

ORDINANCE NO. 10164

**AN ORDINANCE AMENDING TITLE 6 REGARDING ANIMALS**

WHEREAS, the City of Granite City is a Home Rule Unit pursuant to Article VII, Section 6 of the Illinois State Constitution of 1970; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-13-1 et seq., empowers Cities and other Municipalities to regulate land uses for the public health, safety, and welfare, though the use of zoning ordinances; and

WHEREAS, the City Council of the City of Granite City has determined that it is necessary and in the best interests of the health, safety, general welfare of the City of Granite City to amend Title 6 of the Municipal Code relating to Animals as stated below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE CITY, ILLINOIS:**

SECTION 1: Title 6 of the City of Granite City, Illinois Municipal Code Sections 6.04.010, 6.12.030, 6.16.040, 6.16.050, 6.20.020, 6.20.030, 6.20.040, 6.20.060, 6.20.080, 6.20.100, 6.24.020, 6.24.050, 6.24.060, 6.24.100, 6.24.110, 6.36.010, 6.40.010, 6.40.020, 6.40.030, 6.40.040, 6.40.050, 6.40.060, 6.44.010, 6.50, 6.50.010, 6.50.020, 6.50.030, 6.50.040, & 6.50.050 of Title 6, are hereby amended with the following language:

**6.04.010 Definitions.**

As used in this chapter, the following terms are defined as follows:

"Animal-at-large" means any animal not under the restraint of a person capable of controlling the animal on or off the premises of the owner.

"Animal Control Officer" means any person designated by the state of Illinois, the county of Madison, the city of Granite City, including but limited to those employees of the Public Works Department of the City of Granite City, or a humane society as an officer who is qualified to perform such duties under the laws of this city and state.

"Animal shelter" means any facility operated by a humane society or the sanitation department of the city of Granite City or its authorized agents, for the purpose of impounding animals under the authority of this title for care, confinement, return to owner, adoption or euthanasia.

"Bite" means to seize or cut with the teeth.

"Circus" means a commercial variety show featuring animal acts for public entertainment.

"Confinement structure" means a securely locked pen, kennel, or structure designed and constructed for the keeping of a vicious or dangerous dog, which shall be designed, constructed, and maintained in accordance with the standards herein. Such pen, kennel, or structure must have secure sides and a secure top attached to the sides. All structures used to confine vicious or dangerous dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen and shall be designed to prevent the animal from escaping the enclosure. All structures erected to house vicious or dangerous dogs must comply with all zoning and building regulations of the City of Granite City. All such structures must be adequately lighted, ventilated, and kept in a clean and sanitary condition.

"Dangerous Dog" means any individual dog anywhere other than upon the property of the owner or custodian of the dog which when either unmuzzled, unleashed, or unattended by its owner or custodian behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person, or a companion animal, or a dog that, without justification, bites a person and does not cause serious physical injury. This definition shall exclude any professionally trained dog for law enforcement or guard duties.

"Domestic animal" means an animal of a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food, water, and shelter.

"Kennel" means any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs.

"Leash" means a cord, chain, rope, strap, or other such physical restraint having a tensile strength reasonably capable of controlling the animal under restraint.

"Menagerie" means a collection of wild animals kept in cages or under restraint for exhibition purposes only.

"Muzzle" means a device constructed of strong, soft material or metal, made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but prevents it from biting any person or animal.

"Nip" means to pinch or squeeze with teeth with no breaking of skin or tissue.

"Owner" means any person, partnership, association, or corporation or agent thereof owning, keeping, or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for three consecutive days or more.

"Performing animal exhibition" means any spectacle, display, act, or event, other than circuses, in which performing animals are used.

"Public nuisance" or "public nuisance animal" means any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or persons, or substantially interfere with the rights of citizens, other than their owners, to enjoyment of life or property. The term "public nuisance animal" means and includes, but is not limited to, any animal that:

1. Is repeatedly found at large;
2. Damages the property of anyone other than its owner;
3. Molests or intimidates pedestrians or passersby;
4. Chases vehicles or cycles;
5. Attacks other domestic animals;
6. Excessively makes disturbing noises, including, but not limited to continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or has been determined by the Animal Control Officer, after notice to its owner, to be a public nuisance animal by virtue of being a menace to the public health, welfare or safety

The term "public nuisance" means and includes, but is not limited to, a condition which:

1. Causes fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored;
2. Causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored, or
3. is offensive or dangerous to the public health, safety, or welfare by virtue of the number and/or types of animals maintained.

