

VILLAGE OF PLAINFIELD

ORDINANCE NO. 3082

AN ORDINANCE AMENDING CHAPTER SIX, ARTICLE IV OF THE
CODE OF ORDINANCES OF THE VILLAGE OF PLAINFIELD "ANIMALS"

ADOPTED BY THE
PRESIDENT AND BOARD
OF TRUSTEES OF THE
VILLAGE OF PLAINFIELD
THIS 15TH DAY OF OCTOBER, 2012

Published in pamphlet form by
the authority of the President
and Board of Trustees of the
Village of Plainfield, Will and
Kendall Counties, Illinois,
this 16th day of October, 2012.

ORDINANCE NO. 3082

AN ORDINANCE AMENDING CHAPTER SIX, ARTICLE IV OF THE
CODE OF ORDINANCES OF THE VILLAGE OF PLAINFIELD "ANIMALS"

WHEREAS, the Village of Plainfield ("Village"), Will and Kendall Counties, Illinois, as a home rule municipality in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970, is enacting this Ordinance pursuant to its home rule authority; and

WHEREAS, pursuant to the laws of the State of Illinois, the Village has the authority to adopt ordinances to protect, preserve and promote the health, safety, welfare and quality of life of the residents of the Village; and

WHEREAS, Chapter 6, Article IV of the Village's Code of Ordinances (the "Code") currently regulates the keeping and treatment of animals within the Village; and

WHEREAS, the Village President and Village Board of Trustees ("Village Board") have determined it necessary to amend Chapter 6, Article IV of the Code to provide additional provisions related to the keeping and treatment of animals.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PLAINFIELD, WILL AND KENDALL COUNTIES, ILLINOIS, as follows:

SECTION ONE. That the Preamble to this Ordinance is adopted by this reference as if fully set forth herein.

SECTION TWO. That Chapter 6, Article IV is hereby amended as set forth in Section Three below. The amended text with document markings is attached hereto as Exhibit "A". Deletions from the Code are ~~overstruck~~ and additions to the Code are double underlined.

SECTION THREE.

Sec. 6-106. 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:

Altered Animal means an animal which has been spayed or neutered by a licensed veterinarian and which has thereby been rendered incapable of reproduction.

Animal means any living vertebrate creature, domestic or wild, not including man.

Animal Shelter means any facility operated, owned or maintained by a duly incorporated humane society, animal welfare society or other nonprofit organization whose purpose is to provide for and promote the welfare, protection and humane treatment of animals.

At large means any animal when off the property of its owner, the owner's designee or other responsible person, not under the control of that person.

Attack means any aggressive, menacing or vicious physical contact between any dog and any person or other animal, including but not limited to, contact of the mouth or teeth of the dog with the victim of the attack and any striking of the victim of the attack by the paws of any dog regardless of whether or not such actions result in injuries of any kind sustained by the victim.

Bite means seizure with the teeth or jaws of an animal so that the skin of the human being or other animal has been pierced or broken.

Cat means any animal of the family *Felidae*.

Dangerous Animal means any animal which, without provocation, attacks or injures another animal or a person who is peaceably conducting itself or himself in any place where he lawfully may be. Dangerous animals shall also include any animal which, because of its vicious propensity or other characteristics, would constitute a danger to human life, property or domestic animals if not restrained or kept in a safe manner.

Department of Agriculture means the Department of Agriculture of the State of Illinois.

Dog means any member of the Canine family.

Fowl means domesticated birds, poultry or water fowl, except domestic chickens (*gallus domesticus*).

Guide Dog means a dog trained and used to aid the blind or hearing impaired, provided that the owner of such dog complies with the provisions contained in 510 ILCS 5/8 et seq.

Inoculation against rabies means the injection of an antirabies vaccine approved by the Department of Agriculture.

K-9 Dog means a dog trained and used in the performance of official police duties authorized by the Chief of Police.

Kennel operator means any person who operates an establishment, other than an animal shelter, where dogs and/or cats are maintained for boarding, training or similar purposes for a fee or compensation.

Leash means a cord, rope, strap, chain or other secure lead of sufficient strength and designed for the purpose of securing an animal, with which an animal may be controlled by the person accompanying it. This definition includes retractable leashes only when such a leash is secured to an animal whose weight is within the intended weight restrictions of the retractable leash.

Livestock means any cattle, calves, sheep, swine, horses, ponies, mules, donkeys, turkeys, goats or other animals, other than fowl, which can or may be used in and for the preparation of meat or meat products for consumption by human beings or animals. For purposes of this chapter, chickens and miniature pigs shall not be considered livestock.

Nuisance means any animal or animals which chase passersby or passing vehicles, attack other animals or persons, is at large at any time, damages public property or private property of a person who is not the owner of the animal at the time the damage occurs, or barks, howls, cries, meows or makes other loud or unusual noise or runs at large so as to disrupt or disturb the peace. An animal nuisance is the responsibility of the owner.

Owner means any person having a right of property in an animal, who keeps or harbors an animal, who has an animal in his care, who acts as a custodian of any animal, or who knowingly permits any domestic animal to remain on or about any premises occupied by him or her.

Person means any individual, firm, corporation, partnership, association or other legal entity.

Pet Shop Operator means any person who operates an establishment, other than a pound or animal shelter, where animals are sold, offered for sale,

exchanged, or offered for adoption with or without charge. A person who sells, offers to sell, exchanges or offers for adoption only such animals that he has produced and raised shall not be considered a pet shop operator.

Public nuisance means any animal or animals which (a) chases passersby or passing vehicles; (b) attacks other animals; (c) is at large three (3) or more times within a year's time; (d) damages private property or public property; or (e) barks, howls, cries or makes other loud or unusual noise or runs at large so as to disrupt the peace of the neighborhood.

Serious physical injury means any physical injury that creates a substantial risk of death or causes death, serious disfigurement, protracted impairment of health, impairment of function of any bodily organ or requires plastic surgery.

