for official action in session shall be three (3) of the five (5) voting members. Official minutes of meetings shall be kept by the secretary.

(c) The board shall meet at least every month, or on special call of the chair, or upon the written request of any three (3) members with every other meeting being held at the shelter facility located at 2600 South Harding Street in the city.

Sec. 226-524.— General powers and duties.

It shall be the responsibility of the board to insure that activities of animal care services are meeting its mission statement, to help identify the problems and needs of animal care and control in Marion County, to suggest answers and to recommend solutions to these needs and problems, and to educate the public regarding the proper care and responsible ownership of animals, and to make reasonable efforts to ensure that sufficient funds are appropriated for the proper and

necessary equipment and personnel, and upgrades thereof, proper and efficient performance of the services, and work required of the division consistent with the board's policies and procedures.

~~Sec. 226-525. Specific powers, duties and responsibilities.~~

The board shall also be charged with the following specific duties and responsibilities:

- ~~(1) To adopt, and if necessary, review and amend rules and regulations for the efficient implementation of its policies and procedures, as well as to ensure that the goals identified in the mission statement of animal care services are fulfilled;~~
- ~~(2) To allow any person who feels aggrieved at a decision of a public entity concerning animals, or who wishes to express a concern involving animals, to file a written request for consideration of such grievance or concern with the chairman of the animal services advisory board, who shall place such request on the agenda of a meeting of the animal services advisory board. At the meeting, the animal services advisory board shall hear the request and take appropriate action;~~
- ~~(3) To make recommendations to the deputy director and/or the council regarding establishing standards for the care, disposition, treatment and control of all animals within Marion County including, but not limited to, increasing the adoption of animals and establishing criteria for the adoption of animals, establishing education and community outreach programs for the animal care services division, establishing and enhancing a county-wide, "one number to call" lost and found service for pet owners, establishing and administering a not-for-profit fund for which charitable donations can be made by citizens on behalf of animal care services, establishing certification and/or educational requirements for employees of animal care services, and encouraging responsible pet ownership, including the spaying and neutering of pet dogs and cats;~~
- ~~(4) To draft and adopt the mission statement for the animal care services division;~~
- ~~(5) To receive and review monthly reports from the administrator concerning:

 - ~~a. The numbers of investigations conducted by animal care and control officers, the circumstances involved, the status of such investigations;~~
 - ~~b. The numbers of animals taken into the shelter, the reasons therefor, the dispositions of such animals (i.e., retrieved by owners, adopted, euthanized, etc.);~~
 - ~~c. The status of programs designed to implement the mission statement of the animal care services division;~~
 - ~~d. Fiscal operation and budgetary needs; and~~
 - ~~e. Such other information as the animal services advisory board shall from time to time request; and~~~~
- ~~(6) To submit to the council, the mayor and the director annual reports of its activities and operations.~~

CHAPTER 135 - FUNDS

ARTICLE III. - NONREVERTING CITY FUNDS

DIVISION 9. - ANIMAL CARE SERVICES SHELTER FUND

Sec. 135-391. - Animal care services shelter fund.

There is hereby created a special fund to be designated the "animal care services shelter fund" for the purpose of programming, diversion efforts, marketing, and shelter operations, promoting spay and neuter programs. The fund shall be administered by the Indianapolis Animal Care Services Agency department of business and neighborhood services. The fund shall consist of the fees collected from non-Marion County residents pursuant to section 226-512, or any other funding source not otherwise prohibited by law. This fund shall be a continuing, non-reverting fund with all balances remaining therein at the end of the year. Such balances shall not lapse into the consolidated county fund or be diverted for uses other than those stated in this section.

CHAPTER 531 – ANIMALS

ARTICLE I. - GENERAL PROVISIONS

Sec. 531-101. - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

Animal means any living, nonhuman vertebrate creature.

~~*Animal care services division* means the animal care services division of the department of business and neighborhood services.~~

Animal care services shelter means the shelter described in section ~~226-512~~ 288-103 of this Code.

At large means being loose and free roaming, not being on a leash and under the control of a competent person, or any portion of the animal's body not being confined within a pen, corral, yard, cage, house, vehicle, or other secure enclosure or structure or by other means that prevents escape.

Board means the board of ~~animal care services, business and neighborhood services of the department of business and neighborhood services.~~

Community cat means an unowned cat that has been captured, evaluated, ear tipped, sterilized and vaccinated against rabies by a licensed veterinarian and released in accordance with section 531-209 of this Code.

Community cat caretaker means a person that provides food, water or outdoor areas of shelter to a community cat and who is not otherwise prohibited from owning or keeping animals.

Crime prevention dog means and includes a dog that is trained and used by its owner or keeper primarily for the protection of persons or property, or both.

Dangerous animal means any animal that:

- (1) Would constitute a danger to human life or property if it were not kept in the manner required by this chapter;
- (2) Has caused serious injury to a person without having been provoked by that person;
- (3) At a place other than its owner's or keepers property has:
 - a. Chased or approached a person in a menacing fashion or apparent attitude of attack; or
 - b. Attacked another domestic animal; or
- (4) Because of its training or behavior, is capable of inflicting physical harm or death to humans.

Dog means and includes animals of the *Canis familiaris* species, and hybrids of a *Canis familiaris* and any other member of the *Canis* genus, including wolves.

Domestic animals means rabbits, cattle, horses, ponies, mules, donkeys, jackasses, llamas, swine, sheep, goats, dogs, cats and poultry.

Exposed to rabies means an animal has been exposed to rabies if it has been bitten by or been in contact with any animal known or reasonably suspected to have been infected with rabies.

Free-roaming cat means a cat that is at large that does not possess an identification tag or microchip as required by section 501-202 of this Code nor has been ear tipped to indicate it is a community cat.

Kennel means a facility operated commercially and principally for the purpose of boarding, housing, breeding or training dogs or cats, or both. For purposes of this chapter, kennel shall not include a facility in or adjoining a private residence where dogs or cats are kept for the hobby of the owner, lessee or other occupant of the property using the animals for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the property,

and an occasional sale of pups or kittens by the owner, lessee or other occupant of the property shall not make such property a kennel for the purposes of this chapter.

Law enforcement animal means an animal that is owned or used by a law enforcement agency for the purpose of aiding in the detection of criminal activity, enforcement of laws, the apprehension of offenders and ensuring the public welfare.

