

TITLE 10

ANIMALS

Subject

Chapter

Animals 10-1

CHAPTER 1

ANIMALS

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10-1-1: AUTHORITY: This Chapter is promulgated pursuant to statutory authority contained in Chapter 24, Section 11-20-9 of the Illinois Revised Statutes.

10-1-2: DEFINITION OF TERMS: As used in this Chapter, unless the context otherwise indicates:

A. DOG: Shall be intended to mean all animals of the canine species, both male and female.

B. CAT: Shall be intended to mean all animals of the feline species, both male and female.

C. OWNER: Shall be intended to mean any person, persons, firm, association, partnership, or corporation, owning, keeping, harboring, possessing, or having a right of property in any dog or cat.

D. AT LARGE: Shall be defined to be the presence of a dog at any place except upon the premises of the owner of the dog, unless the dog is on a leash and under control of a person physically able to control it.

E. POUNDMASTER: Shall be intended to mean any person or company appointed by the President and approved by the board to perform duties as assigned by the Village of Tiskilwa and its ordinances.

F. DANGEROUS DOG: Any individual dog 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.

G. ENCLOSURE: A fence or structure of at least six feet (6') in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures which may be taken by the owner or keeper, such as tethering of a vicious dog within the enclosure. Such enclosure shall be securely enclosed and locked and designed with secure sides, top and bottom and shall be designed to prevent the animal from escaping from the enclosure.

H. FOUND TO BE VICIOUS DOG: The President, an animal control warden, poundmaster or a law enforcement officer has conducted an investigation and made a finding in writing that the dog is a "vicious dog" as defined herein and, based on that finding, the President, an animal control warden, or the police has declared in writing that the dog is a "vicious dog" as defined herein and has entered an order based on that finding.

I. VICIOUS DOG: Any individual dog that when unprovoked inflicts, bites or attacks a human being or other animal either on public or private property. Any individual dog 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. Any individual dog 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.

Any individual dog which attacks a human or domestic animal without provocation.

Any individual dog which has been found to be a "dangerous dog" upon three (3) separate occasions.

J. EMOTIONAL SUPPORT DOG: A dog that helps individuals with emotional disabilities such as anxiety or depression by providing comfort and support.

K. SERVICE DOG: A dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as a service dog.

10-1-3: RUNNING AT LARGE: No owner or keeper of any dog or cat shall permit such dog or cat to run at large.

10-1-3a: VILLAGE PARKS: No owner or keeper of any dog or cat shall permit such dog or cat to run at large within the park boundaries in the Village of Tiskilwa, Illinois.

10-1-4 KEEPING A VICIOUS DOG: It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless such dog is at all times kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are: 1) if it is necessary for the owner or keeper to obtain veterinary care for the dog or 2) to comply with the order of a court of competent jurisdiction, provided that the dog is securely muzzled and restrained with a chain having a tensile strength of three hundred (300) pounds and not exceeding three feet (3') in length, and shall be under the direct control and supervision of the owner or keeper of the dog.

A. Subject To Enclosure: If a dog is found to be a vicious dog, the dog shall be subject to enclosure.

B. Declared Non Vicious: No dog 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 dogs shall not be classified in a manner that is specific as to breed.

C. Guide Dogs: Guide dogs for the blind or hearing impaired, Service dogs for the physically handicapped, and sentry, guard, or police owned dogs are exempt from this section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this section, each such dog shall be currently inoculated against rabies. Emotional Support dogs do not qualify for this exemption. It shall be the duty of the owner of such an exempted dog to notify the city clerk of changes of address. In the case of a sentry or guard dog, the owner shall keep the city clerk advised of the location where such dog will be stationed. The city clerk shall provide police and fire departments with a categorized list of such exempted dogs, and shall promptly notify such departments of any address changes reported to him/her.

10-1-5 DISTURBING THE PEACE: No person owning any dog shall suffer or permit such a dog to disturb the peace and quiet of the neighborhood by barking, making other loud or unusual noises, or by running through or across cultivated gardens or fields.

10-1-6 NUISANCES: Any dog found in the city either without a license or running at large under the conditions set forth above is hereby declared to be a nuisance and shall be impounded as hereinafter provided.