"Restraint" means any animal secured by a leash or lead under the control of a responsible person and obedient to the person's commands, or within the real property limits of its owner.

~~"Sanitation officer" means any person designated by the state of Illinois, the county of Madison, the city of Granite City, or a humane society as a law enforcement officer who is qualified to perform such duties under the laws of this city and state.~~

"Vicious dog" means:

Any individual dog that, when unprovoked, bites or attacks a human being or other animal either on public or private property; and

~~Any animal which has been determined to be vicious as a result of a complaint or report having been received by a City sanitation officer.~~

Any individual dog that, when unprovoked, bites or attacks a human being or other animal either on public or private property; or any animal which has been determined by the Animal Control Officer to be a "Dangerous Dog" on three separate occasions; or any animal determined by the Animal Control Officer that endangers the safety of a human being or domestic animal.

No dog shall be deemed vicious if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it, or is a professionally trained dog for law enforcement or guard duties.

In the event a complaint or report is received by the City regarding a vicious dog, the owner of said animal shall be properly and immediately notified of the animal having been declared vicious, of the license fee required for keeping a vicious animal, and of specific restraint requirements.

"Wild creatures" means any member of a species not customarily used as an ordinary household pet, but one which would ordinarily be confined to a zoo, or one which could ordinarily be found in the wilderness of this or any other country, or one which otherwise causes a reasonable person to be fearful of bodily harm or property damage. A wild creature shall include, but not be limited to, any poisonous reptile or any other dangerous or carnivorous wild animal or reptile, except fish in an aquarium or captive-bred species of common caged birds.

"Zoological park" means any facility operated by a person, partnership, corporation, or government agency, other than a pet shop or kennel, displaying or exhibiting one or more species of non-domesticated animals.

(Ord. 4500 §§ 2 and 3, 1990; Ord. 4383 § 2, 1989).

(Ord. No. 8823 , § 3, 2-18-2020)

### **6.12.030 Limitation on number of animals allowed to be kept.**

It is unlawful for any person or persons to keep or harbor within the city more than three domestic animals over four months old. The keeping or harboring of more than three domestic animals in or about any premises is declared a nuisance. This limitation shall not apply to any person, group of persons or corporation engaged in and properly licensed within the city for the commercial business of breeding, buying, selling or boarding dogs, or operating a veterinary hospital or chartered animal shelter. This limitation shall not apply to properly registered service and support animals.

(Ord. 4500 § 5, 1990: Ord. 4383 § 5(C), 1989).

### **6.16.040 Animal impoundment—Notice of ordinance violation.**

In addition to, or in lieu of, impounding an animal at large, ~~the city sanitation officer~~ the animal control officer or police officer may issue to the known owner of such animal ~~a notice of ordinance violation~~. ~~Such notice shall impose upon the owner a penalty of seventy five dollars that may, at the discretion of the animal owner, be paid within seventy two hours in full satisfaction of the assessed penalty. In the event that such penalty is not paid within the time period prescribed an administrative citation or a notice to appear in court for violations of relevant City Ordinances. If a notice to appear in court is issued ~~—criminal warrant~~ a long form ordinance complaint shall be initiated and upon conviction of a violation of the ordinance codified in this Title, the owner shall be punished as provided in Chapter 6.44 et seq.~~

(Ord. 4383 § 6(D), 1989).

### **6.16.050 Destruction or tranquilization of dangerous or vicious animals.**

Members of the police department, ~~the sanitation officer~~ the animal control officer, or designated individual under supervision of the ~~city sanitation department~~ city public works department shall be authorized to destroy or tranquilize any dangerous or vicious animal when necessary for the protection of any person or property.

(Ord. 4383 § 6(E), 1989).

## 6.20.020 License application requirements.

An application for a license to possess a vicious or dangerous dog shall be filed with the city clerk on a form prescribed and provided by the city clerk and shall be accompanied by the following:

- A. Verification of the identity of the owner and current address by providing a photostatic copy of the owner's driver's license;
- B. Proof of ownership of the vicious or dangerous dogs;
- C. A copy of the current immunization and health record of the vicious or dangerous dog prepared by a licensed veterinarian;
- D. A certificate of insurance evidencing coverage in an amount not less than two hundred fifty thousand dollars providing coverage for any injury, damage, or loss caused by the vicious or dangerous dog;
- E. A certificate of insurance evidencing coverage in an amount not less than two hundred fifty thousand dollars providing coverage for any injury, damage, or loss caused by the vicious or dangerous dog;
- F. Two photographs of the vicious or dangerous dog to be licensed taken not less than one month before the date of the application. One photograph shall provide a front view of the vicious or dangerous dog and shall clearly show the face and ears of the vicious or dangerous dog. One photograph shall show a side view of the vicious or dangerous dog;
- G. A license fee of ~~twenty five dollars~~ one hundred dollars (\$100.00);
- H. Such other information as may be required by the city clerk; and
- I. Proof that a proper confinement structure as defined in section 6.04.010 of this ordinance has been constructed. This confinement structure shall not be placed in such a location as to cause a danger to the general public or passersby. This confinement structure is also subject to inspection by the Animal Control Officer prior to the issuance of the permit.