Monitored means that the animal:

- (1) Is controlled by means of a leash or other device held by a competent person, subject to the provisions of sections 531-401 and 531-728, which animal is sufficiently near the owner or handler as to be under his or her direct control and is obedient to that person's command;
- (2) Is on or within a vehicle being driven or parked; or
- (3) Is confined as required by this chapter.

Nonbite exposure means and includes scratches, abrasions, open wounds or mucous membranes contaminated with saliva or other potentially infectious material from a rabid animal.

Own means to keep, harbor or have custody, charge or control of an animal, and owner means any person who owns an animal; however:

- (1) Veterinarians and operators of kennels, pet shops and stables, as those terms are defined in Chapter 836 of this Code, who temporarily keep animals owned by, or held for sale to other persons shall not be deemed to own or be owners, but rather to be keepers of such animals.
- (2) A community cat caretaker shall not be deemed to own or keep a community cat but rather to provide limited oversight of such animals.

Person means and includes any individual, corporation, partnership or other association or organization, but shall exclude the following for purposes of section 531-401:

- (1) Police officers, federal or state armed forces, park rangers, game wardens, conservation officers and other such governmental agencies, with respect to actions that constitute a discharge of their official duties; and
- (2) An individual, partnership, corporation or other association, organization, or institution of higher education, that is registered as a research facility with the United States Secretary of Agriculture under 7 USC § 2131 et seq., commonly known as the "Animal Welfare Act," while engaged in the course of their performance as such.

Provoke means the infliction of bodily harm on the animal or another person, or conduct that constitutes a substantial step toward the infliction of bodily harm on the animal or another person.

Quarantining authority means the animal care services agency department of business and neighborhood services, its contractors, agents, employees and designees, acting under directives and regulations of the Health and Hospital Corporation of Marion County or the state board of animal health.

Serious injury means any injury that results in permanent disfigurement, unconsciousness, extreme pain, or permanent or protracted loss or impairment of the function of a bodily member or organ and includes, in regard to an animal, an injury requiring euthanasia.

Veterinarian means a person licensed to practice veterinary medicine in the state.

Wild animal means and includes:

- (1) A Class III wild animal for which a state permit is required under 310 IAC 3.1-11-8 and/or IC 14-22-26; and
- (2) A venomous snake, poisonous amphibian, or other large reptile.

Sec. 531-102. - Animals at large prohibited; penalties.

- (a) An owner or keeper of an animal commits a violation of the Code if that animal is at large in the city.

- (b) Except as provided in subsection (c) of this section, section 531-501 or section 531-727, the first violation in any twelve-month period shall be subject to an admission of violation and payment of the designated civil penalty through the ordinance violations bureau in accordance with Chapter 103 of the Code. All subsequent violations in a twelve-month period are subject to the enforcement procedures provided in section 103-3 of the Code and a fine of not less than one hundred dollars (\$100.00) per violation.
- (c) If, while the animal is at large in violation of this section ~~at a location other than its owner's or keeper's property or in the public right of way;~~ it:
 - (1) Attacks another animal; or
 - (2) Chases or approaches a person in a menacing fashion or apparent attitude of attack;

then the violation shall be subject to the enforcement procedures and penalties provided in section 103-3 of the Code, and the fine imposed shall not be less than two hundred and fifty dollars (\$250.00), or five hundred dollars (\$500.00) if another animal or person is injured as a result of the animal's actions. If the violation results in serious injury to any person, the court upon request shall order the animal forfeited and/or destroyed.

ARTICLE II. - DOGS AND CATS

Sec. 531-202. - Permanent identification of dogs and cats required.

- (a) A person who owns a dog or cat in the consolidated city and county shall ensure that each dog or cat owned by that person bears a permanent means of identification at all times, such that the animal's owner can be ascertained accurately, quickly, and easily.
- (b) The identification required by this section shall be in addition to any tags required to be worn by dogs or cats by state law or other provision of this Code, and shall be either by means of a microchip implanted in the dog or cat or animal that bears a registered identification number, and that can be read by a standard microchip scanner; or
- (c) Each veterinarian or other person in the consolidated city and county who implants microchips as contemplated in this section shall make available upon request to the animal care services division the names, addresses, and phone numbers of the owners of the dogs and cats, and the corresponding microchip identification numbers. Such records shall be available to ~~the~~ animal care services ~~agency division~~ without court order.

Sec. 531-205. - Unlawful care for a free-roaming cat.

It shall be unlawful for a person to provide food, water or shelter to a free-roaming cat for a period of more than sixty (60) days unless in compliance with ~~sections 531-209 and 531-210~~ of this Code. ~~The~~ animal care services ~~agency division~~ may impound community cats in violation of this chapter and dispose of the cats in accordance with ~~section 531-731~~.

Sec. 531-208. - Lost or stray domestic animals.

- (a) Persons finding a stray animal are to notify ~~the~~ animal care services ~~agency division~~, or its designee, within forty-eight (48) hours. At the discretion of the ~~agency division~~, the animal may be kept by the finder and a found report left with the ~~agency division~~, or its designee, to enable the finder an opportunity to return the animal to its rightful owner. ~~The finder is expected to make a reasonable effort to find the animals owner or keeper prior to surrendering them to the shelter.~~
- (b) Upon demand, by ~~the~~ animal care services ~~agency division~~, any found animal will be taken to an appropriate facility and scanned for an identifying microchip.
- (c) Persons finding an animal are obligated to comply with all the rules and regulations of this chapter pertaining to humane care and treatment of animals, while said animal is in their custody awaiting return to its actual owner.
- (d) With the exception of the Humane Society of Indianapolis or other humane and/or breed rescue organizations recognized by ~~the~~ animal care services ~~agency division~~, the finder will be considered the found animal's owner for purposes of this chapter fourteen (14) continuous days after the found report was filed with ~~the~~ animal care services ~~agency division~~ or its designee.

Sec. 531-209. - Community cat program.

- (a) A community cat program is established in order to encourage the stabilization of the free-roaming cat population in the city by utilizing a trap, neuter, and return methodology.
- (b) A person may trap any free-roaming cat in a humane manner, utilizing a live release trap that does not injure the animal, and in accordance with the requirements of [section 531-407](#) in order to have the free-roaming cat evaluated, surgically sterilized, ear-tipped, and vaccinated against rabies by a licensed veterinarian and released to the vicinity from where it was trapped or released to a community cat caretaker.
- (c) A community cat, impounded by [the animal care services agency division](#), shall be returned to the vicinity from where it was trapped unless the circumstances present a detriment to the cat or to the public health or welfare.