Shade means protection from the direct rays of the sun during the months of June through September.

Shelter means a moisture proof structure of suitable size, or as required pursuant to this article of the size designated for the keeping of a particular animal, to accommodate the animal intended for its use, and made of wood, wood laminate, masonry, aluminum, vinyl or other rigid material or a combination of these materials, with a solid floor made of impervious material, and with sufficient quantity of suitable bedding.

Torture means infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering or agony of the animal.

Under Restraint means the animal is (a) controlled by its owner by means of a leash no more than six (6) feet in length held by the owner and securely fastened to a collar or harness attached to the animal; (b) securely enclosed in a vehicle being driven or parked on the streets of the village; or (c) securely enclosed, confined or restrained within the property limits of the animal's owner where it lawfully may be so as to be unable to enter the public way or the property of other persons.

Veterinary hospital means any place used for the treatment of animals operated by a licensed veterinarian and licensed by the State of Illinois.

Vicious animal means any animal which, when unprovoked has:

- (a) bitten or attacked any person or other animal on public or private property;
- (b) a known tendency, propensity or disposition to attack persons or animals without provocation;

- (c) caused serious physical injury to a person or animal;
- (d) been found to be a dangerous dog on three (3) separate occasions; or
- (e) been declared a vicious dog as defined in the Illinois Animal Control Act by a Court of competent jurisdiction and an order has been entered based on that finding.

Wild animal means all naturally wild animal native to the State of Illinois.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-1; Ord. 1799, 7-20-98; Ord. 2738 § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-107. Keeping of fowl and livestock.

- (a) Minimum land area. It shall be unlawful for any person to keep any fowl or livestock anywhere within the village on any lot, piece or parcel of land less than five (5) acres in size.
- (b) Maximum number. It shall be unlawful for any person to keep more than ten (10) livestock or fowl animals, in any combination, in or about any property, building or lot within the village. To otherwise exceed this maximum shall be unlawful.
- (c) Location of animal pens and refuse. All livestock or fowl permitted to be kept within the village pursuant to this chapter shall be kept in a shelter sufficient in size and strength to confine such animal(s) to the owner's property. No livestock shall be kept, housed, maintained or pastured within a distance of one hundred (100) feet of (a) any occupied residence other than that of the owner; and (b) any property line adjacent to the owner's property. No shelter used for the purpose of housing fowl shall be erected or maintained within one hundred (100) feet of any occupied residence other than that of the owner. Every person maintaining a shelter for fowl or livestock shall keep such clean, sanitary and free from refuse. All feed for fowl or livestock shall, except when put out for consumption by livestock or fowl, be kept in containers with tightly fitted lids that are rodent-proof.
(Ord. 576--579, 6-19-61; Code 1973, Ch. 3, § 1-1; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-108. Keeping of chickens.

It shall be unlawful for any person to keep any chickens within the village, on any lot, piece or parcel of land, except as provided in sections 6-108 (a) – (i) below.

- (a) Permitted locations. Domestic hens may be kept within the village only on property zoned and occupied for single family residential use. All hens shall be kept in the rear yard of the permitted location.

- (b) Maximum number. It shall be unlawful for any person to keep more than eight (8) hens, of any age, on property zoned and occupied for single family residential use within the village.
- (c) Keeping of roosters. It shall be unlawful for any person to keep a rooster(s) within the village.
- (d) Slaughtering of chickens. It shall be unlawful for any person to slaughter any chickens within the village, except for a humane reason.
- (e) Shelter and fenced areas. All hens kept in the village pursuant to this article, shall at all times be provided a shelter and an adjacent covered outside fenced area. All hens shall be kept in a shelter or adjacent outside fenced area at all times. The outside fenced area shall be no less than thirty-two (32) square feet in area and shall be demarcated with a fence constructed of wood or metal, excluding barbed wire or razor wire, of sufficient height to contain the hens. The shelter shall be no less than sixteen (16) square feet in area and no more than six (6) feet in height. The shelter shall contain an independent electric/heat source. Such utilities shall not be maintained with the use of extension cords.

The shelter and adjacent outside fenced area shall also be:

- (i) Thirty (30) feet from any adjacent occupied residential structure other than that of the owner or occupant of the real property on which the shelter and adjacent outside fenced area are located;
 - (ii) Not less than the minimum property line setback required for accessory structures in an R-1 Zoning District as defined by the village's Zoning Code; and
 - (iii) Constructed in such a manner as to contain the hens to the shelter or the adjacent outside fenced area at all times and to keep the shelter and adjacent outside fenced area free from rodent infestation.
- (f) Property maintenance. All areas in which hens are kept shall be maintained in a neat and clean manner, free from undue accumulation of waste such as to cause odors detectable on adjacent properties. All feed for hens shall, except when placed for consumption by the hens, be kept in containers with tightly fitted lids that are rodent-proof.
- (g) Permit/Inspection required. A permit shall be required for construction of a shelter utilized to contain hens. The permit shall be issued by the village's building department. The fee for the permit for construction of the shelter shall be twenty dollars (\$20.00). Two inspections by the village's building department officials shall be required during construction of the shelter. The first shall occur

upon installation of the base/floor of the shelter and prior to any further construction of the shelter; and the second shall occur upon completion of the shelter and prior to the owner acquiring hens to occupy the shelter. The inspections are required to confirm compliance with this article and the village's Building Code. A fee of thirty dollars (\$30.00) shall be charged for each inspection. The owner/occupant of the property shall be responsible for contacting the village's building department to schedule each inspection of the shelter.

(h) Registration. All persons keeping hens in the village shall register with the village's planning department prior to acquiring the hens. Registration shall be on a form established by the village's planning department and shall include written permission for any village building or code enforcement official to access the rear yard of the property where the hens are located for the purpose of verifying compliance with applicable village Code. Registration shall not be permitted until the shelter has passed final inspection by the village's building department.

