

CHAPTER 22
(2010-1; 7/12/10)

ANIMALS

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ARTICLE I. IN GENERAL

Sec. 22.1 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:

- a. *Animal* means every nonhuman species of animal, both domestic and wild.
- b. *Animal Welfare Officer* means the person appointed by the Village President, with the advice and consent of the Board of Trustees to have the duties set forth in this Chapter.
- c. *At large* means any animal when it is off the premises of its owner's real property and not restrained by a competent person.
- d. *Bite* means the infliction of a break in the skin or a wound by the teeth of an animal.
- e. *Cat* means all domestic members of the feline family *Felis catus*.
- f. *Competent person* means a person 11 years of age or older, capable of physically controlling the animal in question and to whose command the animal is obedient.
- g. *Confine* means the physical restraint of an animal by a fence, structure, chain, rope or other means of a sufficient strength or construction to restrain the animal in question.
- h. *Cruelty to animals* shall include, but not necessarily be limited to, the following:
 - (1) Overloading, overdriving, overworking, beating, torturing, abusing, tormenting, knowingly poisoning, knowingly attempting to poison, mutilating or killing any animal, or causing or knowingly permitting the same to be done.
 - (2) Unnecessarily failing to provide an animal in one's charge or custody as owner or otherwise with proper food, drink and proper sanitary shelter.
 - (3) Abandoning any animal by leaving such animal on any highway or public way or in any other place where it may suffer injury, hunger, exposure or become a public charge.
- i. *Dog* includes all domestic members of the canine family *Canis familiaris*.
- j. *Domestic animal*. The following are considered to be domestic animals:
 - (1) Dogs (not including hybrids of dogs).
 - (2) Cats (not including hybrids of cats).

- (3) Domestic rodents (guinea pigs, hamsters, white rats, white mice).
 - (4) Farm animals (any member of the swine, ovine, caprine, bovine or equine families, poultry or rabbits).
 - (5) Non-life-threatening, nonpoisonous reptiles or amphibians.
 - (6) Nonpoisonous, non-life-threatening fish.
 - (7) All birds, except those protected as wild birds by state or federal statutes.
- k. *Dwelling unit* means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- l. *Exotic animal* means any nondomestic animal not native to the state.
- m. *Multiple-pet owner* means any person who harbors more than four (4) dogs or cats, or any combination thereof, over four (4) months of age in a dwelling unit.
- n. *Owner* means any person seventeen (17) years of age or older; or parent or guardian of any person under the age of seventeen (17) years; or parent or guardian of an incapacitated person having a right of property in an animal; or who acts as custodian, cares for, keeps, feeds or knowingly permits an animal to remain on or about any premises occupied by such person; or a person who registers an inoculation certificate for an animal with the county.
- o. *Person* means an individual, partnership, corporation, limited liability company, joint stock association, or joint venture, and includes any trustee, estate, executor, guardian, receiver, assignee or personal representative.
- p. *Poultry* means domesticated birds raised for show, eggs or meat.
- q. *Redemption fee* means costs incurred when impounding an animal, which include the handling and processing of the animal's entry and exit into an animal shelter. This fee shall not include boarding, medical or transportation costs incurred by the shelter in keeping such animal.
- r. *Restraint* means any animal that is not found on the property of its owner when it is:
- (1) Controlled by a line or leash not more than six (6) feet in length when such line or leash is held by a competent person.
 - (2) Controlled by a leash of twenty-five (25) feet or less during a training session conducted by a competent person.
 - (3) Confined within a motor vehicle.

- (4) Confined in a cage or other animal carrier.
- s. *Secure enclosure* means a structure of sufficient height and construction that does not allow contact between the animal confined and other animals or persons.
- t. *Sterilized* means the surgical spay of a female animal or castration of a male animal, so as to render such animal capable of producing.
- u. *Wild animal* means any living member of the animal kingdom (including exotic animals) other than a domestic animal.

Sec. 22.2 Animals Running at Large Prohibited

The owner of any animal shall keep such animal confined or under restraint at all times when it is off the premises of the owner's real property and shall not permit such animal to be at large. Dogs trained for law enforcement under the control of a peace officer in the performance of duty shall not be required to be confined or under restraint.