(Ord. 7289 §1, 2000; Ord. 4383 §4(B), 1989).

### **6.20.030 Inspection of premises.**

Upon receipt of an application, the city clerk shall forward such application to the ~~sanitation department~~ city public works department, which shall cause an inspection of the premises on which the vicious or dangerous dog shall be kept to determine that all provisions of this chapter relating to confinement and posting of signs have been complied with by the applicant. Upon completion of the inspection, ~~the sanitation department~~ the city public works department shall notify the city clerk in writing of the results of its inspection.

(Ord. 4383 §4(C), 1989).

### **6.20.040 License approval or denial.**

Upon receipt of the results of ~~the sanitation department~~ the city public works department's inspection, the city clerk shall notify the applicant of the approval or denial of the license. In the event that the license is denied, the notification shall be provided in writing and the reasons for such denial shall be stated. Upon approval, the city clerk shall issue a license to the applicant.

(Ord. 4383 §4(D), 1989).

### **6.20.060 Porch, patio or structure confinement requirements.**

No vicious or dangerous dog may be kept on a porch, patio, deck or in any part of a house or structure that would allow the vicious or dangerous dog to exit the structure on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.

(Ord. 4383 §7(A), 1989).

### **6.20.080 Leash restraint requirements.**

No person shall permit a vicious or dangerous dog to go outside a confinement structure, house, or other structure unless the vicious or dangerous dog is securely restrained with a leash no longer than four feet in length and fitted with a muzzle. No person shall permit a vicious or dangerous dog to be kept on a leash unless a person is in physical control of the leash. No leash restraining any vicious or dangerous dog shall be attached to any inanimate object including, but not limited to, trees, posts, stakes, buildings, porch or deck railings, fences or other objects.

(Ord. 4383 §7(C), 1989).

### **6.20.100 Reporting requirements of licensee.**

Any person holding a license for a vicious or dangerous dog shall report the incidence of any of the following events:

- A. The sale, barter, exchange, gift, or death of any vicious or dangerous dog shall be reported within forty-eight hours.
- B. The escape from confinement or theft of any vicious or dangerous dog shall be reported upon discovery of the escape or theft.
- C. The biting or nipping of any person or animal by a vicious or dangerous dog shall be reported upon occurrence.
- D. The permanent removal of any vicious or dangerous dog from the city limits of the city of Granite City shall be reported within forty-eight hours of such removal by surrender of the license of the owner to the city clerk.
- E. The transfer of ownership or possession of any vicious or dangerous dog within the city limits shall be reported within forty-eight hours. The licensee shall notify the new owner in writing prior to transfer of possession that the subject dog has been determined to be a vicious or dangerous dog and that the dog is subject to particular licensing, restraint and confinement requirements pursuant to city ordinance.

Except as provided in subsection (D) of this section, the report of any incident required to be reported under this section shall be made to ~~the sanitation department or humane officer~~ city public works department or animal control officer.

(Ord. 4500 §6, 1990: Ord. 4383 §8, 1989).

#### **6.24.015 Animal Vaccination Requirements**

Every owner of a dog and/or cat sixteen weeks of age or older shall have each dog and/or cat vaccinated against rabies by a licensed veterinarian. Every dog/cat should be re-vaccinated against rabies annually. Terms of the vaccination and duration of immunity must be in accordance with USDA license of vaccine used. The annual vaccination must be registered with Madison County Animal Care and Control and proof of such vaccination shall be presented to any Granite City Animal Control Officer or Granite City Police Officer upon request. If proof of rabies vaccination is not available, the dog/cat may be removed from the property, when deemed necessary, by any city official and quarantined at the Granite City Animal Control facility until proof of the vaccination is provided. Once proof is provided the custody of the dog/cat will be returned to the owner upon the owner paying any and all reclamation fees as provided in the Granite City Reclamation of Impounded Animal Ordinance (6.40.030) and in accordance with the Granite City Conditional Redemption of Vicious or Dangerous Dogs Ordinance (6.40.070), if the animal has been deemed dangerous or vicious.