Sec. 531-210. - Community cat caretaker responsibilities.

- (a) A community cat caretaker shall abide by standard guidelines devised by [the animal care services agency division](#) regarding the provision of food, water, shelter and veterinary care for a community cat as well as comply with [section 531-209](#) of this Code.
- (b) Community cat caretakers shall take a seriously ill or injured community cat to the animal care services shelter or seek licensed veterinarian care for the community cat.
- (c) A person who violates any provision of this section shall be punishable as provided in [section 103-3](#) of this Code; provided, however, a fine imposed for the first such violation shall not be less than twenty-five dollars (\$25.00).

Sec. 531-305. - Finding of rabies; general quarantine.

- (a) When an animal quarantined in the city has been found rabid or is suspected of being rabid by a veterinarian and dies while under observation, the quarantining authority shall take such action as is specified in such cases by the state board of animal health and shall notify the proper public health officials of reports of human contacts made by, and the diagnosis made of, the animal.
- (b) When a rabies report is made under subsection (a) of this section, the quarantining authority shall recommend to the director of the [animal care services agency](#) ~~department of business and neighborhood services~~ a general quarantine in the city for a period of thirty (30) days. Upon invocation of the general quarantine by the director, any animal found at large in the city may be destroyed without being impounded. During the quarantine period, every animal bitten or exposed through nonbite exposure by an animal adjudged to be rabid shall be confined, at its owner's expense, or destroyed as specified by the state board of animal health.
- (c) During a general quarantine declared by the director under this section, an animal's owner or keeper who resists the quarantining authority acting under this chapter, or who permits an animal owned or kept by that person to be at large in the city, shall be punishable by a fine not to exceed five hundred dollars (\$500.00), and any animal which is suspected of being rabid or is in violation of the general quarantine shall be impounded.

ARTICLE IV. - CARE AND TREATMENT

Sec. 531-401. - General requirements for animal care and treatment.

- (a) Every owner or keeper of an animal kept in the consolidated city and county shall see that such animal:
 - (1) Is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit or lie in its own excrement; the person(s) responsible for animal(s) shall regularly and as often as necessary to prevent odor or health and sanitation problems, maintain all animal areas or areas of animal contact;

- (2) Has food that is appropriate for the species in adequate amounts to maintain good health, fresh potable drinking water where appropriate, shelter and ventilation, including quarters that are protected from excessive heat and cold and are of sufficient size to permit the animal to exercise and move about freely;
 - (3) Is protected against abuse, cruelty, neglect, torment, overload, overwork, or any other mistreatment;
 - (4) Shall provide the reasonably necessary medical care according to commonly accepted veterinary standards, in addition to the required rabies vaccination which shall include recommended vaccinations as required by accepted veterinary standards, and if diseased or injured, or exhibiting symptoms of disease, receives proper care and is segregated from other animals so as to prevent transmittal of the disease; and
 - (5) Is maintained in compliance with all applicable federal, state and local laws and all regulations respecting animal care and control as are adopted by the animal care services agency ~~department of business and neighborhood services~~ and in effect from time to time.
- (b) It shall be unlawful for a person to beat, starve or otherwise mistreat any animal in the city, or to fail to comply with any requirement of subsection (a) of this section.
 - (c) It shall be unlawful to tether any animal by use of a choke collar, or on any collar too small for the size and age of the animal, or by any rope, chain, or cord directly attached to the animal's neck, or by a leash less than twelve (12) feet in length, or by any tether or leash without swivels on both ends, or of such unreasonable weight as to prevent the animal from moving about freely;
 - (d) It shall be unlawful for any animal to be tethered between the hours of 11:00 p.m. and 6:00 a.m.; or to tether any un-sterilized dog for any period of time unless the dog is in visual range of a competent adult who is outside with the dog; or to tether or confine an animal at a vacant structure or premises for any purpose or time when it is not monitored by a competent adult who is present at the property for the duration of such tethering or confinement.
 - (e) In addition to the general requirements for animal care and treatment in this article, every owner or keeper of a dog kept in the consolidated city and county shall see that such dog when confined outside:
 - (1) Has access to a shelter constructed of solid wood or other weather resistant material, consisting of a structure with solid walls on all sides, a dry floor raised above the ground, and a solid roof sloped away from the entrance to protect the dog from weather and extreme cold. During winter and any day when the temperature is at or below 40°F, the shelter must be just large enough for the dog to stand up and turn around, the entrance covered by a flexible wind-proofing material or self-closing door, and must contain clean, dry bedding, which must consist of an insulating material that does not retain moisture, such as straw, of sufficient depth for the dog to burrow. On any day when the temperature is at or above 80°F, the shelter must be shaded by trees, a tarp, or a tarp-like device.
 - (2) Must be brought into a temperature-controlled facility when the temperature is at or below 20°F or at or above 90°F, or when a heat advisory, wind chill warning, or tornado warning has been issued by local, state, or national authority, except when the dog in visual range of a competent adult who is outside with the dog.
 - (3) as adequate space for exercise when confined in an enclosure or pen, which shall consist of no less than one hundred (100) square feet. A dog over eighty (80) pounds must be provided with an additional fifty (50) square feet. For each additional dog inside the enclosure, fifty square feet of space for exercise must be added per dog.
 - (4) Is treated so that there are no open lesions on the dog's skin due to insect bites or other parasitic infections.
 - (5) Shall not be tethered except when all of the following conditions are met:
 - (i) The tether is not attached to a motorized vehicle, such as an automobile, truck, or motorcycle;
 - (ii) The dog is at least six (6) months of age and is not sick or injured;
 - (iii) The tethered dog has access to water, shelter, and dry ground. If there are multiple tethered dogs, each dog must be tethered separately in a manner that prevents the tethers from becoming entangled with each other or any other object, and each dog must have separate water and shelter;