Sec. 22.3 Keeping Wild Animals Prohibited

- a. No person shall keep, harbor, possess, act as custodian or have right of property in a wild animal except zoos, veterinary hospitals, animal shelters, corporations, or individuals, all of which must be legally licensed by federal and/or state statutes. Individuals owning or fostering animals trained or to be trained for service to persons with disabilities are excepted. Any individual keeping a service animal must provide documentation of fostering and training from a certified training organization.
- b. No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his possession any of the animals described below: any member of the family Felidae (**the cat family**) (except the species *Felis Catus*, domestic cat), all members of the family Ursidae (**the bear family**), all members of the family Hyaenidae (**hyenas**), any member of the family Canidae (**family of mammals that include wolves, foxes, jackals, coyotes, dogs**) (except the species *Canis Familiaris*, domestic dog), all members of the family Elephantidae (**elephants**), any non-human primate, or any hybrids thereof. Owning, keeping, harboring, caring for, or maintaining said animals shall be a violation of law for which, upon conviction thereof, such owner shall be penalized not less than Five Hundred Dollars (\$500.00).

Sec. 22.4 Farm Animals Prohibited

Except as provided in the Zoning Ordinance set out in Chapter 18 of this Code, and Section 22.5 of this Chapter, all farm animals, including, but not limited to, members of the swine, ovine (**sheep**), bovine, caprine (**goat**) or equine families, poultry and rabbits, shall be prohibited.

Sec. 22.5 Rabbits Restricted

- a. Possession of rabbits within the Village is a violation of the law except under the following conditions:
 - (1) The owner shall provide a cage of at least eight (8) cubic feet, with no dimension less than one (1) foot for each animal.
 - (2) Each cage or structure shall be placed at least ten (10) feet from all property lines, and shall never be in the front or side yards, as defined in the Zoning Ordinance (Chapter 18 of this Code).
 - (3) The total number of rabbits shall be no more than three (3) or more than one (1) for every 4,000 square feet of lot area, whichever is less.
- b. For the purpose of this Section, any rabbit over six (6) weeks old shall be counted.

Sec. 22.6 Humane Care of Animals

No owner shall fail to provide his/her/its animal with:

- a. Sufficient, nutritious food.
- b. Fresh, clean water at all times.
- c. A shelter which has four (4) sides, a roof, floor, and bedding. The shelter shall be of sufficient size to permit such animal to stand up and turn around inside when fully grown and allow retention of body heat. The shelter shall be placed to provide shade from the sun and protection from the weather.
- d. Regular and sufficient veterinary care to prevent suffering and maintain health.

Sec. 22.7 Abandonment Prohibited

It shall be unlawful for any person to abandon any animal within the Village.

Sec. 22.8 Acts of Cruelty to Animals Prohibited

In addition to those acts set forth in Sec. 22.1 h. of this Chapter, no person shall:

- a. Kill, wound or attempt to kill or wound any domestic animal.
- b. Put to death any domestic animal except by euthanasia under the supervision of a licensed veterinarian of the State.
- c. Beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse a domestic animal.

- d. Cause, instigate, permit or attend any dogfight, cockfight, bullfight or other combat between animals or humans.
- e. Crop an animal's ears, dock an animal's tail or perform similar surgeries except a licensed veterinarian of the State.
- f. Allow any animal to remain unattended by a competent person in a motor vehicle when the animal's life, health or safety is threatened.

Sec. 22.9 Impoundment of Victimized Animals

In the event that the Animal Welfare Officer or delegate finds a domestic animal to be a victim of cruelty, neglect, or abandonment as defined by Sections 22.6, 22.7 and 22.8, he shall have the right to forthwith remove or cause to have removed any such animal to a safe place for care or to euthanize such animal when necessary to prevent further suffering, all at the owner's expense. Return to the owner may be denied or withheld until the owner shall have made full payment for all expenses incurred. Treatment of an animal by any method specified in this section does not relieve the owner of liability for violations and for any accrued charges.