(i) Compliance. All persons having chickens as of the effective date of this ordinance shall have ninety (90) days to bring their property into compliance with this ordinance.

(Ord. No. 2012 - ; eff. - 2012)

Sec. 6-109. Keeping of miniature pigs.

(a) Maximum number and size limitations. It shall be unlawful for any person to keep more than one (1) miniature pig over the age of four (4) months, over twenty-two (22) inches in height, and weighing over one hundred (100) pounds, in or about any property, building or lot within the village.

(b) Neutering/spading of miniature pigs. It is required that all miniature pigs kept within the village be neutered/spaded. All such neutering/spading occurring within the village limits shall be performed by a veterinarian duly licensed in this state. Upon performing any neutering/spading on any male or female miniature pig, the veterinarian shall issue to the owner or keeper of the miniature pig a certificate showing such fact.

(Ord. 580, 7-3-61; Code 1973, Ch. 3, § 2-2-2; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-110. Keeping of dogs and cats.

(a) Maximum number. It shall be unlawful for any person to keep more than a total of five (5) cats and dogs, in any combination, excluding puppies or kittens under six (6) months of age, in or about any property, building or lot within the village. To otherwise exceed this maximum shall be unlawful. The payment of any applicable fees or receipt of an inoculation certificate or tag as provided under

this article shall not be construed to allow the keeping of more than the number of dogs and cats permitted hereunder.

- (b) No breed exclusion. Nothing contained in this article shall preclude ownership of any breed of dog or cat unless otherwise prohibited under state law.
- (c) Exemptions from provisions. Nothing contained in this article shall preclude a veterinary hospital, pet shop, kennel, animal shelter or animal foster home properly licensed under state law, from keeping a greater number of dogs or cats than permitted hereunder. Nothing contained in subsection (a) above shall preclude an owner who, prior to the effective date of this amending ordinance, kept or housed in the village more than five (5) cats or dogs in any combination, from continuing to keep those animals for the duration of the animals' natural life.
- (d) Identification tag. Every owner or keeper of a dog or cat permitted to be kept within the village pursuant to this article shall cause such dog or cat to wear a collar and shall affix thereto a metallic or other suitable tag inscribed with the name, address and phone number, if any, of the owner or keeper of such dog or cat.

(Ord. 725, 8-17-70; Ord. 1151, §XIV (§ 1-5), 2-1-88; Ord. 580, 7-3-61; Code 1973, Ch. 3, §§ 2-2-1, 2-3-2; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-111. Rabies inoculation.

- (a) Inoculation schedule/duration. Each calendar year, or at such intervals as may be promulgated by the Department of Agriculture, every owner or keeper of a dog four (4) months or more of age shall cause such dog to be inoculated against rabies. The inoculation performed under this section shall be effective until the expiration of the calendar year in which the vaccination was performed or the expiration of such period of time as may be promulgated by the Department of Agriculture.
- (b) Performed by licensed veterinarian. The inoculation against rabies required by this section shall be performed by a veterinarian duly licensed in this state.
- (c) Issuance of rabies certificate and tag. Upon performing an inoculation against rabies, the veterinarian shall issue to the owner or keeper of the dog inoculated a certificate showing such fact, and he shall also deliver to such owner or keeper a metallic or other suitable tag to be attached to the collar or harness of such dog, which tag shall also certify to the fact of inoculation against rabies.
- (d) Specifications for rabies tag. The tag issued under the provisions of this section shall be in such form as determined by the Department of Agriculture.

(e) Duty to attach rabies tag to dog. The owner or keeper of a dog inoculated against rabies shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog.

(f) Exhibition of rabies certificate upon request. At any reasonable time upon request of any member of the village's police department, the owner or keeper of any un-muzzled dog shall exhibit his certificate, issued under the provisions of this section, showing the inoculation against rabies of any dog owned, kept or controlled by him.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-4; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-112. Keeping of wild or vicious animals.

It shall be unlawful for a person to knowingly maintain, house, permit or in any way keep on any premises or property within the village any wild or vicious animal. (Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-113. Keeping of dangerous animals.

It shall be unlawful for a person to knowingly maintain, house, permit or in any way keep a dangerous animal on any private or public property, other than the owner's property, unless such animal is securely muzzled or caged. The owner of such dangerous animal shall take adequate safeguards to prevent unauthorized access to any dangerous animal on the owner's premises by persons lawfully on the premises. Notwithstanding any provision contained in this article to the contrary, K-9 and guide dogs shall be exempt from the provisions of Sections 6-112 and 6-113.

(Ord. 1151, § XIV (§ 1-5), 2-1-88; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-114. Care and treatment of animals.

(a) Cruel or inhumane treatment. It shall be unlawful for any person to cruelly or inhumanely treat any animal in the village in any way. Any person who beats, fails to provide adequate food and/or clean potable drinking water, fails to provide adequate shade or shelter, overloads, abandons, mutilates, tortures, torments, fails to provide adequate veterinary care for illness or injury, intentionally strikes with a motorized vehicle, promotes or incites or conducts animal fights or the intentional killing of animals, or otherwise cruelly treats and/or kills any animal shall be deemed guilty of a violation of this article.

(b) Sanitary and health conditions. All animals kept or housed within the village shall be maintained and housed in sanitary conditions.

(c) Exemption. The extermination of rats, mice or voles shall not be a violation of this article.

(Ord. 1151, §XIV (§ 1-5), 2-1-88; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-115. Prohibition on animals running at large.

An owner or keeper of any animal permitted to be maintained, kept or housed in the village pursuant to this chapter shall at all times exercise proper care and control of his or her animal to prevent it from running at large.

(Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-116. Restraint of dogs.