- (iv) The tether is attached to the dog by a properly fitting buckle-type collar, or a collar that will not break under pressure, with a rotating toggle or attachment. Pinch, prong, or choke collars shall not be used. The tether shall not wrap directly around the dog's neck;
 - (v) The tether is not of such unreasonable weight as to prevent the dog from moving about freely, is free of tangles, cannot be entangled with another animal or object, and is at least twelve (12) feet in length.
 - (vi) If the dog is attached to a trolley system, the running line must be at least twelve (12) feet in length and the tether length must be greater than the height of the running line.
 - (vii) The tether is located so as not to allow the dog to trespass on public or private property nor in such a manner as to cause harm or danger to persons or other animals.
- (f) In the discretion of the enforcement authority, as that term is defined in section 531-711 of this Code, a person who violates any provision of this section for the first time may be given written notice of the practices or conditions which constitute the violation, and the enforcement authority shall in such instance direct remedies to such person where appropriate and provide a time period of no longer than thirty (30) days within which to correct the violation(s). Failure of the person to correct the violations within the specified time period shall constitute prima facie evidence of this section.
- (g) A person who violates any provision of this section shall be punishable as provided in section 103-3 of this Code; provided, however, the fines imposed for any such violation shall be as follows:
- (1) For the first violation, not less than twenty-five dollars (\$25.00); and
 - (2) For the second or subsequent violations, not less than two hundred dollars (\$200.00), and the court upon request shall order forfeiture or other disposition of the animal involved. A judgment by the court which orders forfeiture or other disposition of the animal by the city or any third party shall include as a part of such judgment adequate provisions for the collection of costs of forfeiture or impoundment from the person found in violation.
- (h) For purposes of this section, the following terms have the following meanings:
- (1) "Confined outside" means confined outside the house, mobile home, or apartment where the owner is living. Confined outside would include in the yard, or in a garage, shed, or barn without heating or air-conditioning. Access to a garage, shed, or barn maintained between 40°F and 80°F would not be considered confined outside.
 - (2) "Temperature controlled facility" means a building maintained between 40°F and 80°F.

ARTICLE V. - WILD OR DANGEROUS ANIMALS, REGISTRATION, CONFINEMENT AND APPEAL RIGHTS

Sec. 531-501. - Wild animal and dangerous animal determination, appeal rights and confinement requirements.

- (a) For purposes of this article, the procedure, terms, and penalties provided in this section shall apply to wild animal and dangerous animal determinations, care requirements to be imposed, and actions by the animal care services agency division.
- (b) After an investigation, the administrator as assigned by the deputy director or his or her designee of the animal care services agency division is authorized to make a determination whether an animal is, based upon the factors listed in section 531-101, dangerous or potentially dangerous and shall notify the owner of the animal in writing of that status. If the administrator director or his or her designee has probable cause to believe that an animal is dangerous or potentially dangerous, the administrator director or his or her designee may convene a hearing for the purpose of determining whether the animal in question shall be declared dangerous or potentially dangerous and to determine if the animal would pose a threat to public safety if returned to its owner or if specific conditions of care and treatment were not imposed on the return of the animal to its owner. Prior

to the hearing, the ~~administrator~~ **director or his or her designee** shall conduct or cause to be conducted an investigation and shall provide reasonable notice of the hearing to the owner.

- (c) Following notice to the owner and prior to the hearing, if the ~~administrator~~ **director or his or her designee** has probable cause to believe that an animal is dangerous and may pose a threat to public safety, the ~~administrator~~ **director or his or her designee** may obtain a search warrant pursuant to the laws of this jurisdiction and impound the animal pending disposition of the case. The owner of the animal shall be liable for the cost and expenses of keeping the animal.
- (d) The hearing shall be held no less than five (5), and not more than ten (10) days, excluding holidays, Saturdays and Sundays, after service of notice upon the animal's owner. The hearing shall be informal and open to the public. The owner shall have the opportunity to present evidence as to why the animal should not be declared dangerous or not pose a threat to public safety if returned to its owner. The ~~administrator~~ **director or his or her designee** may present all issues for or against the owner of the animal regardless of whether the owner appears at the hearing.
- (e) Within five (5) days after the hearing, the ~~administrator~~ **director or his or her designee** shall notify the owner in writing of the determination.
- (f) The owner may, within five (5) days after a determination that an animal is dangerous, bring a petition in this county seeking review of the determination. A decision by a court overturning the ~~administrator~~ **director or his or her designee** shall result in the return of the animal to the owner subject to the provisions of section 531-733.
- (g) Confinement of a dangerous animal means confinement to a fenced yard from which the animal may not escape by slipping under or over the fence or through an open gate or which would allow the animal to bite or to otherwise wound a person who may brush against or stick a hand or finger in, over or through the fence. Such an animal may be confined in an owner's home. The animal's confinement must be such as will prevent the animal from harassing neighbors or passersby and may not constitute either a sight, smell or noise nuisance.
- (h) Any violation of this section shall subject the owner or person in possession of the animal to the enforcement provisions of section 103-3 of the Code, and the fine imposed shall not be less than five hundred dollars (\$500.00) for the first violation; not less than one thousand dollars (\$1,000.00) for a second violation; and upon a third violation, the animal shall be seized in accordance with section 531-721, et seq. If such violation results in the animal causing serious injury to any person, the court shall, upon request, order the animal forfeited and/or destroyed.

Sec. 531-502. - Wild animal and dangerous animal; registration required; limitation on ownership.

- (a) It shall be unlawful for a person to own a wild animal or dangerous animal in the city without first having registered the animal with the animal care services ~~agency division~~ under this article; however, this section shall not apply to zoological parks or bona fide circuses or carnivals.
- (b) It shall be unlawful for any person to own more than two (2) dangerous animals at any time in the city. This subsection shall not apply to veterinarians and operators of kennels that are registered under Chapter 836 of this Code.
- (c) It shall be unlawful for any person to own any dangerous animal that is a dog in the city unless the dog has been spayed or neutered by a veterinarian and has been implanted with a microchip with a registered identification number.

Sec. 531-503. - Crime prevention dog; registration required.

- (a) It shall be unlawful for a person to own a crime prevention dog in the city without first having registered the animal with the animal care services ~~agency division~~ under this article.
- (b) Notwithstanding the provisions of section 531-202 of the Code, each crime prevention dog shall be implanted with a microchip which bears a registered identification number.

Sec. 531-504. - Registration information required; notification of change.

