

Chapter 6

ANIMALS

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ARTICLE I. IN GENERAL**Sec. 6-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means all animals, including cats and dogs, mammals, reptiles, birds, and fish, unless the section limits the application to a particular species of animal.

Animal control officer means the county, village police chief, or any other person or entity designated by the village board of trustees. The county may fully enforce all of the provisions of this chapter and take all actions that are required under this chapter as provided for herein.

At large means any animal not under restraint as defined in this section.

Bite means to seize or cut with the teeth.

County means the county animal and rabies control office.

Dangerous animal or *vicious animal* means an animal:

- (1) That has at any time bitten any human being; or
- (2) Whom the owner or keeper should reasonably know to have dangerous propensities and to pose a threat to the public; or
- (3) Which has been or is trained to attack persons or animals on command; or
- (4) Which at any time has killed or seriously injured another domestic animal; or
- (5) Which, when either unmuzzled, unleashed or unattended by its owner or keeper or a member of the owner or keeper's family, in a vicious or terrorizing manner, has approached a person in an apparent attitude of attack upon streets, sidewalks, any public grounds or places or private property not owned or controlled by the owner.

Diseased animal means an animal infected with a contagious or infectious disease.

Dog means animals, regardless of sex, of the canine species.

Fight means a prearranged conflict between two or more animals but shall not include a conflict that is unorganized or accidental.

Inoculation against rabies means the injection, subcutaneously or otherwise, as approved by the state department of agriculture, of the canine anti-rabies vaccine approved by the state department of agriculture.

K-9 patrol dog or *police dog* means a professionally trained dog used by law enforcement purposes and activities.

Leash means a cord, chain, rope, strap or other such physical restraint having tensile strength of not less than 300 pounds.

Muzzle means a device constructed of a strong soft material or metal muzzle designed to prevent the animal from biting any person or other animal. The muzzle must be made in a manner which will not cause injury to the animal or interfere with his vision or respiration but must prevent it from biting any person or other animal.

Nip means to pinch or squeeze with teeth with no breaking of skin or tissue.

Owner or keeper means:

- (1) A person having a right of property in an animal, who keeps or harbors such animal, who cares for or who acts as its custodian, or who knowingly permits an animal to remain on or about any premises occupied by such person.
- (2) A person harboring or keeping an animal in the village for a period of five days or more shall be presumed to be the owner of such animal.

Pound means the county pound or other facility approved by the animal control officer for the impoundment of animals.

Public entrance means the entranceway of a residence or other building closest to the public street or sidewalk or one which would be reasonably perceived by the public to be the entrance to the dwelling available for public use.

Restraint is controlling an animal by any of the following methods such that the animal is:

- (1) Attached to a leash held by a responsible person;
- (2) Under the effective voice control of a responsible person;
- (3) Attached to a structure or fixture in such a manner that it is unable to reach beyond the limits of the owner's or keeper's property and is unable to reach or molest service persons or casual visitors to the owner's or keeper's property using the public entrance or persons placing mail in the mailbox or delivering newspapers at the request of the owners; or
- (4) Enclosed in a fenced yard from which it is unable to escape without assistance from a person.

Severe injury means a physical injury that results in a broken bone or disfigurement and lacerations requiring multiple sutures or cosmetic surgery.

Working day means a day when the office or public entity referred to was open for the transaction of business.

(Code 1981, § 16-1-1; Ord. No. 656, 11-19-1996)

Secs. 6-2—6-20. Reserved.

ARTICLE II. CARE AND CONTROL**Sec. 6-21. Restraint of dogs, cats and other animals.**

(a) The owner or keeper of a dog, cat or other animal shall keep the animal under restraint at all times and shall not permit such animal to be at large.

(b) No person shall allow any animals, except as otherwise provided by the zoning ordinance or other ordinance of the village, to be at large anywhere within the village. Animals or fowl herded or the animals tethered for grazing purposes shall be deemed to be at large.