An owner or keeper of a dog shall, at all times, keep his or her dog under restraint as defined in section 6-106 above. Any dog not under restraint shall be deemed to be at large. It shall be a considered a separate offense for an owner to knowingly allow a dangerous dog to be unrestrained whereby such action results in serious physical injury to a person or animal. It shall be a violation of this article to cause a dog to be held or transported in the unenclosed bed of a pick-up truck when not under restraint. This article shall not apply to a dog being used for rescue or law enforcement work. Notwithstanding any of the provisions of this chapter, any dog present on public property shall at all times be restrained by a leash of not more than four (4) feet in length.

(Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-117. Public nuisance.

It is hereby unlawful for any owner to fail to exercise proper care and control of his or her animal(s) to prevent it from becoming a public nuisance. It is hereby prohibited and shall be deemed a public nuisance for any person to cause or permit any animal owned or kept by him/her to do the following:

- (a) Be at large in violation of this article.
- (b) Disturb the peace and quiet of any neighborhood by habitual or regular barking, howling, fighting, whining, meowing or other loud or unusual noise-making at any time. Dogs barking to alert owners or other persons of an emergency shall not be deemed a violation of this article.
- (c) Disturb the peace and quiet of any neighborhood by running through or across cultivated gardens or destroys or in any manner injures any animal, plant or shrub.
- (d) Defecate upon any public place, including but not limited to any street, alley, sidewalk, public park, parkway, school grounds, or upon the floor of any public building, common ground areas of condominiums and townhouse subdivisions, or any multiple dwelling unit which is used in common by the tenants thereof, or

upon any premises not owned or controlled by the person owning or keeping the animal, provided however, that shall any such defecation be completely or promptly removed by the owner or keeper of said animal, the terms of this section shall not be found applicable.

It is hereby prohibited and shall be deemed a public nuisance for any person to:

(a) Use property under such person's ownership or control in a manner to allow defecation to accumulate and/or cause odors detectable on adjacent properties and constitute a nuisance in fact.

(b) Bring or cause to be brought into any shop, store, or retail place of business where the public is invited to do business with the management thereof, during such hours as the public is invited, or to bring or cause to be brought into any public building at any time, any animal unless the animal is under the control of its owner or keeper and is brought into the establishment for the purpose of conducting business or inquiry wherein the physical presence of the animal is required or permitted by the business owner. The provisions of this subsection shall not apply to guide dogs and K-9 dogs.

(Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-118. Impoundment of animals running at large.

(a) Impoundment. Any animal running at large in the village in violation of this chapter shall be impounded with the applicable county animal control department.

(b) Duty of police/animal control departments. It shall be the duty of such employees and officers of the police department, as designated by the Chief of Police, to take up and cause to be impounded with the appropriate county animal control department or in such other place as may be designated by the Chief of Police and set apart for that purpose, any animals found running at large in the village contrary to any of the provisions of this chapter or other ordinance provisions of the village, or any animals found to be abused, neglected or in need of immediate medical attention.

(c) Dangerous or vicious animal. Any dangerous or vicious animal running at large which constitutes a danger to persons or property and which cannot safely be taken or impounded may be destroyed by a police officer or other person authorized by the village. In all cases where an animal so slain has bitten any person or caused an abrasion to the skin of such person, no injury shall be done to the head of the animal and it shall be the duty of the person slaying the animal to immediately deliver the carcass to a licensed veterinarian to prepare the head and brain for delivery to the applicable county rabies control department.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-8; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-119. Disposal of impounded animals.

Any animals impounded under this article, shall be, if not timely redeemed as required by the regulations of the applicable county animal control department, humanely destroyed or otherwise disposed of by that animal control department.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-9; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-120. Animal bites/Impoundment of animals which have bitten persons or other animals.

Any incident in which an animal has bitten or otherwise injured any person or other animal so as to cause an abrasion or wound to that person or animal, shall be investigated by the village's police department and immediately reported to the public health department, animal control division, of the county where the owner or keeper of the offending animal resides. The owner shall be responsible for reporting the bite to the appropriate agency and shall cause the animal to be confined as required by state law. If the animal is a stray, or the residence of the owner is not immediately known, the animal shall be impounded directly with the Animal Control Division of the county in which the incident occurred.

(Ord. 1151, § XV, 2-1-88; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-121 Reserved.

Sec. 6-122. Village to provide place of temporary impoundment.

The village shall provide a suitable place for the temporary impoundment of dogs and cats for the purpose of holding the animal until it can be transported to the animal control department of the county where the animal was apprehended. For purposes of this article, temporary shall mean a period of time less than twelve (12) hours.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-11; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08)

Sec. 6-123. Duties of the Chief of Police.

Except as to the regulations concerning inoculation against rabies, the Chief of Police or his designee(s) is charged with the duty of enforcing the provisions of this article.

(Ord. No. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-14; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08)

Sec. 6-124. Duties of Accounting Services Manager.

It shall be the duty of the village's accounting services manager to determine that all fees provided by ordinance to be paid with respect to animal control are properly accounted for to the village treasury.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-14; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08)

Sec. 6-125. Kennels and Pet Shops – Licensing.

No person shall engage in the business of pet shop operator or kennel operator or any combination thereof without a license therefore issued by the State of Illinois in accordance with the Illinois Animal Welfare Act.

(Ord. 2738, § 3, 3-3-08)

Sec. 6-126. Private covenants, conditions or restrictions.

Nothing in this article permits the keeping of animals when such activity is prohibited by private covenants, conditions or restrictions governing the use of the property, or by rules, regulations, or orders issued by the Illinois Department of Public Health or the Will County Health Department or the Kendall County Health Department.

(Ord. No. 2012 - ; eff. - 2012)

Sec. 6-127. Penalties.

A violation of any provision of this article shall be punishable by a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for a second offense, and seven hundred fifty dollars (\$750.00) for a third or subsequent offense. A separate offense shall be deemed to have been committed on each day during or on which a violation occurs or continues. Any fines set forth in this article shall be assessed regardless of whether the violator is convicted or placed on supervision by a court.