November 4, 2024

- (a) A registration required by this article shall be made on forms provided by the animal care services agency division, and shall include the following:
 - (1) The owner's name, address, and telephone number where the owner can be reached in the event of an emergency;
 - (2) The address and type of premises where the animal is kept;
 - (3) A detailed description of each animal registered; and
 - (4) Any other information deemed necessary and appropriate by the animal care services agency division.
- (b) During the term of the registration, the owner of an animal registered under this article shall notify the animal care services agency division in writing of any change in circumstances which would render the information contained in the registration incomplete or inaccurate.

Sec. 531-505. - Registration fee, term and revocation.

- (a) There is no fee for the registration of an animal under this article.
- (b) The term of the registration shall expire on the last day of December of the year in which the registration is made, and shall be renewable upon application therefor.
- (c) The animal care services agency division may revoke a registration issued under this article for any violation of this article committed by the owner of the animal.

ARTICLE VI. - EUTHANASIA OF ANIMALS

Sec. 531-601. - Humane euthanasia of animals.

- (a) The animal care services agency division, other animal shelters, and/or public animal facilities which destroy animals in the city, shall use only such methods, materials and standards as approved by the American Veterinary Medical Association for said purpose. In no event shall an animal be euthanized inhumanely.
- (b) The shelter shall provide sedatives for struggling or vicious animals when necessary for use during the euthanasia process and train its personnel in their proper and humane use and administration.

ARTICLE VII. - ENFORCEMENT AUTHORITY

DIVISION 1. - IN GENERAL

Sec. 531-711. - Enforcement authority defined.

For the purposes of this article, the enforcement authority shall consist of the department of business and neighborhood services by its the animal care services agency division, its designees, and the Indianapolis metropolitan police department.

Sec. 531-712. - Enforcement authority's rights and responsibilities.

- (a) Persons who are individually charged with the enforcement of this chapter, within the division of animal care services agency, shall be designated animal care and control officers, and prior to the performance of any act in connection therewith, shall be appointed and sworn as special police officers pursuant to chapter 279, of the Code. Such animal care and control officers shall also receive appropriate and relevant training and be certified by the National Animal Control Association or other appropriate agency.
- (b) It shall be the duty of the Indianapolis metropolitan police department to assist in the enforcement of all provisions of this chapter and other ordinances in relation to animals, and it shall be the duty of all officers of such agency to report at once all violations thereof to police or sheriff's headquarters.

- (c) Such officers are authorized to enforce all provisions of this chapter and section 836-5 of this Code, including the right to proceed upon public and private property in the city in pursuit of animals in violation of this chapter.
- (d) Such officers are not authorized to enter a privately owned enclosure in pursuit of an animal without the consent of the owner, lessee or other occupant of the enclosure, or other legal process; provided, however, if any animal is believed to be enclosed without adequate food, shelter and water, or dead animals are believed to be enclosed, and such owner or occupant is not present and cannot readily be located, an animal ~~care and~~ control officer may affix a notice to the premises in an obvious location, directing the occupant to contact the officer at a given location and phone number. If neither the occupant nor anyone on the occupant's behalf responds to such notice within twenty-four (24) hours after the notice is affixed, an animal ~~care and~~ control officer may enter the premises to determine if the provisions of this chapter or section 836-5 of this Code have been violated.

Sec. 531-713. - Interference with enforcement authority.

It shall be unlawful for a person to interfere with an animal ~~care and~~ control officer or other enforcement authority officer in the performance of the officer's duties. A person who violates this section shall be punishable as provided in section 103-3 of this Code; provided, however, a fine imposed for any such violation shall not be less than fifty dollars (\$50.00).

DIVISION 2. - IMPOUNDMENT AND DISPOSITION OF ANIMALS

Sec. 531-722. - Notice to owner.

- (a) Upon the impoundment of an animal, a reasonable attempt shall be made to notify and inform the owner of the animal of the requirements of this article for regaining the custody of the animal.
- (b) Such attempt shall include, but not necessarily be limited to, the following:
 - (1) In the instance of an impounded dog or cat, contact with the owner identified by the microchip or other permanent means of identification, if any, borne by the dog or cat;
 - (2) In the instance of an impounded dog or cat not bearing a permanent means of identification, contact with the veterinarian facility listed on the animal's vaccination tag; and
 - (3) Cooperation of effort with other governmental and private agencies, such as the Humane Society of Indianapolis or other humane and/or breed rescue organizations recognized by the animal care services agency division.

Sec. 531-723. - Report of impoundment.

A person who confines an animal found by that person to be at large in the city shall notify the animal care services agency division or one of its agents within forty-eight (48) hours thereafter.

Sec. 531-724. - Return of captured animal without impoundment.

When the owner of a captured animal is known, such animal need not be impounded but may be returned to its owner if, in the opinion of the animal ~~control care services~~ officer or management of the animal care services agency, the return would not present a detriment to the public health or welfare or otherwise result in a violation of this chapter. A community cat shall be released where captured, unless reasonable options of return have been exhausted.

Sec. 531-725. - Return of impounded animal to its owner.

- (a) An animal impounded ~~under this division~~, if claimed by its owner, shall be returned to its owner subject to, and upon compliance with, the provisions of division 2 and division 3 of this article.
- (b) The owner of an impounded animal may obtain the return of such animal upon compliance with any applicable provisions the board or agency may impose, and the payment of the appropriate impoundment and kennel fees, and any other applicable fees and fines.
- (c) Prior to the return to its owner of an impounded dog or cat which at the time of impoundment did not bear a permanent means of identification as required by section 531-202 of this Code, the enforcement authority shall

cause a microchip with a registered identification number to be implanted in the animal. The fee for such service shall be ten dollars (\$10.00).

Sec. 531-727. - Petition for bond to cover costs of impoundment and care; forfeiture of animal.