(c) All female dogs in heat shall be securely confined in an enclosed place which does not allow the confined animal to come in contact with any other animals.

(Code 1981, § 16-1-3; Ord. No. 656, 11-19-1996)

Sec. 6-22. Animals as nuisances.

(a) The owner or keeper shall not suffer or permit any animal to bark, howl, cry or make other distressing or loud or unusual noise or to disturb the peace or quiet of any place, neighborhood, family, or person in the village. The disturbing of any neighborhood or persons by any such animal is declared to be a nuisance, and no person shall suffer or permit any such nuisance to exist.

(b) In addition to the general restrictions of subsection (a) of this section, for the purpose of this section, an owner or keeper is in violation of this section if he permits a dog to bark in a substantially continuous manner between the hours of 10:00 p.m. and 7:00 a.m. for a period of more than 15 minutes, or who allows such animal to bark for numerous periods of time, regardless of duration, so as to disturb the quiet of the neighborhood or of particular neighbors.

(c) In case any animal shall repeatedly disturb the peace or quiet of any place or neighborhood or become a nuisance, as defined in this chapter, the village may petition the circuit court for an order to destroy the animal.

(Code 1981, § 16-1-4; Ord. No. 656, 11-19-1996)

Sec. 6-23. Keeping animals; limitation on number of dogs and cats.

Any pen, stable, or place in which animals are housed or kept which is unreasonably offensive to persons residing in, or passing along any street or alley near, the vicinity of the same, due to associated debris or odors, or which constitute a hazard to the health of persons residing nearby, is declared to be a nuisance. No person or entity shall permit more than six dogs or cats, or any combination thereof, to remain within the village under his control at any one time. This section applies only to dogs and cats over the age of six months.

(Code 1981, § 16-1-5; Ord. No. 656, 11-19-1996)

Sec. 6-24. Animals that have bitten or attacked humans or domestic animals.

(a) No owner or keeper of an animal shall suffer, permit, or fail to prevent an animal from biting or attacking a person or another animal resulting in injury to the person or animal attacked, provided that such an attack on a person who is or reasonably appears to be in the commission of an act made punishable under the state criminal code is not prohibited if the animal is acting in the defense of the owner or keeper or his family or premises, and the animal remains on its premises. For purposes of this section, it is not necessary that the person bitten or attacked be arrested or convicted of a criminal offense.

(b) All animal owners, whether or not their animal is licensed as a dangerous or vicious animal, receiving notice of having knowledge that their animal has bitten or attacked a human being or domestic animal without provocation, shall immediately notify the police department or the animal control office of the incident.

(Code 1981, §§ 16-1-6, 16-1-7(K)(3); Ord. No. 656, 11-19-1996)

Sec. 6-25. Killing or attacking animals prohibited; exceptions.

(a) No person shall kill or wound or attempt to kill or wound by the use of firearms, sling shot, bow and arrow, BB gun, air rifle, or any other dangerous weapon, any animal within the village limits, provided that this section shall not prohibit a person from defending himself or another from attack by an animal.

(b) This section does not prohibit the use of a weapon by a police officer to destroy animals which are seriously injured to avoid unnecessary suffering, or in a self-defense or defense of others.

(Code 1981, § 16-1-8; Ord. No. 656, 11-19-1996)

Sec. 6-26. Cruelty to animals prohibited.

No person shall commit acts of cruelty to animals. The following acts shall be deemed to be examples of cruelty to animals and are not intended to be a complete list of acts which may constitute cruelty; licensed veterinarians, in the performance of their profession, are not subject to this provision of this section:

- (1) Overloading, overdriving, overworking, beating, torturing, tormenting, mutilating, or killing any animal or causing or knowingly allowing the same to be done.
- (2) Cruelly working any old, maimed, injured, sick, or disabled animal or causing or knowingly allowing the same to be done.
- (3) Failing to provide any animal in one's charge or custody, as owner or keeper, with proper food, drink, shelter, air, sanitation, or medical care.
- (4) Abandoning any animal without making provisions for its care and feeding.