A. It is unlawful for any person to maintain a public nuisance by permitting any dangerous dog or other animal to leave the premises of its owner when not under control by leash or other recognized control methods.

10-1-7: IMPOUNDING; DESTROYED: It shall be the duty of every police officer of the village to apprehend any dog or cat found running at large, and to impound such a dog or cat in the village pound or other suitable place. The Poundmaster or some other designated official upon receiving any dog or cat shall make a complete registry, entering the breed, color, and sex of such dog or cat and whether licensed. If licensed, he shall enter the name and address of the owner and the number of the license tag. Licensed dogs or cats shall be separated from unlicensed dogs or cats.

A. Any dog which has been found to be a vicious dog and which is not confined to an enclosure shall be impounded by the President, an animal control warden, Poundmaster, or the law enforcement authority having jurisdiction in such an area and shall be turned over to a licensed veterinarian for destruction by lethal injection. However, that if any dangerous, fierce, or vicious dog so found at large cannot be safely taken up and impounded, such dog may be slain by any policeman under the supervision of another police officer or other designated official unless there is immediate danger.

B. If the owner of the dog has not appealed the impoundment order to the circuit court in the county in which the animal was impounded within seven (7) working days, the dog may be humanely dispatched. A dog found to be a vicious dog shall not be released to the owner until the President, an animal control warden, or the Police approves the "enclosure" as defined in this section.

10-1-8: NOTICE TO OWNER AND REDEMPTION: Not later than three (3) days after the impounding of any dog or cat, the owner shall be notified, and shall have three (3) days in which to claim the dog or cat. If the owner of the dog or cat is unknown, a written notice shall be posted for three (3) days at three (3) or more conspicuous places in the village describing the dog or cat and the place and time of taking it. The owner of any dog or cat so impounded may reclaim such dog or cat within three (3) days upon payment of all costs and charges incurred by the Village for impounding and the maintenance of said dog or cat.

10-1-9: DISPOSITION OF UNCLAIMED OR INFECTED DOGS OR CATS: It shall be the duty of the Poundmaster to keep all dogs or cats so impounded for a period of three (3) days, or ten (10) days if an infected animal. If, at the expiration of three (3) days from the date of notice to the owner or the posting of notice, such dog or cat shall not have been redeemed, it may be destroyed. Any unlicensed dog or cat required by law to be licensed, or any dog or cat which appears to be suffering from rabies or affected with hydrophobia, mange, or other infectious or dangerous disease shall not be released but may be forthwith destroyed.

10-1-10: MUZZLING: Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the President, if he deems it necessary, shall issue a proclamation ordering every person owning or keeping a dog or cat to confine it securely on his premises and each such dog or cat shall have a muzzle of sufficient strength to prevent its biting any person. Any dog or cat running at large during the time of the proclamation shall be seized and impounded unless noticeably infected with rabies. All dogs or cats so noticeably infected with rabies or displaying vicious propensities shall be killed by the Poundmaster or any policeman without notice to the owner. Dogs or cats impounded during the first Two (2) days of such proclamation shall, if claimed within Five (5) days be released to the owner, unless infected with rabies, upon payment of the impounding charges provided for in Section 10-2-5. If unclaimed after that period, such a dog or cat may be summarily destroyed.

10-1-11: RABIES: NOTICE: If a dog or cat is believed to have rabies or has been bitten by a dog or cat suspected of having rabies, such dog or cat shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of Two (2) weeks. The owner shall notify the Poundmaster of the fact that his dog or cat has been exposed to rabies, and at his discretion the Poundmaster is empowered to have such dog or cat removed from the owner's premises to a veterinary hospital and there placed under observation for a period of Two (2) weeks at the expense of the owner. It shall be unlawful for any person knowing or suspecting a dog or cat has rabies to allow such dog or cat to be taken off his premises or beyond the limits of the Village without the written permission of the Poundmaster. Every owner, or other person, upon ascertaining a dog or cat is rabid, shall immediately notify the Poundmaster or a policeman who shall either remove the dog or cat to the pound or summarily destroy it.

