

## Chapter 12

### **DOGS AND OTHER ANIMALS**

*(Ord. 604 06/18)*

#### **“Sec. 1. DEFINITIONS.**

As used in this Chapter, the following terms have the meanings indicated:

**A.** "Dangerous dog" means (i) any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or (ii) a dog that, without justification, bites a person and does not cause serious physical injury (iii) or any dog that has been declared a dangerous dog by any other jurisdiction, provided that such finding was not based solely upon the breed of the dog.

**B.** "Bite" means a seizure with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced, and further includes contact of saliva with any break or abrasion of the skin.

**C.** "Owner" means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits a dog to remain on any premises occupied by him or her.

**D.** "Person" means any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the State of Illinois, municipal corporation or political subdivision of the State, or any other business unit.

**E.** "Serious physical injury" means a physical injury that creates a substantial risk of death or that causes death, serious disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

**F.** "Vicious dog" means (i) a dog that, without justification, attacks a person and causes serious physical injury or death or (ii) any individual dog that has been found to be a "dangerous dog" upon 3 separate occasions or (iii) or any dog that has been declared a vicious dog by any other jurisdiction, provided that such finding was not based solely upon the breed of the dog.

#### **Sec. 2. CRUELTY**

No person shall cruelly treat any animal in the Village in any way; and any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this section.

### **Sec. 3. HOUSING**

No person shall cause or allow any stable or place where in any animal is kept or may be kept to become unclean or unwholesome. It shall be unlawful for any person to cause or permit offensive odors to emanate from the premises where he keeps any animal.

It shall be unlawful to keep any live swine, donkeys, asses, cows, horses, goats, sheep, chickens, ducks, guineas, turkeys or geese in the Village.

### **Sec. 4. REMOVAL OF ANIMAL EXCREMENT**

The owner of a dog that discharges excreta upon any public or private property within the village other than the property of the owner, shall immediately thereafter remove the excreta from such public or private property.

### **Sec. 5. NOISES**

It shall be unlawful to harbor or keep any animal, which disturbs the peace by loud noises at any time of the day or night.

### **Sec. 6. RUNNING AT LARGE**

It shall be unlawful to permit any cattle, horses, swine, sheep, goats, poultry, cats, dogs or any other animal to run at large in the Village: any animal found upon any public street, sidewalk, alley, parkway, park or any unenclosed place, shall be deemed running at large unless such animal is firmly held by a leash or is in an enclosed vehicle. Any animal found running at large may be apprehended and impounded.

### **Sec. 7. INOCULATION**

It shall be unlawful for the owner of any animal capable of contracting the disease of rabies to harbor, keep or allow such animal to be in any place in the municipality unless such animal has been inoculated against the disease of rabies by a licensed veterinarian in compliance with the State Animal Control Act (510 ILCS 5/1 et seq.). The owner of such an animal shall keep it properly tagged showing continuing compliance with this section. If a vaccine capable of conferring immunity for more than one year is used, additional tags designating those years shall be obtained and displayed. Any dog or cat which is not inoculated against rabies as required herein is hereby declared to be a public nuisance and such dog or cat may be apprehended and impounded.

### **Sec. 8. ANIMAL BITES**

It shall be the duty of the owner of any animal to prevent such animal from biting or attacking any person in the Village. Whenever any dog bites a person, the owner of the dog shall immediately notify the Village's Contracted Law Enforcement Agency, which shall take appropriate action, including notification of appropriate health authorities, pursuant to statute. In the absence of action taken by other appropriate authorities, the chief of police of the Village's Contracted Law Enforcement Agency or his authorized representative may order the dog to be held on the owner's premises or may have it impounded for a period of fifteen (15) days. The dog shall be examined by a licensed veterinarian immediately after it has bitten anyone and again at the end of the fifteen (15)

day period. If at the end of the fifteen (15) day period the veterinarian is convinced that the dog is free of rabies, he shall order the dog released from quarantine or the pound as the case may be.

### **Sec. 9. DISEASED ANIMALS**

No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of a man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of a county health officer or the chief of police of the Village's Contracted Law Enforcement Agency or his authorized representative.