(Code 1981, § 16-1-9; Ord. No. 656, 11-19-1996)

Sec. 6-27. Cock fighting, dog fighting prohibited.

No person shall use or keep animals or be in any way connected with the management of any place kept or used for the purpose of fighting or baiting any dogs, cocks, or other animals or permit such place to be kept or used on premises owned or controlled by such person. (Code 1981, § 16-1-10; Ord. No. 656, 11-19-1996)

Sec. 6-28. Disposal of dead animals.

(a) The owner or keeper of an animal shall be responsible for the disposal of such animal's remains on its death, from whatever cause, and regardless of the location of the remains of such animal.

(b) Animal remains shall be disposed of:

- (1) By burial beneath at least 18 inches of compacted soil on the property of the animal's owner or keeper or any other location with the express permission of the owner of the property;
- (2) By or through the county animal pound;
- (3) By or through a licensed veterinarian; or
- (4) By action of the police department.

(c) The animal control officer may issue a written notice to any owner or keeper who has failed to properly dispose of the remains of an animal as prescribed in subsection (b) of this section. Such person shall have 24 hours from receipt of such notice to properly dispose of such remains. The notice shall be served on the violator personally or by leaving such notice at his usual place of abode with some person of the family of the age of 13 years or upwards and informing that person of the contents thereof.

(d) The village may dispose of any animal remains without notice to the owner or keeper when:

- (1) Such remains are located on a public roadway;
- (2) The remains bear no village identification tags as required by this chapter;
- (3) The remains are located on the property of a person other than the owner or keeper;
or
- (4) Service of a notice on the owner or keeper is refused or not readily possible within a short time.

(e) In any case where a disposal notice is required, in accordance with subsection (c) of this section, on failure of a person served a notice to properly dispose of such remains within the time allowed, the remains may be disposed of by employees of the village, and all costs of such removal shall be paid by the owner or keeper of the dead animal to the village.

(f) An hourly charge in the amount provided in the village fee schedule for each hour spent by animal control officers or other village employees in disposing of the remains shall be levied against the owner or keeper when the village disposes of the remains. The village may institute legal proceedings to collect any amount owing by the owner or keeper, provided that such suit is filed within two years of the issuance of the notice or disposal of the remains if no notice is required.

(Code 1981, § 16-1-11; Ord. No. 656, 11-19-1996)

Sec. 6-29. Injured animals; animals found dead on public ways.

(a) Any animal discovered injured on a public way of the village shall be impounded by the animal control officer. In the event that the animal control officer is not available when the injured animal is first discovered, any employee of the village that is available shall pick up the injured animal and immediately contact the animal control officer for impoundment. Any animal discovered dead on a public way of the village shall be picked up by authorized employees of the village and disposed of as hereinafter provided.

(b) Seriously injured animals that are wearing identification tags will be taken to a licensed veterinarian, who shall contact the owner for treatment instructions and who shall maintain the animal, painlessly, if possible, until instructions are received. The owner or keeper shall be responsible for the costs of impoundment and treatment.

(c) Seriously injured animals which do not bear identification tags shall be impounded and euthanized forthwith by a licensed veterinarian to avoid unnecessary suffering to the animal.

(d) Injured animals wearing identification tags shall be released to the pound within 48 hours if the owner cannot be contacted and treatment is completed, or if the animal requires treatment beyond the minimization of suffering or pain, such treatment to be provided at the owner's or keeper's expense.

(e) No animal will be released by a veterinarian from impoundment to the owner or keeper following treatment of an injury until a release is received from the village showing payment of impoundment fees.

(Code 1981, § 16-1-12; Ord. No. 656, 11-19-1996)

Sec. 6-30. Dog licenses; rabies vaccinations.

