

CHAPTER 3
ANIMAL CONTROL

Section

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§8-3-1: IDENTIFICATION:

Every owner of an animal pet which is not continually confined indoors shall have his animal identified by attaching a suitable identification tag to the animal's collar or harness, which shall be worn by the animal at all times. (Ord. 68-25, 3-18-1968)

§8-3-2: RABIES VACCINATION:

Every owner of a dog four (4) months of age or older shall each year, on or before June 1, cause said dog to be vaccinated for rabies by the county rabies inspector, his deputies or any licensed veterinarian, and provide the dog with a collar or harness and attach the official tag which shall be worn by the dog at all times. (Ord. 68-25, 3-18-1968)

§8-3-3: ANIMAL NUISANCES:

- (A) Any animal pet which trespasses on or damages the property of a person who is not its owner or which creates a public disturbance or excessive noise is hereby declared to be a public nuisance.
- (B) Any animal pet which harms, threatens or endangers the physical safety of any person or any other animal pet is hereby declared to be a public danger.
- (C) Any animal pet which is not on the property of its owner and which has no collar upon its neck containing a suitable identification tag affixed thereto is hereby declared to be a stray.
- (D) Any animal pet which has no collar upon its neck containing a current rabies tag affixed thereto is hereby declared to be a threat to public health. (Ord. 68-25.1, 1973)
- (E) Any dog which is unattended and not located on the property of its owner is hereby declared to be a public nuisance. (Ord. 75-111, 8-18-1975)
- (F) Any person who has knowledge of facts sufficient to provide reasonable grounds for belief that any animal pet is a public nuisance, public danger, stray or threat to public health, may file a verified

complaint with the Village police setting forth such facts, a description of the animal pet and the name of the owner of the animal pet, if known.

- (G) Upon receipt of a verified complaint of any person or information from any policeman that an animal pet is a public nuisance, public danger, stray or threat to public health, the Village police shall notify the owner of the animal pet, if known, of the charges against it and shall summon the owner to appear for a court hearing on the charges on a date not less than seven (7) days after such notification and summons. The owner of the animal pet who signed the verified complaint or the policeman who provided information against the animal pet may be required to appear at the hearing by subpoena. (Ord. 73-25.1, 1973)

§8-3-4: IMPOUNDING ANIMAL PETS:

- (A) Any Village policeman or member of any other appropriate law enforcement body who observes an animal which he believes to be a public nuisance, public danger, stray or threat to public health or about which he knows that a verified complaint has been received stating that said animal is a public nuisance, public danger, stray or threat to public health shall apprehend said animal and make a reasonable effort to determine and inform the owner of the animal of such condition and then return said animal to the owner, unless he believes that the animal is a threat to safety, property or peace of the community or the animal has bitten a person and must therefore be impounded pursuant to this Chapter. If he cannot determine and inform the owner through reasonable effort, he shall apprehend the animal and deliver it to a pound or animal hospital. (Ord. 78-147, 5-15-1978)
- (B) The law enforcement agency which impounds an animal under the provisions of this Chapter shall take reasonable measures to identify, locate and notify the owner of any animal so impounded.
- (C) The owner of any animal pet which is impounded shall be liable for the daily room and board rate of the pound or hospital for animals of similar size and like breed and for any normal and reasonable veterinary fees, including inoculations.
- (D) It shall be the duty of the poundkeeper to humanely dispose of any impounded animal ten (10) days from the date of apprehension unless he is directed by the Village Board, the Chief of Police or the court to delay disposing of the animal.
- (E) Unless directed to do otherwise by the Village Board, the Chief of Police or the court, the poundkeeper shall release an animal which was a stray or a threat to public health if the animal has received suitable identification or a current rabies tag, but the poundkeeper shall not release an animal which is confined as a public nuisance or a public danger unless directed to do so by the Village Board, Chief of Police or the court.
- (F) When animal pets are impounded under this Chapter, the Village Board is hereby authorized to pay the costs arising from impounding or disposing of them if such costs are not paid by the owner. Said expenses shall be considered as necessary for the public health and safety. (Ord. 73-25.1, 1973)

§8-3-5: BITING OF PERSONS:

Whenever any person has been bitten by a dog or other animal, the proper law enforcement agency shall have such animal confined in the custody of and observed by a licensed veterinarian in the county. Within twenty four (24) hours after the dog or other animal is confined, the veterinarian shall report to the proper

official as required by State statute. Such dog or animal shall be confined for a period of ten (10) days and the proper law enforcement agency notified as to the final disposition of said animal.

The impounding of animals under this Section shall be at the owner's expense if ownership is determined. In the event the owner of the animal cannot be determined, the Village Board of Trustees is hereby authorized to pay the cost of such confinement. Said expenditure shall be deemed necessary for the public health and safety. (Ord. 68-25, 3-18-1968)

§8-3-6: DEAD OR DISEASED ANIMALS:

All dead animals shall be removed by the proper policing authority.

All animals so diseased as to constitute a danger to the public health or safety which are not adequately restricted by the owner shall be impounded under the provisions of Section 8-3-4 of this Chapter. (Ord. 68-25, 3-18-1968)

§8-3-7: DANGEROUS OR VICIOUS ANIMALS:

It shall be unlawful to permit any dangerous or vicious animal to run at large within the Village. Any law enforcement official is hereby authorized to take appropriate emergency action in any situation wherein a dangerous or vicious animal is at large within the community. (Ord. 68-25, 3-18-1968)

§8-3-8: INHUMANE TREATMENT OF ANIMALS:

No person shall inhumanely beat, underfeed, overload, abandon or otherwise mistreat or cruelly treat any animal in the Village. (Ord. 68-25, 3-18-1968)

§8-3-9: ANIMAL WASTE:

- (A) The owner, keeper or other person having control of any animal which defecates upon any public property or upon any private premises not belonging to the owner or keeper, or other person having control of such animal, shall immediately remove such deposit from any public property or private premises as aforesaid.
- (B) This Section shall not apply to a blind person while walking his or her guide dog.
- (C) For the purposes of this Section, the term "public property" includes but is not limited to any public right-of-way.

(Ord. 2003-008, 5-19-2003; Amd. Ord. 2016-01, passed 02-15-2016)

§8-3-10: PENALTIES:

Any person violating this Chapter shall be fined as follows:

- (A) Not less than \$100.00 and not more than \$750.00 for a first offense;
- (B) Not less than \$250.00 and not more than \$750.00 for a second offense;
- (C) Not less than \$500.00 and not more than \$750.00 for a third offense;
- (D) Not less than \$750.00 for a fourth and each subsequent offense thereafter.

Each day on which a violation of this Chapter occurs or continues shall be considered a separate offense.

(Ord. 2003-008, 5-19-2003; Amd. Ord. 2018-07, passed 08-20-18)