- (a) *Petition.* Whenever an animal is impounded under this article for a violation of section 531-109, 531-204, or 531-305, or a violation of article IV of this chapter, or a violation of [article] V of this chapter, or a violation of 531-728, or has been impounded on a prior occasion, or the city prosecutor has applied for an order under section 531-733, the city prosecutor may file a petition with the court having jurisdiction over the ordinance enforcement action requesting an order to require the owner to post a cash bond to cover the fees and costs of the animal's care. The petition shall include an itemized estimate of the reasonable expenses the animal care services **agency division** expects to incur for the care of the animal from the time of impoundment to a minimum of thirty (30) days thereafter. Such expenses shall include but are not limited to the impoundment fee and kennel fees provided in section 531-726 of the Code, and the estimated cost of emergency and routine veterinary care.
- (b) *Hearing and order.* The court, pursuant to its rules of procedure, shall provide the opportunity for a prompt hearing and prompt decision on the city prosecutor's petition. If the court finds there is a reasonable likelihood that the city will prevail on the merits of the ordinance enforcement action, then the court shall order the owner to post a cash bond as provided in this section to cover the fees and other costs of care of the animal for a specific period of time of not less than thirty (30) days beginning on the date of impoundment.
- (c) *Posting of bond; time requirements.* The owner shall post the bond by delivering cash or a certified or cashier's check payable to "City of Indianapolis" to the animal care services **agency division**. The cash or check must be received by the animal care services **agency division** within three (3) days after the date of the court's order, excluding Saturdays, Sundays, and city holidays established in section 291-206 of the Code. The animal care services **agency division** shall hold such check or cash in trust until forfeiture of the animal, return of the animal to its owner, or final adjudication of the ordinance enforcement action, whichever first occurs.
- (d) *Renewal bonds.* The animal's owner shall renew the bond at the end of the period of time ordered by the court, and every thirty (30) days thereafter, in the same manner as posting the bond provided in subsection (c) of this section. The owner's duty to renew the bond shall continue until forfeiture of the animal, return of the animal to its owner, or final adjudication of the ordinance enforcement action, whichever first occurs. The owner shall pay the renewal bond before the close of business on the last day of each bond period; however, if such last day is a Saturday, Sunday, or city holiday established in section 291-206 of the Code, then the renewal bond shall be paid on the last business day prior to such Saturday, Sunday, or holiday.
- (e) *Forfeiture.* If an owner fails to post a bond within three (3) days as provided by subsection (c) of this section, or fails to pay a renewal bond before the close of business on the last day of each bond period as provided by subsection (d) of this section, then the owner shall be presumed to have surrendered all rights and claim of ownership and control of the animal and the city prosecutor may petition the court for an order to dispose of the animal under the provisions of [section 531-731](#) of the Code.
- (f) *Expiration of bond.* Upon forfeiture of the animal, return of the animal to its owner, or final adjudication of the ordinance enforcement action, whichever first occurs, the animal care services **agency division** shall be entitled to draw upon the cash or certified or cashier's check to cover the animal's impoundment fee, kennel fees and the cost of any actual veterinary care. After the fees and costs are paid, the city shall promptly remit any remaining bond money to the owner; however, if the bond money is not sufficient to cover such fees and costs, the owner shall be liable to the city for the difference.

Sec. 531-728. - Additional restrictions on dangerous or nuisance owners or keepers of animals.

- (a) It shall be unlawful for any person who has been found in violation of sections 531-102 (at large), 531-103 (animals in heat), 531-109 (animal attacks), 531-204 (nuisance), 531-206 (unlawful use), 531-401 (care and treatment), 531-402 (abandonment), 531-404 (animal fights) or article V of this chapter, to own or keep more than two (2) dogs in the city or to own or keep any dog:

- (1) That has not been spayed or neutered by a veterinarian; ~~or~~ **and**
 - (2) That has not been implanted with a microchip with a registered identification number.
- (b) A person who has been found in violation of sections 531-102(c) (at large), 531-109 (animal attacks), 531-206 (unlawful use), 531-404 (animal fights) or article V of this chapter commits a violation of the code if any dog owned or kept by that person is outside a structural enclosure sufficient to confine the dog without means of escape, unless the dog is on a leash and under the control of a competent adult.

DIVISION 3. - OTHER DISPOSITION OF ANIMALS

Sec. 531-731. - Disposition of owner-surrendered animals and impounded animals not claimed by owner; adoption.

- (a) An animal surrendered by its owner to the animal care services ~~agency division~~ and not adopted, or rescued by a humane or breed rescue organization, may be kept or otherwise humanely disposed of, in the reasonable exercise of discretion of the enforcement authority, but consistent with such provisions as the ~~animal care services board~~ **animal services advisory board** shall make regarding the capture, surrender, impoundment, adoption, sale and destruction of animals. No healthy, behaviorally sound, adoptable owner-surrendered animal shall be humanely disposed of, while there is sufficient room in the kennel to reasonably house such animal at the animal care services shelter.
- (b) An animal impounded under this article and that is not claimed by its owner shall be confined by the enforcement authority in a humane manner for a period after capture of not less than ~~four (4) days~~ **thirty-two (32) business hours**. ~~Because the shelter operates 24 hours a day, the four-day hold period applies to each day the animal is in the shelter's care, regardless of weekends or holidays.~~ An animal not claimed within the impoundment period may be kept, adopted, rescued by a humane or breed rescue organization, ~~a member of the public,~~ or otherwise humanely disposed of, in the reasonable exercise of discretion of the enforcement authority, ~~but consistent with such provisions as the animal services advisory board shall make regarding the capture, surrender, impoundment, adoption, sale and destruction of animals.~~ Even after the expiration of the impoundment period, no animal shall be humanely disposed of, while there is sufficient room in the kennel to reasonably house such animal at the animal care services shelter.
- (c) A free-roaming cat that is not spayed or neutered and is eligible for the community cat program is exempt from the mandatory ~~four-day~~ **thirty-two (32) business hour** impoundment period and may be immediately processed through the community cat program.
- (d) ~~Following the thirty-two (32) business hour impoundment period, a person other than the animal's owner or a member of the owner's family who wishes to adopt an impounded animal that has not been claimed, and that is otherwise available for adoption, may adopt the animal. It is declared that the adoption of as many animals as possible is a priority of the animal care services shelter. Such~~ **A person wishing to adopt an animal from the animal care services shelter shall pay to the city an adoption fee of sixty dollars (\$60.00)** ~~fifty dollars (\$50.00) to cover the enforcement authority's expenses, including the expense of vaccinations; however, with respect to a dog or cat that does not bear an identification microchip, the enforcement authority shall cause a microchip with a registered identification number to be implanted in the dog or cat prior to the animal's adoption, and the adoption fee for such a dog or cat shall be sixty dollars (\$60.00). The foregoing notwithstanding, animal care services~~ **agency division** may, upon the approval of the ~~animal care services board~~ **animal services advisory board**, set lower fees for adoption for special events, **specific circumstances**, and limited periods of time which shall be designated in advance and clearly defined. ~~Such lowered rates may not be granted for individual animals, but may be designated by specified groups of animals.~~
- (e) A dog or cat that has been impounded under this article or is otherwise available for adoption, must be spayed or neutered, ~~and microchipped,~~ prior to being released to any person who wishes to adopt the animal.