(a) *Vaccination required.* Each calendar year, or at such intervals as may be promulgated by the department of agriculture, every owner or keeper of a dog which is four months of age or older shall cause such dog to be inoculated against rabies.

(b) *Vaccination tag; attachment to collar.* Each owner or keeper is responsible for obtaining annually from the county clerk a metallic tag suitable for attaching to the collar of such dog, which tag shall also certify to the fact of inoculation against rabies. The tag shall be in such form as shall be determined by the department of agriculture and adopted for use

by the county clerk. The owner or keeper of such dog shall cause the serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog at all times.

(c) *Duration of inoculation.* The inoculation performed under the provisions of subsection (a) of this section shall be effective until the expiration of a calendar year after the vaccination was performed or the expiration of such period of time as may be promulgated by the department of agriculture.

(d) *Exhibition of certificate on request.* At any reasonable time on request of any member of the police department or the animal control officer, the owner or keeper of any dog shall exhibit any current, valid certificate, required under the provisions of this chapter, certifying the inoculation against rabies of any dog owned or kept by him.
(Code 1981, §§ 16-1-13—16-1-15; Ord. No. 656, 11-19-1996)

Secs. 6-31—6-48. Reserved.

ARTICLE III. DISEASED, DANGEROUS, AND VICIOUS ANIMALS

Sec. 6-49. Procedure for determining whether animal is dangerous or vicious.

An animal shall be determined to be a dangerous or vicious as herein provided:

- (1) *Initiation by village officer.* If an animal control officer or a law enforcement officer has probable cause to believe that an animal is dangerous or vicious, he shall report such belief to the president of the board of trustees.
- (2) *Investigation.* The president shall conduct or cause to be conducted an investigation and, if it appears that there is probable cause to believe the animal is dangerous or vicious, schedule a hearing before the board of trustees. The owner of the animal shall be provided with reasonable notice of the hearing. The hearing shall be held within no less than five nor more than ten days after service of notice upon the owner of the individual animal.
- (3) *Impoundment pending hearing; costs.* Following notice to the owner and prior to the date set for hearing, if the law enforcement agent or the animal control officer has probable cause to believe that an individual animal is a dangerous or vicious animal and may pose an immediate threat of serious harm to human beings or other domestic animals, the law enforcement agent or animal control officer may seize and impound the animal pending disposition of the hearing. The owner of the animal shall be responsible for payment to the village for the costs and expenses of keeping the animal.
- (4) *Conduct of hearing.* The hearing shall be conducted informally and shall remain open to the public. At hearing, the board of trustee shall determine whether the individual animal in question is dangerous or vicious animal and to whether the animal constitutes a significant threat to the public health and safety. The owner shall have the opportunity to present evidence on behalf of his animal setting forth reasons why

the animal should not be declared a dangerous or vicious animal and not determined to be a significant threat to the public health and safety if returned to its owner. The board of trustees may decide all issues for or against the owner of the animal, regardless of whether the owner appears at the hearing.

- (5) *Final determination; notice to owner.* Within five days after the conclusion of the hearing, the president of the board of trustees shall make his determination of the status of the individual animal. The owner shall then be notified in writing of the determination by the president of the board of trustees.

(Code 1981, § 16-1-7(F); Ord. No. 656, 11-19-1996)

Sec. 6-50. Licensing of dangerous or vicious animals.

(a) *License required.* No person shall possess any dangerous or vicious animal for a period of more than 48 hours without having first obtained a license therefor from the village.

(b) *Application.* An application for a license to possess a dangerous or vicious animal shall be filed with the village on a form prescribed and provided by the village and shall be accompanied by all of the following:

- (1) Verification of the identity of the owner and current address by providing a photostatic copy of the owner's driver's license.
- (2) Proof of ownership of the dangerous or vicious animal.
- (3) A copy of the current immunization and health record of the dangerous or vicious animal prepared by a veterinarian licensed to practice in the state.
- (4) A certificate of insurance evidencing coverage in an amount not less than \$50,000.00, insuring the person against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dangerous or vicious animal.
- (5) Two photographs of the dangerous or vicious animal to be licensed taken not less than one month before the date of application. One photograph shall provide a front view of the dangerous or vicious animal and shall clearly show the face and ears of the dangerous or vicious animal. One photograph shall show a side view of the dangerous or vicious animal.
- (6) A license fee as established by the village fee schedule.
- (7) Such other information as may be required by the clerk.