Three violations of section 6-108, or section 6-117 as it relates to the keeping of chickens, of this article within any twelve month period shall result in loss of permission to keep chickens in the village. Keeping of chickens after permission has been revoked shall be punishable by a fine not to exceed seven hundred and fifty (\$750.00) plus court costs. Each day a violation continues shall be considered a separate offense.

(Ord. No. 2012 - ; eff. - 2012)

Secs. 6-128 – 6-200. Reserved.

SECTION FOUR. That any Village Ordinance or Resolution, or part thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION FIVE. If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such provision shall be stricken and shall not affect any other provision of this Ordinance.

SECTION SIX. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form as provided by law.

SECTION SEVEN. This Ordinance shall be numbered as Ordinance No. 3082

PASSED THIS 15TH DAY OF OCTOBER, 2012.

AYES: Racich, Rippy, Bonuchi, Lamb

NAYS: Fay

ABSENT: Peck

APPROVED THIS 15TH DAY OF OCTOBER, 2012.

Michael P. Collins
Village President

ATTESTED AND FILED IN MY OFFICE:

Michelle Gibas
Village Clerk

EXHIBIT "A"

SECTION THREE.

Sec. 6-106. 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:

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Animal Shelter means any facility operated, owned or maintained by a duly incorporated humane society, animal welfare society or other nonprofit organization whose purpose is to provide for and promote the welfare, protection and humane treatment of animals.

At large means any animal when off the property of its owner, the owner's designee or other responsible person, not under the control of that person.

Attack means any aggressive, menacing or vicious physical contact between any dog and any person or other animal, including but not limited to, contact of the mouth or teeth of the dog with the victim of the attack and any striking of the victim of the attack by the paws of any dog regardless of whether or not such actions result in injuries of any kind sustained by the victim.

Bite means seizure with the teeth or jaws of an animal so that the skin of the human being or other animal has been pierced or broken.

Cat means any animal of the family *Felidae*.

Dangerous Animal means any animal which, without provocation, attacks or injures another animal or a person who is peaceably conducting himself or herself in any place where he lawfully may be. Dangerous animals shall also include any animal which, because of its vicious propensity or other characteristics, would constitute a danger to human life, property or domestic animals if not restrained or kept in a safe manner.

Department of Agriculture means the Department of Agriculture of the State of Illinois.

Dog means any member of the Canine family.

Fowl means any domesticated birds, poultry or water fowl, except domestic chickens (*gallus domesticus*).

Guide Dog means a dog trained and used to aid the blind or hearing impaired, provided that the owner of such dog complies with the provisions contained in 510 ILCS 5/8 et seq.

Inoculation against rabies means the injection of an antirabies vaccine approved by the Department of Agriculture.

K-9 Dog means a dog trained and used in the performance of official police duties authorized by the Chief of Police.

Kennel operator means any person who operates an establishment, other than an animal shelter, where dogs and/or cats are maintained for boarding, training or similar purposes for a fee or compensation.

Leash means a cord, rope, strap, chain or other secure lead of sufficient strength and designed for the purpose of securing an animal, with which an animal may be controlled by the person accompanying it. This definition includes retractable leashes only when such a leash is secured to an animal whose weight is within the intended weight restrictions of the retractable leash.

Livestock means any cattle, calves, sheep, swine, horses, ponies, mules, donkeys, ~~chickens~~, turkeys, goats or other animals, other than fowl, which can or may be used in and for the preparation of meat or meat products for consumption by human beings or animals. For purposes of this chapter, chickens and miniature pigs shall not be considered livestock.

Nuisance means any animal or animals which chase passersby or passing vehicles, attack other animals or persons, is at large at any time, damages public property or private property of a person who is not the owner of the animal at the time the damage occurs, or barks, howls, cries, meows; or makes other loud or unusual noise or runs at large so as to disrupt or disturb the peace. An animal nuisance is the responsibility of the owner.

Owner means any person having a right of property in an animal, who keeps or harbors an animal, who has an animal in his care, who acts as a custodian of any animal, or who knowingly permits any domestic animal to remain on or about any premises occupied by him or her.

Person means any individual, firm, corporation, partnership, association or other legal entity.

Pet Shop Operator means any person who operates an establishment, other than a pound or animal shelter, where animals are sold, offered for sale, exchanged, or offered for adoption with or without charge. A person who sells, offers to sell, exchanges or offers for adoption only such animals that he has produced and raised shall not be considered a pet shop operator.

Public nuisance means any animal or animals which (a) chases passersby or passing vehicles; (b) attacks other animals; (c) is at large three (3) or more times within a year's time; (d) damages private property or public property; or (e) barks, howls, cries or makes other loud or unusual noise or runs at large so as to disrupt the peace of the neighborhood.

Serious physical injury means any physical injury that creates a substantial risk of death or causes death, serious disfigurement, protracted impairment of health, impairment of function of any bodily organ or requires plastic surgery.

Shade means protection from the direct rays of the sun during the months of June through September.

Shelter means a moisture proof structure of suitable size, or as required pursuant to this article of the size designated for the keeping of a particular animal, to accommodate the animal intended for its use, and made of durable material wood, wood laminate, masonry, aluminum, vinyl or other rigid material or a combination of these materials, with a solid floor made of impervious material, and with sufficient quantity of suitable bedding.

Torture means infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering or agony of the animal.

Under Restraint means the animal is (a) controlled by its owner by means of a leash no more than six (6) feet in length held by the owner and securely fastened to a collar or harness attached to the animal; (b) securely enclosed in a vehicle being driven or parked on the streets of the village; or (c) securely enclosed, confined or restrained within the property limits of the animal's owner where it lawfully may be so as to be unable to enter the public way or the property of other persons.

Veterinary hospital means any place used for the treatment of animals operated by a licensed veterinarian and licensed by the State of Illinois.

