

## **ARTICLE 8. NOTIFICATION REQUIRED**

### **Sec. 5-81. Notification of vehicular collision with domestic animal.**

A person whose vehicle causes accidental injury or death to a domestic animal in the City shall stop at once, assess the extent of the injury to the extent that it is safe to do so, and immediately notify the animal's owner/guardian, if known, or the South Bend Animal Resource Center, either directly or through a local law enforcement agency, together with a description of the animal struck, the location of the striking and an estimate as to the condition of the animal after being struck, along with the rabies tag number of the animal, if it can safely be ascertained. Such person shall not be required to report his or her name, as the only purpose of this requirement is to aid the stricken animal and notify its owner/guardian, if any.

### **Sec. 5-82. Notification of lost or stray animals required; microchip scanning regulations.**

- a) A finder, as defined in Sec. 5-2, shall comply with the following:
1. Notification. A finder must notify SBARC within twenty-four (24) hours or next business day to file a found report which shall include: pictures, description of animal, gender, alter status (if known), location/time/date found, distinguishing features (i.e. injuries, collar, specific markings, rabies tag information, etc.).
  2. Microchip Scan. A finder must have the animal scanned for a microchip. The finder shall present the animal to SBARC to be scanned for a microchip or the animal may be scanned by a registered scanner in the community.
    - i. If no microchip is found by a registered scanner in the community, the finder must take the animal to SBARC to be scanned again.
  3. Finder custody. At the discretion of the Division of Animal Welfare, the animal may be kept by the finder while attempts to discover the owner/guardian are made.
    - i. If the finder chooses to house and care for the animal, the animal shall be held for fifteen (15) consecutive days to allow owner/guardian time to reclaim their animal.
    - ii. The finder is obligated to comply with all 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 owner/guardian. Finders should refrain from providing any vetting or medical care to found animal in their custody without prior approval of the South Bend Animal Resource Center.
    - iii. Should the finder not be able to keep the animal during any portion of the fifteen (15) day hold and if they place the animal with any other person, they shall immediately notify the South Bend Animal Resource Center within twenty-four (24) hours (or within the following business day) of placement of said animal.

- iv. From the date the finder files the found report and at any time during the fifteen (15) day hold period, upon demand by the Division of Animal Welfare, any found animal must be immediately surrendered to the South Bend Animal Resource Center.
- v. With the exception of the South Bend Animal Resource Center, the finder will be considered the found animal's temporary owner/guardian, for the purposes of this Chapter only, while the animal is in the finder's custody during the fifteen (15) day hold period .
- vi. Pursuant to Sec. 5-147, if the animal was initially kept by the finder but was transferred to SBARC:
  - 1. And the finder kept custody of the animal for three (3) or more calendar days, then SBARC may arrange for the immediate disposition of the animal, or,
  - 2. And the finder did not keep custody of the animal for three (3) calendar days, then SBARC must finish the three (3) calendar day hold period before arranging disposition of the animal.
- vii. If at any time the finder locates or knows of the owner/guardian, then the animal must be returned to the owner/guardian or SBARC within twenty-four (24) hours of locating or knowing the owner/guardian.

4. Resolution.

- i. If the finder discovers the animal's owner/guardian within the fifteen (15) day hold period, then the finder, within twenty-four hours thereof, must:
  - 1. report to the South Bend Animal Resource Center the animal owner/guardian's name and address (at minimum), and phone number and email (if possible),
  - 2. return the animal to the animal's owner/guardian, and
  - 3. report to the South Bend Animal Resource Center the name and address (at minimum), and phone number and email (if possible) of any person taking possession of the animal on behalf of the animal's owner/guardian upon return.
- ii. If the finder chooses to keep the animal after proper completion of the fifteen (15) day hold period, then the finder shall be required to license said animal within the proper jurisdiction and provide proof of such license to the South Bend Animal Resource Center within one week of the fifteen (15) day hold period expiration.
- iii. If the finder chooses to rehome the animal after proper completion of the fifteen (15) day hold period, then the finder shall be required to provide the South Bend Animal Resource Center the name and address of the person taking ownership of the animal.

(b) Registered scanner. Any person, veterinary clinic, animal welfare organization or animal rescue organization that owns and utilizes a scanner for the purpose of helping identify an animal's owner/guardian due to it being deemed lost and/or stray, must register with the South Bend Animal Resource Center as a registered scanner and will be issued a registered scanner permit..