(c) *Inspection of premises.* Upon receipt of an application, the clerk shall forward such application to the police department or animal control officer which shall cause an inspection of the premises on which the dangerous or vicious animal is kept to determine that all provisions of this chapter relating to confinement and posting of signs have been complied with by the applicant. Upon completion of the inspection, the police department or animal control officer shall notify the clerk, in writing, of the results of the inspection.

(d) *Approval or denial of license by clerk.* Upon receipt of the results of the police department or animal control officer inspection, the clerk shall notify the applicant of the approval or denial of the license. In the event the license is denied, the notification shall be provided in writing and the reasons for such denial shall be stated. Upon denial, the owner or keeper of the dangerous or vicious animal shall remove the dangerous or vicious animal from the village within 48 hours. Upon approval, the clerk shall issue a license to the applicant.

(e) *Reporting requirements of licensee.* Any person holding a license pursuant to this section shall report the incidence of any of the following events:

- (1) The sale, barter, exchange, gift or death of any diseased, dangerous or vicious animal shall be reported within 48 hours.
- (2) The escape from confinement of any diseased, dangerous or vicious animal shall be reported upon discovery of the escape.
- (3) The biting or nipping of any person or animal by a diseased, dangerous or vicious animal shall be reported upon occurrence.
- (4) The birth of any offspring of a diseased, dangerous or vicious animal shall be reported within 48 hours of the birth of the offspring.
- (5) The permanent removal of any diseased, dangerous or vicious animal from the territorial limits of the village shall be reported within 48 hours of such removal by surrender of the license of the owner to the clerk.

Except as otherwise provided in this section, the report of any incident required to be reported under this subsection (e) shall be made to the police department.

(f) *Revocation of license.* A license granted pursuant to this chapter shall be automatically revoked upon the second violation by the licensee of any provision of this chapter. In the event of a revocation of the license, the license fee shall be retained by the village and the diseased, dangerous or vicious animal must be removed from the village within 48 hours. (Code 1981, § 16-1-7(G), (K)(1), (2), (M); Ord. No. 656, 11-19-1996)

Sec. 6-51. Running at large prohibited.

(a) *Diseased animals.* No diseased animal shall be allowed to run at large, or to be exposed in any public place whereby the health of man or animal may be affected, nor shall such diseased animal be shipped or removed from the premises of the owner thereof except under the supervision of the animal control officer or county veterinarian.

(b) *Dangerous and vicious animals.* Except as otherwise provided herein, no person shall permit any vicious or dangerous animal to run at large nor lead any such animal with a chain, rope or other device whether such animal is muzzled or unmuzzled on any street, avenue, lane, highway or public place. No person shall possess any vicious or dangerous

animal unless such vicious or dangerous animal is confined in a confinement structure. The structure must have secure sides and a secure top attached to the sides and must be adequately lighted, ventilated, and kept in a clean and sanitary condition.

(Code 1981, § 16-1-7(A)—(D); Ord. No. 656, 11-19-1996)

Sec. 6-52. Confinement required.

(a) *Required.* A diseased, dangerous or vicious animal must be confined as required by this section.

(b) *Outdoor confinement.* If the animal is confined outside, the confinement structure shall consist of a securely locked pen, kennel or structure designated and constructed for the keeping of a dangerous or vicious animal and shall be designed, constructed and maintained in accordance with the standards herein. The structure:

- (1) Must be locked with a key or combination lock when such animals are within the structure.
- (2) Must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet.
- (3) Must comply with all zoning and building regulations of the village.