Sec. 531-733. - Restrictions on return of certain animals.

- (a) Notwithstanding any other provision of this chapter, an animal which has been impounded under this article for a violation of sections 531-102 (at large), 531-103 (animals in heat), 531-109 (animal attacks), 531-204 (nuisance), or 531-305 (rabies quarantine), or a violation of either article IV or V, of this chapter, or a violation of 531-728 (additional restrictions), or which has been impounded on a prior occasion, or which has bitten or

otherwise caused injury to person or property shall be returned to its owner only if the enforcement authority in its discretion determines that such return will not result in further or ongoing violations of these sections.

- ~~(b) If such a determination cannot be made, or article V of this chapter is applicable or the actions of the animal/dog have resulted in serious injury to a person, the enforcement authority then shall apply to a court of competent jurisdiction for an order to dispose of the animal under the provisions of section 531-731 of this article.~~

Sec. 531-736. - Capture, holding and maintenance, and disposition of animals by the humane society.

- (a) The Humane Society of Indianapolis, Inc., by its duly authorized agents, employees or other personnel, shall have the authority to proceed to the scene or location of a diseased, sick or injured animal which is at large in the county after being requested to do so by any member of the general public for the purposes of capturing and transporting such animal to its duly established humane shelter, and to hold and properly maintain the animal until it is either claimed by its owner, or in the discretion of the humane society, otherwise properly disposed of. The humane society may also receive an animal brought to its shelter by members of the general public or proper governmental personnel and either keep, or in the discretion of the humane society, otherwise humanely dispose of such animal.
- (b) Upon the capture of any diseased, sick or injured animal or taking of an animal brought to its shelter by a person or any local governmental personnel, the humane society personnel shall make a reasonable attempt to notify and inform the owner of the animal of the requirements and procedures for claiming ownership and regaining custody thereof.
- (c) When the owner of a captured or held animal is discovered or known, the animal shall be returned to the owner upon the payment of any applicable fees or upon the compliance with all other applicable procedures of the humane society. If the owner does not claim an animal or desires not to claim it, the humane society, within its discretion, may return the animal to any person desiring to assume ownership, custody and care thereof in conformance with the established requirements of the humane society after a four (4)-day holding period, as long as the animal has or will receive a current antirabies vaccination under the provisions of Article III of this chapter.
- (d) Upon the capture of any diseased, sick or injured animal or the taking of an animal brought to its shelter by any person or any local governmental personnel, the humane society shall, subject to the provisions of subsection (e) of this section, confine the animal in a humane manner for a period of not less than four (4) days. Thereafter, the humane society in its discretion may keep, release or otherwise humanely dispose of the animal consistent with the established procedures of the humane society as they may be amended from time to time.
- (e) Notwithstanding any provision of this section to the contrary, diseased or injured animals need not be retained four (4) days but may be humanely disposed of at any time if in the discretion of the proper humane society personnel or authorized veterinarian such disposition is necessary and proper for such animals.
- (f) This section does not authorize the humane society to assume any of the impoundment and disposition functions of the animal care services ~~agency division~~ as elsewhere specified in this chapter or state law.
- (g) Nothing in this section shall inhibit the animal care services ~~agency division~~ in any way from carrying out its functions in accordance with applicable law and whatever provisions or regulations the ~~animal care services board~~ city board of public safety shall make in carrying out its mandate to make provisions to maintain an animal care services ~~agency division~~, to regulate the capture, impoundment, sale and destruction of animals in accordance with applicable law, and for the operation of the animal care services ~~agency division~~.

ARTICLE VIII. - GIFTS AND FINANCING

Sec. 531-811. - Gifts to animal care services division; disposition.

- (a) All money generated, received or collected by virtue of the provisions of this chapter are to be set aside and placed in the general fund, except as hereinafter provided.

- (b) Gifts or donations to the animal care services ~~agency division~~ may be accepted by the city controller or the mayor, for and on behalf of the animal care services ~~agency division~~. All moneys received by donations, gifts, bequests or devises or otherwise (except as provided in [section 531-811\(c\)](#)) shall be paid to the city controller on the first day of the week succeeding the week during which such moneys were received, and deposited into a dedicated animal care fund to be used to promote the safe and humane treatment of animals in the city and to promote responsible pet ownership, to pay for any reasonable expenses incurred promoting the proper care, treatment and sterilization of animals and education of the public regarding the same. No expenditure may be made from the dedicated animal care fund unless first approved by a majority of the ~~animal care services board animal services advisory board~~. The expenditure of funds from the dedicated animal care fund shall be subject to all state and local appropriation and purchasing requirements. ~~Any funds donated for a specific purpose shall be used only consistently with the donor's specific request.~~
- (c) All money generated, received or collected in response to the ~~agency's division's~~ special fund-raising projects shall be payable to the city controller and deposited in a dedicated animal control special projects funds to be used in a manner consistent with the announced purpose of any special fund-raising event or project. No expenditure may be made from the dedicated animal care special projects fund unless first approved by the ~~director or his or her designee administrator as assigned by the deputy director~~. The expenditure of funds from the dedicated animal care special projects fund shall be subject to all state and local appropriation and purchasing requirements and appropriated by the city-county council.
- (d) The ~~director or his or her designee administrator~~ shall provide the ~~animal care services board animal services advisory board, at each meeting~~, and to the council every six (6) months a report relating to the revenue and expenditures from the dedicated animal care fund and the dedicated animal care special projects fund.

Chapter 836 - KENNEL, PET SHOP AND STABLE REGISTRATIONS

Sec. 836-1. - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section:

Animal rescue organization means a not-for-profit organization having tax-exempt status under 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals into permanent homes. The term animal rescue organization does not include any person that: (1) breeds animals for profit; (2) is located on the same premises as a person that breeds animals for profit; (3) has any personnel in common with a person that breeds animals for profit; (4) obtains, in exchange for payment or compensation, dogs or cats from a person that breeds animals for profit; or (5) facilitates the sale of dogs or cats that were obtained, in exchange for payment or compensation, from a person that breeds animals for profit.