10-1-12: DOG BITES: Whenever any dog bites a person, the owner of the said dog shall immediately notify the chief of police who shall order the dog held on the owner's premises or shall have it impounded for a period of ten (10) days. The Poundmaster shall be notified of any dog bite within twenty four (24) hours. The dog shall be examined immediately after it has bitten anyone and again at the end of the ten (10) day period. If at the end of ten (10) days, a veterinarian is convinced that the dog is then free from rabies, the dog shall be released from quarantine or from the pound as the case may be. If the dog dies in the meanwhile, the head shall be sent to the state department of health for examination for rabies and the owner of the animal will be responsible for any and all costs that come about.

10-1-13: VILLAGE REGISTRATION: All owners of dogs four (4) months or older within the village must have the dog registered, and in order to have said dog registered, proof of the county registration will be required. The owner of any dog or dogs who has failed to have the dog or dogs registered will be subject to a fine of \$25.00 for the first time and \$35.00 for each time thereafter within each year. The owner will have thirty (30) days in which to register the dog or dogs, and if such registration does not take place within that time, the owner will be subject to a second fine. (The form can be found at the end of this section as well as on the Village website).

10-1-14: LIMITATION ON NUMBER OF DOGS OR CATS PER RESIDENCE:

No individual, family or group of individuals residing in the same home or apartment shall be allowed to keep more than six (6) dogs or six (6) cats or a combination of greater than six (6) dogs and cats in any residence or apartment unless the individual has an animal dealers license from the State of Illinois. Any individual violating the provisions of this section be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) per day and each day that the violation shall continue shall deem to be a separate offense. Additionally, any person violating this section shall be responsible for any veterinary expenses, impoundment expenses, and expenses incurred by the Village of Tiskilwa or any other animal rights group in removing the animals from the residence or apartment.

10-1-15: ANIMAL DEALERS LICENSE:No person shall engage in the business of buying, selling, exchanging, breeding, dealing, training or boarding of birds, dogs, cats or other small animals customarily kept as household pets, or used for domestic purposes, without first having obtained an animal dealer's license from the State of Illinois in accordance with the Animal Welfare Act (ILCS Ch. 225, Act 605) and all other licenses or permits required for such activity pursuant to any applicable local, state or federal laws.

A. Persons issued any animal dealers licenses by the State of Illinois shall deal, breed, board or train such animals only from properties the licenses allow.

10-1-16: WASTE ACCUMULATIONS: It shall be unlawful for any person to cause or permit a dog or cat to be on property, public or private, not owned or possessed by such person, unless such person has in his immediate possession an appropriate device for scooping excrement and an appropriate depository for the transmission of excrement to a receptacle located upon property owned or possessed by such person. This section shall not apply to a person who is visually or physically handicapped.

10-1-17: ORDINANCES REPEALED: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

10-2-18: EFFECTIVE DATE: This ordinance shall take effect upon its passage and publication as provided by Statute.

10-1-19: SEPARABILITY: It is the intention of the Village Board that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Village Board that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

10-1-20: INTERFERENCE WITH ENFORCEMENT: It shall be a violation of this chapter for any person to obstruct, impede or interfere with the capture, impound or disposal of any animal in accordance with this chapter.

10-1-21: ENFORCEMENT EXEMPTION FROM LIABILITY: The Police Officers, any Village employees or other persons authorized to enforce the provisions of this chapter shall not be held liable for the injury, death or disease which may occur to any animal as a consequence of the enforcement of the provisions of this chapter; provided such injury, death or disease was not the result of willful and wanton acts or omissions of any said persons.

10-1-22: PENALTIES: Any person violating any provision of this chapter, shall be fined not less than Fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the first offense; not less than seventy-five dollars (\$75.00) nor more than three hundred dollars (\$300.00) for the second offense; and not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the third and subsequent offenses. A fine for every provision which is violated will occur. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to the fines provided herein, any person violating any provision of this chapter shall be responsible for any medical expenses, impoundment expenses, veterinary expenses, or property damages caused by the person's dog or cat.

Tiskilwa Animal Registration Form

Owners Name: (Last, First) _____

Address: _____

Phone Number: _____

Animals Name: _____ Age:(If Known) _____

Animals Breed: _____

Color and Description of Animal: _____

Date of last rabies vaccination: _____

Animals Veterinarian: _____

Owners Signature: _____

Date: _____