(c) *Indoor confinement.* A diseased, dangerous or vicious animal may be confined indoors, provided that the house or structure may not have windows open or have screen windows or screen doors as the only obstacle preventing the diseased, dangerous or vicious animal from exiting the structure. The animal may not be kept on a porch, patio or any part of a house or structure that could allow the diseased, dangerous or vicious animal to exit the structure on its own volition.

(d) *Exceptions.* A diseased, dangerous or vicious animal may be allowed out of indoor confinement or a confinement structure if it is necessary for the owner or keeper to obtain veterinary care for the animal, if the owner gives the animal to a new owner, or if necessary to comply with the order of a court of competent jurisdiction.

(Code 1981, § 16-1-1; Ord. No. 656, 11-19-1996)

Sec. 6-53. Sign required.

All persons possessing a diseased, dangerous or vicious animal shall display in a prominent place on the premises where a diseased, dangerous or vicious animal is kept a sign which is readable by the public from a distance of not less than 100 feet using the words "beware of animal." A similar sign shall be posted on any confinement structure.

(Code 1981, § 16-1-7(L); Ord. No. 656, 11-19-1996)

Sec. 6-54. Impoundment and destruction authorized.

(a) *Animals not properly confined.* Any diseased, dangerous or vicious animal that is not properly confined in a confinement structure or confined indoors shall be impounded by the animal control officer or any law enforcement authority; provided, however, that if the village animal control officer reasonably believes that such animal poses an immediate threat of severe injury to a person, such officials are authorized to kill such animal.

(b) *Animals at large.* Any diseased, dangerous or vicious animal found to be running at large by any member of the police department or animal control officer shall be presumed to be in violation of this section and shall be subject to impoundment.

(c) *Animals who have injured persons or posed continued threat.* If the incident giving rise to the impoundment has resulted in an injury to a person, the animal control officer or police chief, or his designee, shall notify the rabies control office of the county pursuant to 510 ILCS 5/12 and shall transfer control of the diseased, dangerous or vicious animal to the officer in accordance with 510 ILCS 5/13. After transfer, the animal may be ordered destroyed in an expeditious and humane manner when, in the court's judgment, such animal represents a continuing threat of serious harm to human beings or other domestic animals. Any dog which attacks a human being which results in severe injury shall automatically be destroyed in an expeditious and humane manner.

(d) *Repeated violations.* Any diseased, dangerous or vicious animal which has previously been impounded for not properly being confined or for running at large in violation of section 6-50(a) through (c), or which has previously bitten or attacked a human being or other domestic animal without provocation, shall be ordered destroyed in an expeditious and humane manner upon any subsequent violations of section 6-50(a) through (c) or upon any subsequent unprovoked attack or bite.

(Code 1981, § 16-1-7(H); Ord. No. 656, 11-19-1996)

Sec. 6-55. Sale or transfer of ownership prohibited; exceptions.

No person shall sell, barter, offer to breed or in any other way dispose of a diseased, dangerous or vicious animal to any person within the village unless the recipient person resides permanently in the same household and on the same premises as the registered owner of such diseased, dangerous or vicious animal; provided that the registered owner of a diseased, dangerous or vicious animal may sell or otherwise dispose of a diseased, dangerous or vicious animal or the offspring of such diseased, dangerous or vicious animal to persons who do not reside within the village provided they give written notice to the person who will be receiving the diseased, dangerous or vicious animal that such dog has been deemed a diseased, dangerous or vicious animal under this chapter.

(Code 1981, § 16-1-7(I); Ord. No. 656, 11-19-1996)

Sec. 6-56. Removal of offspring of diseased, dangerous or vicious animals required.

All offspring born of diseased, dangerous or vicious animals registered within the village must be removed from the village within six weeks of the birth of such animal.