Vicious animal means any animal which, when unprovoked has:

- (a) bitten or attacked any person or other animal on public or private property;
- (b) a known tendency, propensity or disposition to attack persons or

- animals without provocation;
- (c) caused serious physical injury to a person or animal;
- (d) been found to be a dangerous dog on three (3) separate occasions;
or
- (e) been declared a vicious dog as defined in the Illinois Animal Control Act by a Court of competent jurisdiction and an order has been entered based on that finding.

Wild animal means all naturally wild animal native to the State of Illinois. (Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-1; Ord. 1799, 7-20-98; Ord. 2738 § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-107. Keeping of fowl and livestock.

- (a) Minimum land area. It shall be unlawful for any person to keep any fowl or livestock anywhere within the village on any lot, piece or parcel of land less than five (5) acres in size.
- (b) Maximum number. It shall be unlawful for any person to keep more than ten (10) livestock or fowl animals, in any combination, in or about any property, building or lot within the village. To otherwise exceed this maximum shall be unlawful.
- (c) Location of animal pens and refuse. All livestock or fowl permitted to be kept within the village pursuant to this chapter shall be kept in a ~~pen, coop, building or other appropriate enclosure~~ shelter sufficient in size and strength to confine such animal(s) to the owner's property. No livestock shall be kept, housed, maintained or pastured within a distance of one hundred (100) feet of (a) any occupied residence other than that of the owner; and (b) any property line adjacent to the owner's property. No ~~pen, coop, building or other enclosure~~ shelter used for the purpose of housing fowl shall be erected or maintained within one hundred (100) feet of any occupied residence other than that of the owner. Every person maintaining a ~~pen, coop, building or enclosure~~ shelter for fowl or livestock shall keep such clean, sanitary and free from refuse. All feed for fowl or livestock shall, except when put out for consumption by livestock or fowl, be kept in containers with tightly fitted lids that are rodent-proof ~~until put out for consumption of fowl or livestock~~. (Ord. 576--579, 6-19-61; Code 1973, Ch. 3, § 1-1; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-108. Keeping of chickens.

It shall be unlawful for any person to keep any chickens within the village, on any lot, piece or parcel of land, except as provided in sections 6-108 (a) – (i) below.

- (a) Permitted locations. Domestic hens may be kept within the village only on property zoned and occupied for single family residential use. All hens shall be kept in the rear yard of the permitted location.
- (b) Maximum number. It shall be unlawful for any person to keep more than eight (8) hens, of any age, on property zoned and occupied for single family residential use within the village.
- (c) Keeping of roosters. It shall be unlawful for any person to keep a rooster(s) within the village.
- (d) Slaughtering of chickens. It shall be unlawful for any person to slaughter any chickens within the village, except for a humane reason.
- (e) Shelter and fenced areas. All hens kept in the village pursuant to this article, shall at all times be provided a shelter and an adjacent covered outside fenced area. All hens shall be kept in a shelter or adjacent outside fenced area at all times. The outside fenced area shall be no less than thirty-two (32) square feet in area and shall be demarcated with a fence constructed of wood or metal, excluding barbed wire or razor wire, of sufficient height to contain the hens. The shelter shall be no less than sixteen (16) square feet in area and no more than six (6) feet in height. The shelter shall contain an independent electric/heat source. Such utilities shall not be maintained with the use of extension cords.

The shelter and adjacent outside fenced area shall also be:

- (i) Thirty (30) feet from any adjacent occupied residential structure other than that of the owner or occupant of the real property on which the shelter and adjacent outside fenced area are located;
 - (ii) Not less than the minimum property line setback required for accessory structures in an R-1 Zoning District as defined by the village's Zoning Code; and
 - (iii) Constructed in such a manner as to contain the hens to the shelter or the adjacent outside fenced area at all times and to keep the shelter and adjacent outside fenced area free from rodent infestation.
- (f) Property maintenance. All areas in which hens are kept shall be maintained in a neat and clean manner, free from undue accumulation of waste such as to cause

odors detectable on adjacent properties. All feed for hens shall, except when placed for consumption by the hens, be kept in containers with tightly fitted lids that are rodent-proof.

(g) Permit/Inspection required. A permit shall be required for construction of a shelter utilized to contain hens. The permit shall be issued by the village's building department. The fee for the permit for construction of the shelter shall be twenty dollars (\$20.00). Two inspections by the village's building department officials shall be required during construction of the shelter. The first shall occur upon installation of the base/floor of the shelter and prior to any further construction of the shelter; and the second shall occur upon completion of the shelter and prior to the owner acquiring hens to occupy the shelter. The inspections are required to confirm compliance with this article and the village's Building Code. A fee of thirty dollars (\$30.00) shall be charged for each inspection. The owner/occupant of the property shall be responsible for contacting the village's building department to schedule each inspection of the shelter.

(h) Registration. All persons keeping hens in the village shall register with the village's planning department prior to acquiring the hens. Registration shall be on a form established by the village's planning department and shall include written permission for any village building or code enforcement official to access the rear yard of the property where the hens are located for the purpose of verifying compliance with applicable village Code. Registration shall not be permitted until the shelter has passed final inspection by the village's building department.

(i) Compliance. All persons having chickens as of the effective date of this ordinance shall have ninety (90) days to bring their property into compliance with this ordinance.

(Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1089. Keeping of miniature pigs.

(a) Maximum number and size limitations. It shall be unlawful for any person to keep more than one (1) miniature pig over the age of four (4) months, over twenty-two (22) inches in height, and weighing over one hundred (100) pounds, in or about any property, building or lot within the village.

(b) Neutering/spading of miniature pigs. It is required that all miniature pigs kept within the village be neutered/spaded. All such neutering/spading occurring within the village limits shall be performed by a veterinarian duly licensed in this state. Upon performing any neutering/spading on any male or female miniature pig, the veterinarian shall issue to the owner or keeper of the miniature pig a certificate showing such fact.