#### **6.24.020 Abuse prohibited.**

No person shall beat, cruelly ill-treat, torment, overload, overwork, starve, fail to provide adequate water, or otherwise abuse an animal, or knowingly allow same to be done.

(Ord. 4383 § 10(B), 1989).

#### **6.24.050 Striking of domestic animal by motor vehicles.**

Any person who, as the operator of a motor vehicle, strikes a domestic animal should stop at once and render such assistance as may be possible and should immediately report such injury or death to the animal's owner. In the event the owner cannot be ascertained and located, such operator should ~~at once~~ immediately report the accident to the appropriate law enforcement agency or to the local ~~sanitation department~~ public works department, or animal control officer.

(Ord. 4383 § 10(E), 1989).

#### **6.24.060 Exposure of poisonous substances.**

No person shall expose any known poisonous substance or illegal substance, whether mixed with food or not, so that the same is accessible and may be eaten by any animal; provided, that it is unlawful for a person to expose on his own property common rat poison mixed only with vegetable substance.

(Ord. 4383 § 10(F), 1989).

#### **6.24.100 Dead animals.**

Any person being the owner or occupant of any premises within this city having a dead animal on the premises shall, within twenty-four hours, remove or cause the removal of the dead animal as the city inspector or ~~sanitation officer~~ animal control officer may direct for disposal of such animal. The fee for such disposal shall be \$50.00 (fifty dollars).

(Ord. 4383 § 10(J), 1989).

#### **6.24.110 Animal waste.**

The owner of every animal shall be responsible for the removal of any excreta deposited by his animal(s) on public walks, recreation areas, public or private property.

(Ord. 4383 § 10(K), 1989).

## Chapter 6.36

### STERILIZATION

#### Sections:

6.36.010 Sterilization Requirements for Dogs and Cats.

#### **6.36.010 Sterilization requirements for adopted dogs and cats.**

No unclaimed dog or cat shall be released for adoption from a public or private animal shelter without being sterilized or without written agreement from the adopter guaranteeing that such animal will be sterilized within thirty days for adults and specified date in the contract for pups and kittens.

(Ord. 4383 § 13, 1989).

#### **6.40.010 Animals running at large subject to impoundment.**

Unrestrained dogs and nuisance animals found running at large by members of the city police ~~or sanitation department~~ or public works departments or designated authorities shall be presumed to be in violation of this title and shall be subject to impoundment by the ~~sanitation department~~ public works department in a humane facility for the keeping of animals.

(Ord. 4383 § 9(A), 1989).

#### **6.40.020 Animal identification—Owner notification.**

If, by license tag or other means, the owner of an impounded animal can be identified, the ~~sanitation officer~~ animal control officer shall immediately upon impoundment notify the owner by telephone, in person, or certified mail.

(Ord. 4383 § 9(B), 1989).

#### **6.40.030 Reclamation of impounded animal—License fee and penalty.**

An owner reclaiming an impounded animal shall pay a license fee and penalty if applicable, reimbursement of any necessarily incurred medical expenses, and an impoundment fee in accordance with the following schedule: ~~twenty-five~~ one hundred dollars: first impoundment; ~~fifty dollars~~ two hundred dollars: second impoundment within twelve months after first impoundment; ~~seventy-five dollars~~ three hundred dollars: third impoundment within twelve months after first impoundment; ~~one~~ four hundred dollars: fourth impoundment within twelve months after first impoundment, plus twenty-one dollars per day of impoundment. The fees and penalties may be waived or reduced at the discretion of the animal control officer only in the event there are justifiable circumstances, and with supervisor approval. The reason for reducing or waiving the fees must be properly documented.

(Ord. 4500 § 7, 1990: Ord. 4383 § 9(C), 1989).

#### **6.40.040 Length of impoundment—Unclaimed animals.**

Impounded animals shall be kept for not fewer than five working days. Any animal not reclaimed by its owner within five working days shall become the property of the city and shall be placed for adoption in a suitable home, surrendered to a humane animal rescue or humanely euthanized.

(Ord. 4383 § 9(E), 1989).

#### **6.40.050 Recordkeeping requirements.**

The ~~sanitation officer~~ animal control officer shall keep complete and accurate records of the care, feeding, veterinary treatment and disposition of all animals impounded at the shelter. Record keeping for all impounded domestic animals shall contain:

- A. Type of domestic animal and description thereof
- B. Photograph of the domestic animal impounded
- C. Chip number and name of animal if known.
- D. Owner information if know, including full name, address, and phone number.
- E. A copy of owner's valid State issued ID if available.
- F. Reason the animal was surrendered if applicable
- G. Name, address, and phone number of the person adopting the domestic animal
- H. A copy of the valid State ID of the person adopting a domestic animal
- I. Date, time, and location domestic animal was found and apprehended.
- J. Date, and time the domestic animal was released.