(1) To become a registered scanner, the following conditions must be satisfied:

- i. Complete a registered scanner application with SBARC.
  - a. The application is to include: the scanner's name, phone number, e-mail address, availability for scanning, and liability release.
- ii. Complete SBARC's training on how to properly scan an animal, which may include:
  - a. Presenting the person's microchip scanner to SBARC to ensure that it is a universal scanner; and
  - b. Testing on how to use the personal microchip scanner by correctly identifying the microchip numbers of five (5) or more animals chosen by SBARC.
- iii. Be able to properly educate finders of animals on local ordinances and the requirement to notify SBARC of found animals and assist with filling out found report when possible;
- iv. Provide the following records that will help SBARC identify animals repeatedly running at large in the City within twenty-four (24) hours or next business day. Records should be kept for one (1) year and include:
  - (i) Date, time, location of when/where animal found;
  - (ii) Finder information
  - (iii) Characteristics of found animal: species, gender, colors, markings, alter status (if known), collar, and injuries;
  - (iv) Microchip number (if found);
  - (v) Rabies tag number (if present);
  - (vi) Photos of animal whenever possible.
  - (vii) Animal owner information (if applicable)

(2) Release of microchip or owner information to any person other than a registered scanner, SBARC, or the appropriate/corresponding microchip company shall be prohibited.

(3) Registered scanner designation can be removed at any time if the registered scanner does not abide by this Chapter or fails to accurately scan found animals.

**Sec. 5-83. Notification of biting animals; report; procedure.**

(a) An owner/guardian or harbinger of any animal which has bitten a person, or another animal must report the incident to the St. Joseph County Health Department and the Division of Animal Welfare and immediately make the animal available for quarantine. Upon receiving the report of

a bite, South Bend Animal Resource Center will quarantine the animal for ten (10) days with the place of confinement to be at the discretion of the Division of Animal Welfare. During the quarantine period, the animal is to be securely confined and kept from contact with any other animal or person.

(b) On the day following the end of the quarantine or as otherwise required by the Resource Manager, the owner/guardian or harbinger shall present the biting animal to the Resource Center **or their veterinarian** to verify the animal is still alive and in good health.

(c) During the quarantine period, the owner/guardian or harbinger must provide a current rabies vaccination certificate for his or her cat or dog that is being quarantined. If proof of vaccination cannot be supplied, the animal will be vaccinated by a veterinarian at the owner/guardian's or harbinger's expense after quarantine expires. Vaccination and pet licensing (if applicable) shall be required within fifteen (15) days following the animal's release from quarantine, and the owner/guardian or harbinger must provide the South Bend Animal Resource Center with the name, address and phone number of the veterinarian performing the rabies vaccination, which will be verified before the animal can be released to the owner/guardian or harbinger.

- (1) If the animal is quarantined at the South Bend Animal Resource Center, a microchip shall be implanted in it prior to its release from quarantine. The animal shall be registered for its life with the Division of Animal Welfare. The cost of the implant shall be at the owner/guardian's expense before release.
- (2) If the animal is quarantined in a place other than the South Bend Animal Resource Center, as determined by the Division of Animal Welfare, a microchip shall be implanted in it within fifteen (15) days following the animal's release from quarantine. The animal shall be registered for its life with the Division of Animal Welfare. The cost of the implant and registry shall be at the owner/guardian's expense.
- (3) The microchip, used for these quarantine provisions, shall be numbered. This number will provide entry into a data base that contains the animal's bite history. The microchip shall be contained in a sterilized implanting device and shall be individually packaged.
- (4) The microchip and its corresponding registration history shall be considered prima facie evidence of ownership or harboring and animal history for any enforcement action under this Chapter, including but not limited to reckless animal owner, potentially dangerous, dangerous or vicious animal designations and determinations.

(d) No person other than an Animal Welfare Officer or veterinarian shall euthanize or cause to be euthanized any animal suspected of being rabid except in cases of immediate self-protection. If that occurs, the person will retain the body of the suspected rabid animal and immediately notify the Division of Animal Welfare.

(e) Violations of these quarantine provisions may subject the responsible party to civil penalties under this Chapter, City ordinances or other applicable law.

**Sec. 5-84. Mandatory notification - veterinarian.**

2.27.2020

Consistent with I.C. 25-38.1-4-8.5, any veterinarian in the City who is presented with an animal for treatment of injuries or wounds resulting from the reasonable possibility of fighting, abuse or neglect shall file a report with the Division of Animal Welfare and cooperate by furnishing the owner/guardian's or harbinger's name, address, contact information, dates, description of animal(s) involved and medical information regarding the incident.

**Sec. 5-85 – 5-89. Reserved**