(Ord. 580, 7-3-61; Code 1973, Ch. 3, § 2-2-2; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-10910. Keeping of dogs and cats.

- (a) Maximum number. It shall be unlawful for any person to keep more than a total of five (5) cats and dogs, in any combination, excluding puppies or kittens under six (6) months of age, in or about any property, building or lot within the village. To otherwise exceed this maximum shall be unlawful. The payment of any applicable fees or receipt of an inoculation certificate or tag as provided under this article shall not be construed to allow the keeping of more than the number of dogs and cats permitted hereunder.
- (b) No breed exclusion. Nothing contained in this article shall preclude ownership of any breed of dog or cat unless otherwise prohibited under state law.
- (c) Exemptions from provisions. Nothing contained in this article shall preclude a veterinary hospital, pet shop, kennel, animal shelter or animal foster home properly licensed under state law, from keeping a greater number of dogs or cats than permitted hereunder. Nothing contained in subsection (a) above shall preclude an owner who, prior to the effective date of this amending ordinance, kept or housed in the village more than five (5) cats or dogs in any combination, from continuing to keep those animals for the duration of the animals' natural life.
- (d) Identification tag. Every owner or keeper of a dog or cat permitted to be kept within the village pursuant to this article shall cause such dog or cat to wear a collar and shall affix thereto a metallic or other suitable tag inscribed with the name, address and phone number, if any, of the owner or keeper of such dog or cat.

(Ord. 725, 8-17-70; Ord. 1151, §XIV (§ 1-5), 2-1-88; Ord. 580, 7-3-61; Code 1973, Ch. 3, §§ 2-2-1, 2-3-2; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1101. Rabies inoculation.

- (a) Inoculation schedule/duration. Each calendar year, or at such intervals as may be promulgated by the Department of Agriculture, every owner or keeper of a dog four (4) months or more of age shall cause such dog to be inoculated against rabies. The inoculation performed under this section shall be effective until the expiration of the calendar year in which the vaccination was performed or the expiration of such period of time as may be promulgated by the Department of Agriculture.
- (b) Performed by licensed veterinarian. The inoculation against rabies required by this section shall be performed by a veterinarian duly licensed in this state.
- (c) Issuance of rabies certificate and tag. Upon performing an inoculation against rabies, the veterinarian shall issue to the owner or keeper of the dog inoculated a certificate showing such fact, and he shall also deliver to such owner or keeper a

metallic or other suitable tag to be attached to the collar or harness of such dog, which tag shall also certify to the fact of inoculation against rabies.

(d) Specifications for rabies tag. The tag issued under the provisions of this section shall be in such form as determined by the Department of Agriculture.

(e) Duty to attach rabies tag to dog. The owner or keeper of a dog inoculated against rabies shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog.

(f) Exhibition of rabies certificate upon request. At any reasonable time upon request of any member of the village's police department, the owner or keeper of any un-muzzled dog shall exhibit his certificate, issued under the provisions of this section, showing the inoculation against rabies of any dog owned, kept or controlled by him.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-4; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1142. Keeping of wild or vicious animals.

It shall be unlawful for a person to knowingly maintain, house, permit or in any way keep on any premises or property within the village any wild or vicious animal. (Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1123. Keeping of dangerous animals.

It shall be unlawful for a person to knowingly maintain, house, permit or in any way keep a dangerous animal on any private or public property, other than the owner's property, unless such animal is securely muzzled or caged. The owner of such dangerous animal shall take adequate safeguards to prevent unauthorized access to any dangerous animal on the owner's premises by persons lawfully on the premises. Notwithstanding any provision contained in this article to the contrary, K-9 and guide dogs shall be exempt from the provisions of Sections 6-1142 and 6-1123.

(Ord. 1151, § XIV (§ 1-5), 2-1-88; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1134. Care and treatment of animals.

(a) Cruel or inhumane treatment. It shall be unlawful for any person to cruelly or inhumanely treat any animal in the village in any way. Any person who beats, fails to provide adequate food and/or clean potable drinking water, fails to provide adequate shade or shelter, overloads, abandons, mutilates, tortures, torments, fails to provide adequate veterinary care for illness or injury, intentionally strikes with a motorized vehicle, promotes or incites or conducts animal fights or the intentional killing of animals, or otherwise cruelly treats and/or kills any animal shall be deemed guilty of a violation of this article.

(b) Sanitary and health conditions. All animals kept or housed within the village shall be maintained and housed in sanitary conditions.

(c) Exemption. The extermination of rats, mice or voles shall not be a violation of this article.

(Ord. 1151, §XIV (§ 1-5), 2-1-88; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1145. Prohibition on animals running at large.

An owner or keeper of any animal permitted to be maintained, kept or housed in the village pursuant to this chapter shall at all times exercise proper care and control of his or her animal to prevent it from running at large.

(Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1156. Restraint of dogs.

An owner or keeper of a dog shall, at all times, keep his or her dog under restraint as defined in section 6-106 above. Any dog not under restraint shall be deemed to be at large. It shall be a considered a separate offense for an owner to knowingly allow a dangerous dog to be unrestrained whereby such action results in serious physical injury to a person or animal. It shall be a violation of this article to cause a dog to be held or transported in the unenclosed bed of a pick-up truck when not under restraint. This article shall not apply to a dog being used for rescue or law enforcement work. Notwithstanding any of the provisions of this chapter, any dog present on public property shall at all times be restrained by a leash of not more than four (4) feet in length.

(Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1167. Public nuisance.

It is hereby unlawful for any owner to fail to exercise proper care and control of his or her animal(s) to prevent it from becoming a public nuisance. It is hereby prohibited and shall be deemed a public nuisance for any person to cause or permit any animal owned or kept by him/her to do the following:

(a) Be at large in violation of this article.