Sec. 22.10 Diseased and Injured Animals

- a. No diseased or sickly horse, cow, hog, dog, cat or other animals nor any that has been exposed to any disease that is contagious among such animals shall be brought into the Village unless under veterinary care.
- b. Any animal, being in any street or public place within the Village, appearing, in the estimation of the Animal Welfare Officer or delegate or any inspector of the county health department, to be injured or diseased and past recovery for any useful purpose, and not being attended and properly cared for by the owner or some proper person to have charge thereof for the owner, and not having been removed to some private premises or to some place designated by such officer or inspector within one hour after being found or left in such condition, may be deprived of life by such officer or as he may direct.
- c. No person, other than inspectors or officers of the county health department or law enforcement officers, or persons authorized by contract or otherwise, shall in any way interfere with the removal of such dead, sick or injured animal in such street or place. No person shall skin or wound such animal in any street or public place, unless to terminate its life as herein authorized; except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a law enforcement officer, or an inspector of the county health department.

Sec. 22.11 Dead Animals Prohibited

- a. No person shall:

- (1) Allow the body, or any part thereof, of any dead animal to decompose and putrefy by remaining on his property.
 - (2) Skin, dismember, butcher, dress or exhibit any dead animals in view of the public in residentially used areas of the Village.
- b. The owner 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 such animal's remains.

Sec. 22.12 Liberation of Owned Animals Prohibited

No person shall remove from restraint or release from confinement any animal belonging to another person, unless in an emergency or with the consent of the owner.

Sec. 22.13 Liberation of Impounded or Captured Animals Prohibited

It shall be unlawful for any person to liberate to attempt to liberate any animal impounded under the provisions of this Chapter from a place of confinement or from within a vehicle used for confinement and conveyance to the animal shelter.

Sec. 22.14 Trapping Prohibited

No person shall set any trap to catch any animal, permit any trap owned by him or in his control to be set to catch any animal, or allow a trap to be set to catch an animal in his property, unless approved by the Animal Welfare Officer or the Board of Trustees. The indoor trapping of rats and mice is permitted. Live traps, which do not injure any animal, will be permitted, unless there is a designated trapping season which prevents them.

Sec. 22.15 Provoking Animals Prohibited

It shall be unlawful for any person to intentionally provoke any animal so as to create a nuisance to the neighborhood or cause a violation of any provisions of this Chapter.

Sec. 22.16 Removal of Waste

The owner of any animal shall promptly remove any deposit of such animal's waste wherever it may exist in the Village streets, alleys, rights of way, and yards.

Sec. 22.17 Animal Considered a Nuisance

- a. No person shall own, possess, or harbor a nuisance animal within the Village. An animal, other than a dog trained for law enforcement in the performance of its duty, shall be considered a nuisance if such animal:
- (1) Damages real or personal property other than the owner's.

- (2) Causes unsanitary, dangerous or unreasonably offensive conditions.
 - (3) Causes a disturbance by excessive barking, caterwauling or other noisemaking.
 - (4) Chases vehicles.
 - (5) Chases, molests, attacks, bites, interferes with or physically intimidates any person while on or off the premises of the owner.
 - (6) Chases, molests, attacks, bites or interferes with other animals while off the premises of the owner.
- b. The Animal Welfare Officer or delegate, upon reasonable grounds, may impound any animal creating a nuisance by being in violation of Subsection a.(5) of this Section and not restrained by a competent person. Failure to comply with Subsection a.(5) of this Section shall be a violation of law for which, upon conviction thereof, the owner of such animal shall be penalized Three Hundred Dollars (\$300.00) for the first violation, Six Hundred Dollars (\$600.00) for the second violation, and One Thousand Dollars (\$1,000.00) for the third and each subsequent violation. This Section requires the support of the complainant for the issuance of a violation.

Sec. 22.18 Dangerous Animals

- a. Any dog, cat or other animal running at large within the Village which endangers the safety of any person or animal may be slain by the Animal Welfare Officer or law enforcement officer.
- b. It shall be unlawful for any person to own, act as custodian for, care for or keep a dangerous animal for another.

