

## CHAPTER 13

### ANIMALS

#### SECTION:

- 11-13-1: Cruelty to Animals**
- 11-13-2: Animals Disturbing the Peace, At Large**
- 11-13-3: Dangerous or Diseased Animals**
- 11-13-4: Keeping or Harboring Animals; Number Restricted**
- 11-13-5: Animals on Public Property**

#### **11-13-1: CRUELTY TO ANIMALS:**

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

#### **11-13-2: ANIMALS DISTURBING THE PEACE, AT LARGE:**

- A. 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.
- B. Strays: It shall be unlawful to permit any animal, including but not limited to cattle, horses, swine, sheep, goats or poultry to run at large in the Village; any such animal running at large in any public place within the Village shall be impounded. It shall be further unlawful to picket or tie any such animal upon any public way within the Village for the purpose of grazing or feeding.

#### **11-13-3: DANGEROUS OR DISEASED ANIMALS:**

- A. Dangerous Animals: It shall be unlawful to permit any dangerous or vicious animal of any kind to run at large within the Village; exhibitions or parades of animals which are ferae naturae in the eyes of the law may be conducted only upon securing a permit from the Chief of Police.

The members of the Police Department or any other person in the Village, are authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

- B. Diseased Animals: No domestic animal afflicted with a contagious disease or an 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 premises of the owner thereof, except under the provisions of the County Health Officer. The County Health Officer shall be requested to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of contagion or infection, except in cases where only the State Veterinarian is empowered to act.

**11-13-4: KEEPING OR HARBORING ANIMALS; NUMBER RESTRICTED:**

- A. It shall be unlawful to maintain any stable, veterinary hospital, kennel, dove-cote or other place for the keeping or harboring of any cattle, horses, goats, pigs, chickens, geese, ducks, pigeons, rabbits or similar animals or fowl, or to keep or harbor any such animals or fowl upon any residential lot within the Village.
- B. It shall be unlawful to keep or harbor in excess of three (3) dogs or three (3) cats or any combination of such animals in excess of a total of three (3) upon any residential lot within the Village.

**11-13-5: ANIMALS ON PUBLIC PROPERTY:**

It shall be unlawful for the owners of any animal to permit such animal to be in the parks, public parkways, or any other public property except for the Village owned bicycle path and Village owned roadways, whether running at large or leashed. The owner of any animal utilizing the Village owned bicycle path or Village owned roadways to exercise said animal must have the animal under leash and must have in his or her possession an implement suitable for removal of animal feces. Said implement must be utilized immediately to remove animal feces deposited on the Village owned bicycle path or Village owned roadways.

**CHAPTER 13**

**ANIMALS**

**ARTICLE A. DOGS AND CATS**

**SECTION:**

- 11-13A-1: Definitions**
- 11-13A-2: Rabies Control**
- 11-13A-3: Running at Large; Restrictions and Prohibitions**
- 11-13A-4: Offenses Concerning Dogs and Cats**
- 11-13A-5: Impoundment Procedures**

**11-13A-1: DEFINITIONS:**

Where used in this Article, the following terms shall have the meanings respectively ascribed to them in this Section:

CATS	All members of the feline species.
COMPETENT PERSON	A person who is physically and mentally capable of managing and controlling a dog which is under his restraint while off the premises of the owner or keeper thereof.
DOGS	All members of the canine species.
FIERCE, VICIOUS or DANGEROUS DOG	Any dog is hereby declared fierce, vicious or dangerous that, without provocation, attacks and/or bites a human or other animal.
KENNEL	Any establishment engaged in the commercial business of breeding, showing, buying, selling or boarding of dogs and cats, but not including veterinary service.
OWNER or KEEPER	Any person, firm or corporation owning, harboring or keeping a dog or cat within the Village.

RABIES INSPECTOR	The Rabies Inspector of the County.
RESTRAINT	A dog is under restraint within the meaning of this Article if it is on its owner's or keeper's premises; or on a stout leash not more than eight feet (8') in length; or at heel near a competent person and obedient to that person's commands.
RUNNING AT LARGE (DOGS)	Any dog shall be deemed to be running at large when it is off the premises of its owner or keeper and not under adequate restraint of a competent person.
RUNNING AT LARGE (CATS)	Any cat shall be deemed to be running at large when it is: <ul style="list-style-type: none"> <li>1) On the property of another, and;</li> <li>2) the owner or agent of the property makes a complaint to the Police Department against the cat being on the property.</li> </ul>
VETERINARY HOSPITAL	Any establishment maintained and operated a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals and including temporary boarding of such animals.

**11-13A-2: RABIES CONTROL:**

- A. Except as otherwise in this Section provided, it shall be unlawful to keep or harbor within the Village any dog which has not been vaccinated against rabies by a licensed veterinarian within the preceding twelve (12) months, or within the then calendar year; provided, however, it shall not be unlawful if said dog has been vaccinated in accordance with the Illinois Animal Control Act<sup>1</sup> and lawful regulations promulgated thereunder and further provided, however, that it shall not be unlawful to keep or harbor an unvaccinated dog which is under four (4) months of age. Evidence of vaccination shall be the standard vaccination tag issued by Lake County through its Animal Control Warden or other lawfully designated agent and worn around the neck of the animal.
- B. Report, Suspicion of Rabies: Every dog or cat which bites a person shall be promptly reported to the Police Department and shall thereupon be securely

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<sup>1</sup>225 ILCS 605/1

quarantined in a veterinary hospital for a period of ten (10) days. The owner, upon demand made by any police officer, shall forthwith surrender any animal which has bitten a person or which is suspected of having been exposed to rabies for a supervised quarantine, the expense of which shall be borne by the owner.