(Code 1981, § 16-1-7(J); Ord. No. 656, 11-19-1996)

Sec. 6-57. Compliance required; impoundment and removal of animal for violation authorized.

It is unlawful for the owner, keeper or harborer of any licensed or unlicensed vicious or dangerous animal to fail to comply with the requirements and conditions herein contained.

Violations may result in revocation of any license issued under this chapter and, in addition, any vicious or dangerous animal found to be subject to this chapter and in violation of its provisions shall be subject to immediate seizure and impoundment. In addition, failure to comply may result in the immediate removal from the village.

(Code 1981, § 16-1-7(O); Ord. No. 656, 11-19-1996)

Sec. 6-58. Exception for K-9 patrol or law enforcement dogs.

This article shall not apply to any K-9 patrol dogs or police dogs as defined in section 6-1. (Code 1981, § 16-1-7(N); Ord. No. 656, 11-19-1996)

Secs. 6-59—6-89. Reserved.

ARTICLE IV. ADMINISTRATION AND ENFORCEMENT

Sec. 6-90. Authority of animal control officer.

Without limiting those powers and duties prescribed by law and ordinance, the animal control officer shall exercise the power and perform the duties contained in this chapter and impound animals pursuant to provisions of this chapter at the county animal pound or other facility established by the animal control officer.

(Code 1981, § 16-1-2; Ord. No. 656, 11-19-1996)

Sec. 6-91. Interference with enforcement prohibited.

No person shall in any way interfere with any person who is known to such person to be or who identifies himself to be and is, in fact, a village employee or officer enforcing the provisions of this chapter or engaged in catching or impounding any animal under the authority of this chapter.

(Code 1981, § 16-1-16; Ord. No. 656, 11-19-1996)

Sec. 6-92. Authority to impound animals and enter onto private property.

(a) It shall be the duty of the animal control officer to take up and impound in the county animal pound, or other place as designated by the animal control officer, any animal found at large or any dog found in the village without identification, inoculation, or licensing tags contrary to any of the provisions of this chapter or statutes of the state.

(b) The animal control officer is authorized to go on private property in order to enforce this chapter or to take up any animal which is found at large or to take up any dog found without required inoculation, licensing, or identification tags; however, such persons may not enter a private dwelling house for this purpose without a valid warrant or the consent of the occupant.

(Code 1981, § 16-1-17; Ord. No. 656, 11-19-1996)

Sec. 6-93. Impoundment of animals which have bitten persons.

(a) Any animal, whether under restraint or not, which has bitten or otherwise injured any person so as to cause an abrasion of the skin shall be immediately taken by the animal control officer, impounded, and kept separated from other animals for ten days. The victim of such bite shall notify the animal control officer of the bite within 24 hours. If, during that period, such animal develops symptoms of illness, a veterinarian shall diagnose its condition. If the symptoms disclose or are such as to indicate the presence of rabies, the animal shall be destroyed in such manner as to preserve intact the head, which shall be detached and immediately sent to the diagnostic laboratory of the state department of agriculture. In case the animal cannot be safely taken up and impounded, it may be killed, care being taken to preserve the head intact, which shall be detached and immediately delivered to the diagnostic laboratory of the state department of agriculture.

(b) If, at the expiration of the period of ten days, no symptoms of rabies have developed in such animal so impounded, the animal may be redeemed by the owner or keeper on payment of the redemption fees and charges specified in this chapter.

(c) After having been notified that his animal has bitten or otherwise injured any person, the owner or keeper thereof shall not under any circumstances permit such animal to be outside of his premises except on a leash with a responsible adult until the procedures prescribed in subsections (a) and (b) of this section have been completed.
(Code 1981, § 16-1-18; Ord. No. 656, 11-19-1996)

Sec. 6-94. Notice to owners or keepers of impoundment and violation.

The animal control officer shall notify the owners or keepers of animals impounded pursuant to this chapter, if known to them, of the fact of impoundment.
(Code 1981, § 16-1-19; Ord. No. 656, 11-19-1996)

Sec. 6-95. Redemption of impounded animals.