Sec. 22.19 Impoundment of Animals Running at Large

Every animal running at large or stray animal within the Village may be impounded in the Peoria County Animal Shelter, or similar facility, by the Animal Welfare Officer or delegate, representative of such shelter or similar facility, the police or private citizen. Once the animal has been impounded at the animal shelter, it may be released only after payment of any fines required by such facility.

Sec. 22.20 Complaint and Service

- a. The Animal Welfare Officer shall have the power to issue a notice and call a complaint to appear in court for any violation of this Chapter in the following manner and form. The Complaint shall:
 - (1) Be in writing.
 - (2) Set forth the section or sections of the Code for which a violation is made.

- (3) Set forth the date of the violation or violations.
 - (4) Set forth the facts upon which the alleged violation or violations exist.
 - (5) Describe the location where the violation or violations are alleged or to have been committed by a street address or a legal description of record in the records of the Recorder of Deeds of the County.
 - (6) Be served upon the violator by:
 - (a) Personal delivery of a copy of the Complaint to the alleged violator or member of his household 13 years of age or older. Personal service shall be made by the Animal Welfare Officer or by any law enforcement officer or any person authorized by law to make personal service; or
 - (b) Certified or registered mail, return receipt requested, addressed to the last known place of occupancy of the alleged violator when signed by him, his agent or member of his abode.
- b. Such notice may be incorporated into a short-form complaint in order to prosecute violations of this Chapter. One short-form complaint may be used for a single animal for which multiple ordinance violations are sought, provided the ordinance violations charged have the same date of violation, the same location of violation, and one owner of the animal charged for all the ordinance violations indicated in the Complaint. Otherwise one short-form complaint must be used in order to charge a person with each violation of this Chapter.

Sec. 22.21 Penalty and Settlement Option

- a. Except as provided in Section 22.17, anyone convicted in a court of law of a violation of any act prohibited or declared to be unlawful by this Chapter shall be punished by a fine of not less than Seventy-five Dollars (\$75.00) and not more than Three Hundred Dollars (\$300.00) for each offense. Each day an offense is committed shall constitute a separate offense.
- b. After receipt of a Complaint regarding any Section of this Chapter, except Sections 22.6, 22.8, 22.17, and 22.18, the person may settle the violation of law by making a payment of Fifty Dollars (\$50.00) to the Village treasurer for each violation or ordinance indicated in such Complaint at least seven calendar days prior to the court appearance date indicated on the Complaint. Such settlement option shall not apply to the second and subsequent violations within any twelve (12) month period.
- c. The receipt of Fifty Dollars (\$50.00) for each and every violation indicated on the Complaint (except for violations of the Sections listed above) seven (7) calendar days prior to the court appearance date shall terminate the ordinance violation action and resolve all Village claims for fines against the alleged violator by the Village.

- d. The Village shall file in the Circuit Court of the County all Complaints against those persons, served with a copy of the Complaint by either certified mail or personal service, who fail to settle their violations with the Village seven (7) days prior to their court appearance date set forth in the Complaint to answer the Village's claims for fines and court costs. In some cases where service by certified mail or personal delivery has been attempted and failed, the Complaint shall be filed in the circuit court of the County; and a summons shall be issued.

Sec. 22.22 Liability of Animal Owners

Owners of animals shall be liable for any damage done by their animals to persons, other domestic animals or other person's property.

Sec. 22.23 Keeping Certain Animals in Dwelling Units Prohibited

No person shall keep, harbor, possess, or act as custodian of any of the animals described below, within a dwelling unit, or within the yard or accessory structure of a dwelling unit:

- a. Any member of the family Felidae (**the cat family**) (except the species *Felis Catus*, domestic cat), all members of the family Ursidae (**the bear family**), all members of the family Hyaenidae (**hyenas**), any member of the family Canidae (**family of mammals that include wolves, foxes, jackals, coyotes, dogs**) (except the species *Canis Familiaris*, domestic dog), all members of the family Elephantidae (**elephants**), any non-human primate, or any hybrids thereof.
- b. Individuals owning or fostering animals trained or to be trained for service to persons with disabilities are excepted. Any individual keeping a service animal must provide documentation of fostering and training from a certified training organization.