### **Sec. 10. IMPOUNDMENT OF ANIMALS**

**A.** Whenever any dog bites a person, the owner of the dog shall immediately notify the city police department, which shall take appropriate action, including notification of appropriate health authorities, pursuant to statute. In the absence of action taken by other appropriate authorities, the chief of police or his authorized representative may order the dog to be held on the owner's premises or may have it impounded for a period of fifteen (15) days. The dog shall be examined by a licensed veterinarian immediately after it has bitten anyone and again at the end of the fifteen (15) day period. If at the end of the fifteen (15) day period the veterinarian is convinced that the dog is free of rabies, he shall order the dog released from quarantine or the pound as the case may be.

**B.** The chief of police of the Village's Contracted Law Enforcement Agency may designate a facility or enclosure to be used as the village pound. Upon capture of any dogs pursuant to this chapter or capture of any animals pursuant to any other statute or ordinance, the police shall transfer and impound such animals therein.

**C.** Animals which are impounded in the city pound shall be kept therein until redeemed or until disposition, if unredeemed, as set forth in this chapter.

**D.** Any owner seeking to redeem any impounded animal shall first obtain a release permit from the chief of police of the Village's Contracted Law Enforcement Agency or his authorized representative. A release permit shall not be issued until the fine in the event an ordinance violation citation is used, the pound boarding fee, based on the number of days that the animal is boarded in the pound, and any other charges as set forth in this chapter are paid. In the event an ordinance violation citation has not been issued, then the release permit shall be issued upon payment, in addition to the other payments as set forth herein, in the amount of fifty dollars (\$50.00) for the first such impoundment for that animal, seventy five dollars (\$75.00) for the second impoundment, and one hundred dollars (\$100.00) for each impoundment for such animal thereafter.

**E.** If, during the period of impoundment, the animals undergo any treatment and incur any costs as required by statute, ordinance or rule of the pound, including, but not limited to, rabies shots, distemper shots and other inoculations, such charges shall be added to the total due from the owner or other claimant prior to obtaining a release permit.

**F.** Animals held in the pound shall be held at least seven (7) days for redemption. At the end of the period, unredeemed animals shall be humanely dispatched, offered for adoption or otherwise disposed of by the pound as a stray animal in accordance with laws then in existence.

**Sec. 11. KEEPING OF DANGEROUS ANIMALS**

**A.** No person shall keep or harbor any dangerous animal in violation of this section within the Village. Such animals are hereby declared nuisances and are subject to impoundment.

**B.** All owners or keepers of dogs found to be dangerous must post in clear view at all times, and in the most conspicuous or prominent point of entry to the premises, a sign indicating dangerous dog on the premises. Such sign shall be purchased at the Village Hall for a fee of fifteen dollars (\$15.00).

**C.** All dogs found to be dangerous must be controlled by a leash whenever the dog is not contained within an enclosed area or structure located on the owner's or keeper's property from which the dog could not voluntarily leave.

**D.** It is not the intent of this chapter to prohibit any law enforcement agency or officers from using any trained dog that may attack on command, provided that each such dog must be in the presence of its handler or confined in accordance with that agency's policy at all times.

**Sec. 12. KEEPING OF VICIOUS ANIMAL PROHIBITED**

**A.** No person shall keep, harbor, sell or give away any vicious animal within the Village, whether or not owned by such person. Such animals are hereby declared nuisances and are subject to impoundment.

**B.** An animal impounded under this section will not be returned to the owner unless the animal is not found to be vicious.

**C.** No landlord or landlord's agent shall knowingly permit any tenant to move a vicious dog into or keep a vicious dog in any building or premises owned or controlled by such landlord or agent. No landlord or landlord's agent shall knowingly permit any tenant to keep a vicious dog in any building or premises owned or controlled by such landlord or agent. Any landlord or agent thereof learning of any vicious dog in any building or premises owned or controlled by such a landlord or agent thereof shall notify the person having such dog to remove the dog from the premises immediately.

**D.** It is not the intent of this chapter to prohibit any law enforcement agency or officers from using any trained dog that may attack on command, provided that each such dog must be in the presence of its handler or confined in accordance with that agency's policy at all times.

**Sec 13. KILLING DANGEROUS ANIMALS**

If any dangerous or vicious animal shall be found running at large and cannot be taken up or tranquilized and impounded, such animal may be slain by any police officer or agent authorized to perform any duty under this chapter, when it is necessary for the protection of any person or property.

**Sec. 14. PENALTY**

Any person violating any provision of this ordinance shall be fined not less than \$50.00 nor more than \$750.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.”