It shall be unlawful for any owner or keeper of any dog or cat which has bitten a person, or which is suspected of having rabies, upon demand of any police officer of the Village to refuse to immediately deliver such dog or cat to such officer. The Police Department of the Village, upon receipt of any such notification or report of dog or cat bites, or symptoms indicative of rabies, shall immediately notify the Rabies Inspector and shall, in cooperation with said Rabies Inspector, determine so far as possible the identities of all persons known or suspected to have been bitten by, handled or come in contact with such dog or cat, so that such persons or their parents or guardians may be given such warnings as may appear advisable.

The owner or keeper of such dog or cat shall be liable for all veterinarian and laboratory fees incurred pursuant to the provisions of this Section.

### **11-13A-3: RUNNING AT LARGE; RESTRICTIONS AND PROHIBITIONS:**

It shall be unlawful for the owner or keeper of any dog or cat to permit or suffer such dog or cat to run at large as defined in Section 11-13A-1 at any time within the Village. Any dog or cat which shall run at large shall be taken up and returned to the owner if the owner's identity is known and if practical to do so, or shall be impounded as hereinafter provided at the expense of the owner or keeper of such dog or cat.

### **11-13A-4: OFFENSES CONCERNING DOGS AND CATS:**

- A. **Female Dogs and Cats in Heat:** It shall be unlawful for any owner or keeper of any female dog or cat to permit or suffer such dog or cat, while in heat, to be upon any public way, or other public place, or upon any private premises, other than the premises of the owner or keeper, or, if outdoors, upon any unfenced part of the premises of the owner or keeper which is closer to a public way or other public place, than ten feet (10').
- B. **Keeping of Certain Dogs or Cats Declared a Nuisance:** It is hereby declared a nuisance to keep within the Village any dog or cat which disturbs the peace and quiet of any neighborhood by habitual barking, howling or whining, or to keep on the premises a female dog or cat in heat which causes other dogs or

cats to disturb the peace and quiet of any neighborhood by habitual barking, howling, whining or yowling.

Unless otherwise provided for in Section 1-17-10, upon complaint made under oath and filed with any court having jurisdiction setting forth the maintenance of any such nuisance within the Village, by any owner or keeper, the court shall proceed to hear and determine the case. If, upon hearing, it shall appear that such owner or keeper has so maintained a nuisance, then he shall be subject to a fine and the court may order such dog or cat to be removed from the Village forthwith. In the event of the failure of the owner or keeper to remove the dog or cat from the Village, or to destroy the dog or cat, within twenty-four (24) hours after receipt of such order, such owner or keeper shall be subject to an additional fine for each day on or during which he refused to comply with such order.

- C. It shall be unlawful to keep or harbor within the Village any fierce, vicious, or dangerous dog. At the time and place set for trial for violation of this subsection if it shall appear that any dog has, without provocation, attacked or bitten any human or animal, the court may order such dog to be removed from the Village forthwith or order that such dog be destroyed. Upon a satisfactory showing to the court that said dog has been removed or destroyed, the court may, in its discretion, cause a nonsuit to be entered in said cause.
- D. Compliance With State Law: It shall be unlawful to own, keep or harbor any dog or other animal within the Village when the same would constitute a violation of the Illinois Animal Control Act and any lawful regulations promulgated thereunder from time to time.

**11-13A-5: IMPOUNDMENT PROCEDURES:**

- A. Unlicensed and At Large Dogs and Cats: Unlicensed dogs or cats of an age of four (4) months or more, or dogs or cats found running at large, or dogs or cats found abandoned shall be taken up by the Police Department and placed for impoundment. The Police Officer impounding shall make a record of the same entering the breed, color and sex and whether licensed or not and the name and address of the owner or keeper, if known, and maintain the information at a central location within the Police Department. Such dogs or cats so impounded will be confined in a humane manner for a period of not less than five (5) days and may thereafter be disposed of in a humane manner if not claimed by their owners. Dogs and cats not claimed by their owners shall be humanely disposed of except as hereinafter provided in the cases of certain animals.

B. Redemption or Disposal:

1. Immediately upon impoundment of dogs or cats, the Police Department shall make every possible effort to notify the owners of such dogs and cats impounded, including mailing a notice by registered or certified mail, return receipt requested, and inform such owners of the manner whereby they may regain custody of such animals.
2. Any dog or cat so impounded may be redeemed by the owner or keeper thereof by the payment of any impounding fees plus any fines, provided that if the owner or keeper of the dog or cat is a resident of the Village, such dog or cat shall not be released unless and until such dog or cat shall have been vaccinated, registered and the license fee paid as herein provided.
3. Anything in this Chapter to the contrary notwithstanding, no dog or cat suspected of having rabies shall be released within less than ten (10) days following its impounding, and any such dog or cat shall be held and dealt with in the manner hereinafter provided.

C. Records: It shall be the duty of the Police Department to keep, or cause to be kept, accurate records of all impoundments and other dispositions of all dogs or cats coming into their custody.