Sec. 22.24 – 22.99 Reserved

ARTICLE II. DOGS AND CATS

Sec. 22.100 Inoculation Required

- a. No person shall own, possess, keep, maintain or harbor any dog or cat over the age of four (4) months of age without causing such dog or cat to be inoculated against rabies as required by the code of Peoria County and in accordance with regulations and provisions of the Animal Control Act of the State of Illinois. Such inoculation shall be required, regardless of whether the dog or cat is confined at all times to an enclosed area.
- b. If an animal is not inoculated against rabies, such animal may be impounded by the Animal Welfare Officer or delegate and may be redeemed or disposed of in accordance with the provisions of this Chapter.
- c. Failure to comply with this Section is a violation for which such person shall pay a penalty of Fifty Dollars (\$50.00) for the first violation, One Hundred Fifty Dollars (\$150.00) for the second violation occurring within any twelve (12) month period, and Three Hundred Dollars (\$300.00) for the third and each subsequent violation within any twelve (12) month period. The settlement option set forth in Section 22.21 shall not apply to the second or subsequent violations within any twelve (12) month period.
- d. Certificate of Inoculation Every licensed veterinarian who inoculates a dog or cat against rabies shall issue a certificate of inoculation to the owner of the dog or cat stating the name and address of the owner, a brief description of the dog or cat, and the date of the inoculation.
- e. Tags Affixed to Collar
 - (1) The owner of a dog or cat shall provide the dog or cat with a collar or harness made of leather, metal, or other substantial material to which shall be securely fastened any required license tags and also a tag issued by a licensed veterinarian showing that the dog or cat has been inoculated against rabies during the current or immediate preceding interval as established by regulations pursuant to the Animal Control Act of the State of Illinois and the County of Peoria.
 - (2) Any dog or cat found within the Village not wearing the proper collar and tags may be impounded, and may be redeemed pursuant to the provisions of Section 22.200 d.
 - (3) Any owner not providing the proper collar and tags shall be subject to the penalties specified in Section 22.202.
- f. Unauthorized Removal of Collar or Tags It shall be unlawful for any person not authorized by the owner to remove or take away any dog or cat collar, license tag, or rabies inoculation tag from any dog or cat; provided, however, that this Section shall not apply to any governmental official in the exercise of his/her duties.

g. Duties of Owner

- (1) Any owner receiving notice or having knowledge that his/her dog or cat has been bitten by any animal suffering or suspected to be suffering from rabies, or that his/her dog or cat has bitten any person, shall immediately notify or deliver his/her dog or cat to the Animal Welfare Officer, or to any police officer, who shall deliver the dog or cat to a licensed veterinarian for observation, or such owner shall himself/herself immediately deliver the dog or cat to a licensed veterinarian for observation and immediately notify the Peoria County Animal Shelter (currently 2600 NE Perry, Peoria) of the name and location of such veterinarian.
- (2) It shall be unlawful for any owner of a dog or cat, upon receiving notice or having knowledge that the dog or cat has bitten any person or that the dog or cat has been bitten by any animal suffering or suspected to be suffering from rabies, to sell or give away the dog or cat, or to take the dog or cat or permit the dog or cat to be taken beyond the Village except to a licensed veterinarian or animal shelter within Peoria County, or to refuse to deliver the dog or cat for observation as provided in this Section.

h. Duties of Person Suspecting Any Dog or Cat To Be Suffering From Rabies Every person receiving notice or having knowledge that any dog or cat has bitten any person, or discovering or suspecting any dog or cat to be suffering from rabies, shall immediately report this matter to the police, giving the name and address of the owner of the dog or cat, if known, the place where the dog or cat can be found, and the license tag number of the dog or cat, if known.