(a) Any animal impounded under the provisions of this chapter, except any that may have bitten any person, shall, unless sooner redeemed, be held until it may be disposed of pursuant to section 6-93 in order to afford opportunity to the owner or keeper thereof to redeem the same.

(b) Any owner or keeper desiring to redeem an impounded animal shall pay an impoundment fee per animal to the village for all expenses incurred by the village for services provided by county animal control.

(c) The impoundment fee shall be paid by the owner or keeper at the village hall. The fees for the cost of keeping the dog, plus any additional fee for inoculation, shall be paid at the county animal pound.

(Code 1981, § 16-1-20; Ord. No. 656, 11-19-1996; Ord. No. 796, 1-17-2012)

Sec. 6-96. Disposition of animals.

Any dog or other animal, except animals bearing owner identification or inoculation tags, impounded pursuant to the provisions of this chapter, which has not been redeemed within three working days shall be humanely destroyed or otherwise disposed of by the director of the county animal pound. Any dog with owner identification tags, which is impounded pursuant to the provisions of this chapter and which shall not be redeemed within seven working days, shall be humanely destroyed or otherwise disposed of by the director of the county animal pound.

(Code 1981, § 16-1-21; Ord. No. 656, 11-19-1996)

Sec. 6-97. Issuance of citations to persons in violation.

(a) The animal control officer and others specifically designated by the police chief are authorized to issue citations on a reasonable belief that any person has violated any provisions of this chapter.

(b) Citations shall be issued on forms approved by the police chief.

(c) Citations shall be issued personally to the violator, left with a responsible family member of at least 13 years of age at the home of the violator, or mailed to the residence of the violator.

(d) Persons issuing citations shall ensure that a copy of the citation is filed at the village hall as soon as practical after issuance of such citation.

(Code 1981, § 16-1-22; Ord. No. 656, 11-19-1996)

Sec. 6-98. Citation processing procedure.

(a) Upon receipt of a citation alleging a violation of any section of this chapter, except for violations relating to diseased, dangerous or vicious animals, the violator may pay at the village hall during normal business hours, the sum of \$25.00 within 14 working days of receipt of a citation for the first violation of any of the provisions of this chapter. The amount that must be paid for any second or any additional violation of any provision of this chapter shall be the sum of \$50.00. In addition to making the foregoing payment, the recipient must sign and file with the clerk the portion of the complaint that admits the allegations of the citation.

(b) In the event that any recipient of a citation does not appear at the village hall during normal office hours, make the required payment, and file a guilty plea within the foregoing time period, then the recipient of the citation must appear in the county circuit court, on the date and times as specified in the citation served on the recipient.

(Code 1981, § 16-1-23; Ord. No. 656, 11-19-1996)

Sec. 6-99. Penalty.

Any person convicted by the county circuit court of violating any provision of this chapter for which another penalty is not provided shall, in addition to any boarding costs required herein, be fined as follows:

- (1) For any violation involving any diseased, dangerous or vicious animal, the minimum penalty shall not be less than \$100.00 and not more than \$500.00 for the first violation and, for any second or subsequent violation, the penalty shall not be less than \$200.00 and not more than \$500.00.
- (2) For any violation of any section of this chapter for which a penalty is not provided, the penalty shall be not less than \$50.00 for the first offense and not more than \$500.00, any second and subsequent offense the penalty shall not be less than \$100.00 nor more than \$500.00.
- (3) Each day a violation continues shall be deemed a separate offense.
- (4) In addition to the penalties provided for in subsection (1) of this section, upon finding by the court that a licensee has violated any of the licensing provisions related to diseased, dangerous or vicious animal, the court shall enter an order revoking the license and ordering the former holder of the license to remove the diseased, dangerous or vicious animal from the village.

(Code 1981, § 16-1-24; Ord. No. 656, 11-19-1996)

