

FLOYD COUNTY ORDINANCE 2010-FCO-XI

AN ORDINANCE REGULATING THE DISPOSAL OF DEAD ANIMALS

WHEREAS, under I.C. 16-20-1-23 the Floyd County Health Department may order what is reasonable and necessary for prevention and suppression of disease and in all reasonable ways protect the public health; and

WHEREAS, the Floyd County Health Department and the Floyd County Commissioners deem it reasonable and necessary for the prevention and suppression of disease to adopt regulations related to the disposal of dead animals; and

WHEREAS, I.C.15-17-11-20 sets forth the duties of an owner or caretaker with respect to any dead animal located on his or her property; and

WHEREAS, 345 IAC 7-7-1 et seq. establishes regulations with respect to the disposal of dead animals.

NOW THEREFORE, BE IT ORDAINED, by the Commissioners for Floyd County, Indiana as follows:

I. Definitions

- a. "Animal" means any domestic animal, exotic animal, or wild animal.
- b. "Dead animal" means an animal that has died other than by slaughter.
- c. "Domestic animal" means (1) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry, ostriches, rhea, emus, or other birds; (2) an animal of the bovine, equine, ovine, caprine, porcine, canine, feline, avian, camelid, cervidae, or bison species; or (3) an aquatic animal that may be the subject of aquaculture (as defined in I.C. 15-11-17-1).
- d. "Exotic animal" means a flesh-eating wild animal.
- e. "Owner" means any person who owns, keeps, possesses, or harbors an animal.
- f. "Wild animal" means an animal that is not a domestic animal.

II. Disposal

- a. A person who owns or cares for an animal that has died from any cause shall dispose of the animal's body not later than twenty-four (24) hours after knowledge of death so as not to produce a nuisance. The disposal of the animal's body must be by one (1) of the following methods:

(1) At an approved disposal plant.

(2) Burial upon the owner's premises to such a depth that every part of the animal's body is at least four (4) feet below the natural surface of the ground and every part of the animal's body is covered with at least four (4) feet of earth in addition to any other material that may be used as cover.

(3) Thorough and complete incineration according to standards established by an appropriate governmental agency.

(4) Composting according to standards approved by the Indiana State Board of Health.

- b. Upon discovery of a dead animal by the New Albany/Floyd County Animal Control and/or the Floyd County Health Department, the owner shall be notified, if known, and shall be ordered to dispose of the remains immediately. If the owner is unknown, the animal control officer or health department representative shall notify the owner of the property upon which the remains are located and shall order the owner of the property to dispose of the remains immediately.
- c. New Albany-Floyd County Animal Control shall dispose of any dead animals located on public property, but only if the owner of the dead animal cannot be notified.

III. Violations

- a. If the owner of a dead animal fails to dispose of the dead animal within 24 hours after receiving notice to dispose of said animal, the health officer or his designated representative shall cause the remains to be disposed of in a suitable manner.
- b. The owner of the dead animal and/or the owner of the property on which the dead animal is located shall be liable for all costs associated with the removal of the dead animal by the health officer or his designated representative as well as any costs incurred in collecting the costs of removal including but not limited to attorney fees.

IV. Effect

- a. Nothing in this ordinance shall be deemed to limit or contravene the provisions of I.C. 15-17-11-1 et seq.
- b. All provisions of all prior ordinances adopted by the Board of Commissioners for Floyd County, Indiana not specifically contradicted herein shall remain in full force and effect.

c. This ordinance shall be effective immediately upon passage.

SO ORDAINED this 20th day of April, 2010.

Board of Commissioners of Floyd
County, Indiana

D. Mark Seabrook, President

Charles A. Freiberger
Charles A. Freiberger, Commissioner

Stephen A. Bush
Stephen A. Bush, Commissioner

ATTEST:

Teresa A. Plauss
Floyd County Auditor