i. Confinement for Observation

- (1) Confinement of a dog or cat for observation under this Article shall be for a period of ten (10) days. The dog or cat shall be examined by a licensed veterinarian immediately after confinement and again before the confinement period has expired.
- (2) Veterinarians shall submit to the police a certificate following each examination stating whether or not the dog or cat shows symptoms of rabies.
- (3) If the dog or cat is not found rabid after the initial examination, and if the veterinarian is notified by a police officer that the dog or cat was not running at large at the time it had bitten any person or had been bitten by any animal suffering or suspected to be suffering from rabies, and if the owner can prove that the dog or cat has all necessary licenses and has been inoculated against rabies, then the dog or cat shall be released to the owner for the remainder of the confinement period upon the payment of all costs incurred by the veterinarian, and the veterinarian shall so notify the Village.
- (4) Any dog or cat released pursuant to the foregoing paragraph shall be confined at all times by the owner or his/her agent for the remainder of the confinement period in an

escape proof building or other enclosure away from other animals and the public. The owner shall deliver the dog or cat to a licensed veterinarian for a final examination before the confinement period has expired, and shall also deliver the dog or cat to a licensed veterinarian if the dog or cat shall die within the confinement period.

- (5) If the dog or cat is found rabid, the dog or cat shall be destroyed in a humane manner. If the dog or cat is destroyed, or if it shall die within the confinement period, its head shall be sent by the veterinarian to the laboratory of the State Department of Public Health.
- (6) If the dog or cat is not found rabid by the end of the confinement period, the owner shall be so notified and the dog or cat may be released to its owner, and the police so advised by the veterinarian.

j. Redemption of Dogs or Cats Confined for Observation

- (1) An owner may redeem any dog or cat confined for observation with a licensed veterinarian under the provisions of this Article within seven (7) days after the confinement period has expired by paying to the veterinarian the costs incurred during the confinement period, and the cost of any necessary license if the dog or cat was unlicensed, and the cost of an inoculation against rabies if the owner cannot prove the dog or cat has been properly inoculated.
- (2) If the owner does not redeem the dog or cat within this time, then any person may redeem it by making like payments.
- (3) If the dog or cat is not redeemed as set forth herein, it shall be destroyed in a humane manner, and any unpaid costs incurred by a licensed veterinarian in compliance with this Article shall be paid to the veterinarian by the Village in an amount not to exceed Fifty Dollars (\$50.00) upon receipt by the Village of an itemized bill setting forth those costs.

k. Rabies Epidemic

- (1) Whenever the Village President shall deem it necessary to prevent an epidemic of rabies, he/she may issue a proclamation, in a newspaper of general circulation within the Village, requiring the owners of all dog or cats to keep them securely confined, or properly muzzled so they cannot bite, for such times as may be designated in the proclamation or until further notice.
- (2) Any dog or cat in violation of such proclamation shall be impounded.
- (3) Any owner of a dog or cat in violation of such a proclamation shall be subject to the penalties specified in Section 22.202.

- l. Authorization to Kill Certain Dogs or Cats Running at Large The Animal Welfare Officer or any police officer may kill a dog or cat running at large which has bitten any person or which is suspected to be suffering from rabies if the dog or cat, in the opinion of the Animal Welfare Officer or police officer, cannot be safely taken up and confined for observation, or if the Animal Welfare Officer or police officer deems the killing essential to the safety of any person.
- m. False Reports Prohibited It shall be unlawful for any person to make any report required by this Chapter without having a reasonable belief in its truth and accuracy.

Sec. 22.101 Confinement of Dogs Outside Limited

- a. No person shall house more than one (1) dog outside on a property lot or lots of less than 10,890 square feet.
- b. No person shall place a doghouse, dog kennel, or other dog housing outside except in the rear yard.
- c. No person shall place a doghouse, dog kennel, or other dog housing or restraint in the rear yard unless such structure or restraint is at least ten (10) feet from all property lines that have adjoining property. A dog trained for law enforcement while in the ownership of a law enforcement officer shall be exempt from the requirements of this Subsection.
- d. A dog shall be deemed to be housed outside if said dog is outside for more than eight (8) hours in the aggregate during any twenty-four (24) hour period or is outside for more than thirty (30) minutes between the hours of 11:00 p.m. and 7:00 a.m.