(b) Disturb the peace and quiet of any neighborhood by habitual or regular barking, howling, fighting, whining, meowing or other loud or unusual noise-making at any time. Dogs barking to alert owners or other persons of an emergency shall not be deemed a violation of this article.

(c) Disturb the peace and quiet of any neighborhood by running through or across cultivated gardens or destroys or in any manner injures any animal, plant or shrub.

- (d) Defecate upon any public place, including but not limited to any street, alley, sidewalk, public park, parkway, school grounds, or upon the floor of any public building, common ground areas of condominiums and townhouse subdivisions, or any multiple dwelling unit which is used in common by the tenants thereof, or upon any premises not owned or controlled by the person owning or keeping the animal, provided however, that shall any such defecation be completely or promptly removed by the owner or keeper of said animal, the terms of this section shall not be found applicable.

It is hereby prohibited and shall be deemed a public nuisance for any person to:

- (a) Use property under such person's ownership or control in a manner to allow defecation to accumulate ~~so as to~~ and/or cause odors detectable on adjacent properties and constitute a nuisance in fact.
- (b) Bring or cause to be brought into any shop, store, or retail place of business where the public is invited to do business with the management thereof, during such hours as the public is invited, or to bring or cause to be brought into any public building at any time, any animal unless the animal is under the control of its owner or keeper and is brought into the establishment for the purpose of conducting business or inquiry wherein the physical presence of the animal is required or permitted by the business owner. The provisions of this subsection shall not apply to guide dogs and K-9 dogs.

(Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ____; eff. ____ - 2012)

Sec. 6-1178. Impoundment of animals running at large.

- (a) Impoundment. Any animal running at large in the village in violation of this chapter shall be impounded with the applicable county animal control department.
- (b) Duty of police/animal control departments. It shall be the duty of such employees and officers of the police department, as designated by the Chief of Police, to take up and cause to be impounded with the appropriate county animal control department or in such other place as may be designated by the Chief of Police and set apart for that purpose, any animals found running at large in the village contrary to any of the provisions of this chapter or other ordinance provisions of the village, or any animals found to be abused, neglected or in need of immediate medical attention.
- (c) Dangerous or vicious animal. Any dangerous or vicious animal running at large which constitutes a danger to persons or property and which cannot safely be taken or impounded may be destroyed by a police officer or other person authorized by the village. In all cases where an animal so slain has bitten any person or caused an abrasion to the skin of such person, no injury shall be done

to the head of the animal and it shall be the duty of the person slaying the animal to immediately deliver the carcass to a licensed veterinarian to prepare the head and brain for delivery to the applicable county rabies control department.
(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-8; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-1189. Disposal of impounded animals.

Any animals impounded under this article, shall be, if not timely redeemed as required by the regulations of the applicable county animal control department, humanely destroyed or otherwise disposed of by that animal control department.
(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-9; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-14920. Animal bites/Impoundment of animals which have bitten persons or other animals.

Any incident in which an animal has bitten or otherwise injured any person or other animal so as to cause an abrasion or wound to that person or animal, shall be investigated by the village's police department and immediately reported to the public health department, animal control division, of the county where the owner or keeper of the offending animal resides. The owner shall be responsible for reporting the bite to the appropriate agency and shall cause the animal to be confined as required by state law. If the animal is a stray, or the residence of the owner is not immediately known, the animal shall be impounded directly with the Animal Control Division of the county in which the incident occurred.
(Ord. 1151, § XV, 2-1-88; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08; Ord. No. 2012 - ; eff. - 2012)

Sec. 6-120—6-121 Reserved.

Sec. 6-122. Village to provide place of temporary impoundment.

The village shall provide a suitable place for the temporary impoundment of dogs and cats for the purpose of holding the animal until it can be transported to the animal control department of the county where the animal was apprehended. For purposes of this article, temporary shall mean a period of time less than twelve (12) hours.
(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-11; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08)

Sec. 6-123. Duties of the Chief of Police.

Except as to the regulations concerning inoculation against rabies, the Chief of Police or his designee(s) is charged with the duty of enforcing the provisions of this article.
(Ord. No. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-14; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08)

Sec. 6-124. Duties of Accounting Services Manager.

It shall be the duty of the village's accounting services manager to determine that all fees provided by ordinance to be paid with respect to animal control are properly accounted for to the village treasury.

(Ord. 725, 8-17-70; Code 1973, Ch. 3, § 2-3-14; Ord. 1799, 7-20-98; Ord. 2738, § 3, 3-3-08)

Sec. 6-125. Kennels and Pet Shops – Licensing.

No person shall engage in the business of pet shop operator or kennel operator or any combination thereof without a license therefore issued by the State of Illinois in accordance with the Illinois Animal Welfare Act.

(Ord. 2738, § 3, 3-3-08)

Sec. 6-126. Private covenants, conditions or restrictions.

Nothing in this article permits the keeping of animals when such activity is prohibited by private covenants, conditions or restrictions governing the use of the property, or by rules, regulations, or orders issued by the Illinois Department of Public Health or the Will County Health Department or the Kendall County Health Department.

(Ord. No. 2012 - ; eff. - 2012)

Sec. 6-127. Penalties.

A violation of any provision of this article shall be punishable by a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for a second offense, and seven hundred fifty dollars (\$750.00) for a third or subsequent offense. A separate offense shall be deemed to have been committed on each day during or on which a violation occurs or continues. Any fines set forth in this article shall be assessed regardless of whether the violator is convicted or placed on supervision by a court.

Three violations of section 6-108, or section 6-117 as it relates to the keeping of chickens, of this article within any twelve month period shall result in loss of permission to keep chickens in the village. Keeping of chickens after permission has been revoked shall be punishable by a fine not to exceed seven hundred and fifty (\$750.00) plus court costs. Each day a violation continues shall be considered a separate offense.

(Ord. No. 2012 - ; eff. - 2012)

Secs. 6-1286 – 6-200. Reserved.