Cat means any member of the species *Felis catus*.

Dog means any member of the species *Canis familiaris*.

Kennel means a facility operated commercially and principally for the purpose of boarding, housing, breeding or training dogs or cats, or both; a kennel, for purposes of this chapter, shall not include a facility in or adjoining a private residence where dogs are kept for the hobby of the householder using them for hunting, practice tracking, exhibiting in shows or field or obedience trials or for the guarding or protecting of the householder's property, and an occasional sale of puppies or kittens by the owner, lessee or other occupant of such property shall not make that property a kennel for the purposes of this chapter.

Offer for sale means to proffer for acceptance by another person.

Person shall mean an individual, corporation, partnership, association, or any other entity.

Pet shop means: (1) a facility operated commercially and principally for the purpose of selling animals which, in the hands of their immediate purchasers, will be pets; or (2) any retail store where animals are kept, sold, or offered for sale on the premises. An animal care services shelter, as described in section ~~288-103 226-512~~ of this Code, or an animal rescue organization, as defined in this section, shall not be considered a pet shop.

Rabbit means any member of the species *Oryctolagus cuniculus domesticus*.

Sell means to exchange for consideration, adopt out, barter, auction, trade, lease, or otherwise transfer an animal.

Stable means a facility operated commercially and principally for the purpose of lodging and feeding domestic animals.

Sec. 836-3. - Annual inspection; registration term; renewal.

- (a) Prior to the issuance of a certificate of registration or renewal of registration, the license administrator may cause an inspection of the kennel, pet shop or stable to be made by the animal care services division to determine whether the applicant or registrant is qualified under this chapter. The animal care services ~~agency division~~ shall report its findings to the license administrator.
- (b) The registration term shall be in accordance with section 801-209 of the Code.

Sec. 836-5. - Requirements for kennels, pet shops and stables; enforcement.

- (a) In addition to the registration required by this chapter, all kennels, pet shops and stables in the city shall:
 - (1) Be operated in such a manner as not to constitute a nuisance;
 - (2) Provide an isolation ward for boarded animals that are sick or diseased, sufficiently removed so as not to endanger the health of other animals;
 - (3) Keep all boarded animals caged or under the control of the owner or operator of the kennel, pet shop or stable;
 - (4) With respect to all animals in the kennel, pet shop or stable, comply with all the requirements of the Code for the general care of animals; and
 - (5) Comply with all applicable federal, state and local laws, and all applicable regulations adopted by the ~~animal care services agency~~ ~~department of business and neighborhood services~~.
- (b) The owner or operator of all kennels and pet shops in the city shall:
 - (1) At the time of purchase, notify the purchaser of all state and local laws that require an animal kept in the city to be vaccinated;
 - (2) Retain the name, address and telephone number of the owner of each dog or cat boarded, and retain the name and address of each person selling, trading or giving any animal to the kennel or pet shop; and
 - (3) Not sell animals that are unweaned or so young or weak that their sale would be injurious to the animals.
- (c) The provisions of this section shall be enforced by the license administrator, and by the animal care services ~~agency division~~ as provided in Article VI of [Chapter 531](#) of the Code.

Sec. 836-6. - Prohibition on the retail sale of dogs, cats, or rabbits by pet shops.

- (a) It shall be unlawful for a pet shop to sell or offer for sale a dog, cat, or rabbit unless the animal was obtained by the pet shop from either an animal services shelter described in section ~~288-103~~ ~~226-512~~ of this Code or an animal rescue organization, as defined in [section 836-1](#) and all of the following conditions are met:
 - (1) All fees or other charges for the sale of a dog, cat or rabbit shall not exceed five hundred dollars (\$500.00) per animal; and
 - (2) The pet shop posts in a conspicuous location affixed to the enclosure of each dog, cat or rabbit available for sale: the name of and city and state for the animal services shelter or animal rescue organization from which the pet store obtained the dog, cat or rabbit.
- (b) Maintenance of records.

- (1) A pet shop shall maintain records documenting from which animal services shelter or animal rescue organization the pet shop obtained each dog, cat or rabbit in the possession of the pet store for not less than one year following the date the pet store takes possession of the dog, cat or rabbit.
 - (2) A pet shop shall make the records maintained under this section available for inspection upon request by the animal care services agency ~~department of business and neighborhood services~~ or its designee.
- (c) Enforcement and penalties.
- (1) This chapter shall be enforced by the animal care services agency ~~department of business and neighborhood services~~ or its designee.
 - (2) A pet shop that sells or offers for sale a dog, cat, or rabbit in violation of subsection 836-6(a) is subject to admission of violation and payment of a civil penalty in an amount provided in section 103-52 of the Code for the pet shop's first violation in a twelve-month period. All second and subsequent violations in any twelve-month period are subject to the enforcement procedures and penalties provided in section 103-3 of this Code, and the fine imposed for any subsequent violation in any twelve-month period shall not be less than seven hundred fifty dollars (\$750.00).
 - (3) A pet shop that fails to maintain and provide records in violation of subsection 836-6(b) is subject to admission of violation and payment of a civil penalty in an amount provided in section 103-52 of the Code for the pet shop's first violation in a twelve-month period. All second and subsequent violations in any twelve-month period are subject to the enforcement procedures and penalties provided in section 103-3 of this Code, and the fine imposed for any subsequent violation in any twelve-month period shall not be less than seven hundred fifty dollars (\$750.00).
 - (4) Any violation under this chapter shall be reported to the license administrator and subject to action under chapter 801 of this Code.
- (d) Section 836-6 shall take effect on May 1, 2025 for any pet shop registered with the license administrator prior to April 1, 2023

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. 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 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councilor Mowery stated that he had been asked to offer the following motions for adjournment:

by Councilor Osili in memory of Bishop Anne Byfield, Dr. Paul Terry Batties, Erica Nicole Van Cleave and Jocelyn Tandy-Adande.

Councilor Mowery moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Bishop Anne Byfield, Dr. Paul Terry Batties, Erica Nicole Van Cleave and Jocelyn Tandy-Adande. He respectfully asked

November 4, 2024

the support of fellow Councilors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 7:50 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 4th day of November, 2024.

In Witness Whereof, we have hereunto subscribed our signatures, caused the Seal of the City of Indianapolis to be affixed.



President

ATTEST:



Clerk of the Council

(SEAL)