Sec. 22.102 – 22.199 Reserved

ARTICLE III. OTHER PROVISIONS

Sec. 22.200 **Impounding of Animals**

- a. Animal Welfare Officer The Village President, with the advice and consent of the Board of Trustees, may appoint a Village Animal Welfare Officer who, with the assistance of all Village police officers, shall have the following duties:
- (1) The investigation of complaints made pursuant to this Chapter;
 - (2) The issuance of warnings or citations for violations of this Chapter;
 - (3) The taking up, impounding, or killing of any animal for which the taking up, impounding, or killing is authorized by this Chapter. Animals shall be impounded with a licensed veterinarian or animal shelter within Peoria County;
 - (4) The maintenance of a register in which the Animal Welfare Officer shall enter as accurately as possible, immediately upon receiving knowledge that an animal has been impounded pursuant to this Chapter, the type, breed, color, sex, and age of the animal, and if licensed, the name and address of the owner, and the number of the license tag. The disposition of the animal shall be entered in the register at the proper time; and
 - (5) The giving of prompt notice to the owner of an impounded licensed animal by telephone, mail, or otherwise, or the exercise of a reasonable effort to ascertain and notify the owner of any impounded unlicensed animal. If the owner of any animal is not ascertained within twenty-four (24) hours after impounding, the officer shall cause public notice to be made thereof by posting a copy of the description of the animal and the date and place of impounding on a bulletin board at the Village Hall.
- b. Interference With Animal Welfare Officer It shall be unlawful for any person to liberate or attempt to liberate any impounded animal, or any animal captured or within a vehicle and being conveyed to a place of impoundment, or to interfere in any manner with the Animal Welfare Officer or his/her authorized agent in the performance of their duties.
- c. Minimum Period Before Disposal Except as provided in Section 22.100 with respect to dogs and cats under observation for rabies, an impounded animal shall be held for redemption for at least three (3) days.
- d. Redemption of impounded Animals
- (1) The owner of any impounded animal may redeem the animal within the minimum period before disposal by paying the costs incurred during the impoundment, and the costs of any necessary license if the animal was unlicensed, and if the impounded animal is a dog or cat, the cost of an inoculation against rabies if the owner cannot

prove the dog or cat has been properly inoculated as provided for in Section 22.100 a. of this Chapter.

- (2) If the owner does not redeem the impounded animal within the minimum period before disposal, then any person may redeem it by paying the costs set out in the foregoing paragraph.
- (3) If the animal, other than a dog or cat as covered by Section 22.100 j. (3), is not redeemed as set forth herein, it shall be destroyed in a humane manner, and any unpaid costs incurred by a licensed veterinarian or animal shelter in compliance with this Article shall be paid by the Village to the veterinarian or shelter in an amount not to exceed Fifty Dollars (\$50.00) upon receipt by the Village of an itemized bill setting forth those costs.
- (4) In lieu or in addition to the above, the Village may contract with the Peoria County animal shelter, or other agency or veterinary to impound animals pursuant to this Chapter; in which case the owner of the animal must comply with the requirements and pay the fees of such entity.

Sec. 22.201 Limitations/Permits

Notwithstanding any provisions to the contrary contained in this Chapter, it shall be unlawful for any person to have more than two (2) animals of any one species, not to exceed four (4) of all species, exceeding two (2) months in age, in any dwelling unit and attached yard, without first acquiring a permit therefore approved by the Village Board after first holding a public hearing thereon pursuant to not less than fifteen (15) days notice published in a newspaper. Anyone having such a permit prior to July 12, 2010 shall be excluded from this requirement and the terms and provisions of that permit shall apply.

Sec. 22.202 Penalties

Any person who violates, neglects, or refuses to comply with, or who resists or opposes the enforcement of, any provision of this Ordinance shall, upon conviction thereof, be fined not less than Seventy-five Dollars (\$75.00) nor more than Five Hundred Dollars (\$500.00) for the first offense, not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) for the second offense and not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00) for each subsequent offense; and a person shall be deemed guilty of a separate offense for each day during which a violation continues. Any person desiring to plead guilty to an offense may do so by signing an appropriate form and by paying the minimum authorized fine directly to the Village Collector.

Sec. 22.203 Separability of Penalties

The penalties provided for in this Chapter shall not be construed as precluding any other penalties or costs provided elsewhere in this Code. (2010-1; 7/12/10)