(Ord. 4383 § 9(E), 1989).

#### **6.40.060 ~~Nonresident service fees.~~**

~~Any nonresident owner of a dog or cat who requests animal shelter and/or adoption services from the Granite City Public Works department shall pay a fee of ten dollars for such services and shall sign a release form whereby the city shall be held harmless of any liability related to providing said services.~~

~~(Ord. 4383 § 9(F), 1989).~~      OMIT

**Chapter 6.44**  
**PENATLITES**

Sections:

6.44.010 Penalties Designated

**6.44.010 Penalties Designated.**

In addition to the specified penalties set out in this title, any person violating any provision of this title may be prosecuted and if convicted of violating any provision of this title shall be fined not less than one hundred dollars nor more than seven hundred fifty dollars for each such offense. A separate offense shall be committed on each day during or on which a violation occurs or continues.

**6.50-Trapping of Stray Animals**

**6.50.010 - Trapping Defined:** Trapping is a method of capturing wildlife by humans using devices specifically designed to restrain an animal in place or kill an animal without the need for continual human presence.

**6.50.020 - Traps Defined:** Any device mechanical or otherwise designed to restrain an animal in place or kill an animal without the need for continual human presence.

**6.50.030 – Trapping of Stray Animals Prohibited:** It shall be unlawful for any person, business, corporation, animal rescue, or other entity to trap stray animals including dogs, cats, and natural wildlife anywhere is the geographical limits of the City of Granite City, other than a Granite City Animal Control Officer engaged in the execution of their official duties, The Illinois Department of Natural Resources, or those licensed by the Illinois Department of Natural Resources with a valid Nuisance Wildlife Removal Permit.

**6.50.040 – Trapping of Stray Animals Exceptions:**

- A. **Rodents, Mice and Rats:** This Ordinance shall not prohibit the use of traps used for the trapping of mice, rats, or other rodents, other than those expressly prohibited by Illinois State Law.
  
- B. A licensed Animal Rescue seeking to trap stray cats for the soul purpose of spaying or neutering them and then releasing them back where they were captured may solicit Granite City Animal Control for a temporary permit that may not exceed 5 days.

- i. Temporary Permit Requirements: In order for a temporary permit to be issued, the soliciting licensed Animal Rescue must provide the Granite City Animal Control with the following information:
  - a. Proper identifying information for the licensed Animal Rescue including State Identification Number.
  - b. Names, addresses, birthdate, and phone number of all people assisting with the trapping.
  - c. Name, address, birthdate and phone number of the licensed Veterinarian performing the spaying or neutering and the Veterinarian's license number.
  - d. Number, and types of traps to be set.
  - e. Location of traps to be set.
  - f. Each trap must be tagged with a hang tag indicating it is permitted by Granite City Animal Control.
  - g. Upon expiration of the 5-day permit, or the end of the trapping session whichever comes first, the licensed Animal Rescue shall provide the following information to Granite City Animal Control:
    - h. How many cats were captured and spayed or neutered.
    - i. A description including the breed, sex, fur color, and health condition of each cat and the location they were captured.
    - j. The location where each cat was released.

**6.50.050 – Violation-Penalty:** Any person, business, corporation, animal rescue, or other entity found to be in violation of this ordinance shall be subject to a fine not less than \$75.00 and not more than \$750.00 for each violation. Each trap set shall be considered a separate violation of this ordinance.

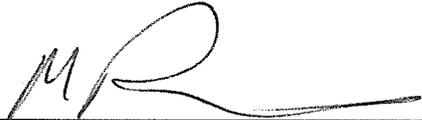
SECTION 2: Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid permits that are severable from the invalid permits shall remain in full force and effect.

SECTION 3: Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

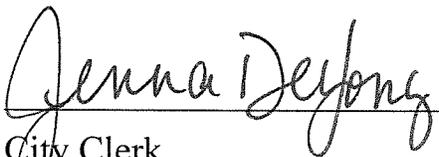
SECTION 4: Effective Date. This Ordinance shall be in full force and effect from after its passage and approval.

This Ordinance shall be in full force and effect from and after its passage and approval and filing with the Clerk of the City of Granite City, Illinois

PASSED AND APPROVED by the City Council City of Granite City, Illinois this 8<sup>th</sup> day of August, 2023.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk