

Chapter 14 ANIMALS

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Sec. 14-1. 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:

Dangerous animal means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf or coyote, or any poisonous or life-threatening reptile and any individual animal which when either unmuzzled, unleashed, or unattended by its owner, or a member of its owner's family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, or any public grounds or places.

Vicious animal means:

- (1) Any individual animal that when unprovoked inflicts bites or attacks a human being or other animal either on public or private property.
- (2) Any individual animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals.
- (3) Any individual animal that has as a trait or characteristic and a generally known reputation for viciousness, dangerousness or unprovoked attacks upon human beings or other animals, unless handled in a particular manner or with special equipment.
- (4) Any individual animal which attacks a human being or domestic animal without provocation.
- (5) Any individual animal which has been found to be a dangerous animal upon three separate occasions. No animal shall be deemed vicious if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it or is a professionally trained dog for law enforcement or guard duties. Vicious animals shall not be classified in a manner that is specific as to breed. If an animal is found to be a vicious animal, the dog shall be subject to enclosure.

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Cross reference— Definitions generally, § 1-2.

Sec. 14-2. Cruelty.

No person shall cruelly treat, beat, torment, overload, overwork, abandon or otherwise abuse any animal. No owner of an animal shall fail to provide such animal with sufficient and wholesome food and water, proper shelter, and protection from the weather, veterinary care when necessary to prevent suffering, and humane care and treatment.

(Ord. No. 98-6, §§ 1, 10(F), 5-27-1998)

State Law reference— Authority to prevent cruelty to animals, 65 ILCS 5/11-5-6.

Sec. 14-3. Running at large.

It is unlawful to permit any animals, i.e. horses, sheep, goats, swine, cattle, poultry or any wild or domestic animal to run at large in the village. Any such animal running at large in any public place in the village shall be impounded in the manner provided by this chapter.

(Ord. No. 98-6, § 2, 5-27-1998)

State Law reference— Authority to prevent animals running at large, 65 ILCS 5/11-20-9.

Sec. 14-4. Keeping animals which disturb the peace.

It is unlawful to harbor or keep any animals or birds which disturb the peace by loud noises at any time of the day or night.

(Ord. No. 98-6, § 3, 5-27-1998)

Sec. 14-5. Dangerous animal; killing.

The members of the police department or any other persons in the village are authorized to kill any dangerous or vicious animal of any kind when it is necessary for the protection of any person or property.

(Ord. No. 98-6, § 5, 5-27-1998)

Sec. 14-6. Keeping certain animals.

It is unlawful to keep any horses, ponies, sheep, goats, swine, cattle, fowl, pigeons, or any animal which is dangerous to mankind within the village.

(Ord. No. 98-6, § 6, 5-27-1998)

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Sec. 14-7. Animal matter.

It shall be unlawful for any person having animal matter which is in the process of decay so as to be offensive or dangerous to the public health, to permit such animal matter to remain for more than 12 hours. All fecal waste from animals and fowl including, but not limited to, dogs, cats, rabbits, and pigeons must be removed daily. It shall be unlawful to:

- (1) Negligently conduct any business or use any premises as to create such an offensive smell as may taint the air and render it unwholesome or disagreeable to the neighborhood;
- (2) Cause or suffer the carcass of any animal or vegetable matters such as slop, sill, suds, filth, garbage, or offal or noisome substance of any land to be collected, deposited or to remain in any place in the village;
- (3) Throw or deposit, or cause to be thrown or deposited, any offal or any offensive matter, or carcass of any animal in any water, pond, spring, or well, or on land within the village;
- (4) Deposit any dead animal or other filthy offensive or noisome substance upon any lot, street, alley, highway, part of other place;
- (5) Corrupt or render unwholesome or impure the water of any drinking hydrant, spring, stream, pond or lake, to the injury of others;
- (6) Keep, or suffer to be kept, in a foul, offensive, noisome or filthy condition any pigeon or rabbit coop, or any other animal or bird pen, budding, yard, trailer, ground or premises.

(Ord. No. 98-6, § 7, 5-27-1998)

Sec. 14-8. Diseased animals.

- (a) 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 man or beast may be affected; nor shall such diseased animal be shipped or removed from the supervision of the chief of police or of the animal control officer.
- (b) It is made the duty of the animal control officer to secure such disposition of any diseased animal and such treatment of affected premises as is necessary to prevent the communication and spread of the contagion or infection, except in cases where the state veterinarian is empowered to act.

(Ord. No. 98-6, § 8, 5-27-1998)

Sec. 14-9. Inoculation against rabies.

Every owner of a dog four months of age, not confined at all times to an enclosed area, shall cause such dog to be inoculated against rabies by a licensed veterinarian at such intervals as may be established pursuant to the state Animal Control Act, 510 ILCS 5/1 et seq. The tag shall be affixed to the dog's collar.

(Ord. No. 98-6, § 9, 5-27-1998)

Sec. 14-10. Dogs and cats.

- (a) *Running at large not permitted; rabies vaccination required.* The owner or keeper of any dog or cat shall not permit such animal to go beyond the premises of the owner or keeper and at all times shall

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ensure that such animal is under the control of its owner or keeper. The owner or keeper of a cat must have the animal vaccinated for rabies at six months of age.

- (b) *Prohibited acts.* No dog or cat shall be permitted to commit any of the following acts on any premises or property, private or public: bite or charge any person, destroy private property, scatter refuse, chase vehicles, deposit fecal matter on any property not of its owner, or commit any nuisance defined by this chapter or other village ordinance.
- (c) *Owner's responsibility.* Any person allowing any dog or cat to trespass and defecate upon any public or private property within the village, not owned, leased or otherwise controlled by such person, shall immediately clean upon any such fecal matter deposited upon such property and shall properly dispose of it.
- (d) *Nuisance.* It is declared a public nuisance and it is unlawful for any person to own or keep any dog within the village which barks or howls or any dog or cat which whines or otherwise behaves in such a manner as to disturb the peace and quiet and safety of persons in the neighborhood. It shall be a rebuttable presumption that any such barking, whining or howling does in fact disturb the peace, comfort and/or repose of others when such activities take place between the hours of 9:00 p.m. and 7:00 a.m.
- (e) *Authority to destroy dangerous animals.* It shall be unlawful to permit any dangerous or vicious dog or cat to run at large within the village. The members of the police department and the animal control officer, as designated by the village board, are authorized to kill any dangerous dog or cat when it is necessary for the protection of any person or property.
- (f) *Impounding.* Any police officer or other officer designated by the village is authorized to impound any dog or cat found within the village which is in violation of the provisions of this chapter. Any unlicensed dog or cat which appears to be suffering from rabies or affected by hydrophobia, mange or other infectious disease shall not be released, but shall be destroyed forthwith.

(Ord. No. 98-6, § 10(A)—(E), (G), 5-27-1998)

Sec. 14-11. Impoundment; redemption fees.

Any person seeking to redeem any impounded animal shall pay a fee of \$75.00 and an additional fee for veterinarian fees due for the boarding of such dog or cat. If at the end of three days the dog or cat has not been redeemed, the dog or cat will be forwarded to county animal control.

(Ord. No. 98-6, § 12, 5-27-1998)

Sec. 14-12. Penalties for violation of chapter.

Failure to perform any act required, or the performance of any act prohibited by this chapter, is designated an ordinance violation. Any person found to have committed a village ordinance violation shall be subject to punishment as provided in section 1-10.

(Ord. No. 98-6, § 11, 5-27-1998)