

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3 — ANIMALS
OF THE REVISED CODE OF ORDINANCES OF THE VILLAGE OF TILDEN, ILLINOIS

WHEREAS, the Village of Tilden is authorized pursuant to the Illinois Municipal Code and the Illinois Animal Control Act to regulate animals within the corporate limits of the Village; and

WHEREAS, the President and Board of Trustees of the Village of Tilden desire to adopt and modernize regulations pertaining to animals within the Village; and

WHEREAS, the Village desires to adopt the substantive provisions of the City of Sparta Animal Ordinance utilizing the Village of Tilden Chapter 3 numbering format;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Tilden, Randolph County, Illinois, as follows:

SECTION 1. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 2. ADOPTION OF CHAPTER 3 — ANIMALS.

Chapter 3 of the Revised Code of Ordinances of the Village of Tilden is hereby amended and replaced in its entirety as follows:

CHAPTER 3: ANIMALS

ARTICLE I — GENERAL PROVISIONS

3-1-1 PURPOSE.

- (A) The city has undertaken to establish this chapter in order to protect the public health and safety of its residents and to promote the general welfare of both the residents and any animal residing within the city. Responsible animal ownership is encouraged and welcomed within the city. All animal owners are encouraged to respect the rights of other residents and their animals.
 - (B) Responsibility is placed upon all animal owners to properly train and/or secure their animals in order to prevent them from causing injuries and/or creating nuisances.
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dog to remain on any premises occupied by him or her. OWNER does not include a feral cat caretaker participating in a trap, spay/neuter and return-and-release program.

PERSON. Any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution or any other business unit.

POTENTIALLY DANGEROUS DOG. Any of the following:

- (1) Any dog that without provocation inflicts less-than-severe injury on any human being on either public or private property;
- (2) Any dog at large that without provocation kills or inflicts severe injury on any other domestic animal; or
- (3) Any dog at large that without provocation inflicts less-than-severe injury on any other domestic animal on more than one occasion within a six-month period.

SEVERE INJURY. Any injury which results in a broken bone, lacerations severe enough to require multiple sutures, reconstructive surgery necessitating plastic or appropriate closure.

SPAY OR NEUTER. To alter surgically, chemically or by any other method routinely utilized by a veterinarian, a dog or cat of the purpose of reproduction.

TETHER. Attaching an animal to a stationary object by means of a chain, rope, cable or a similar restraint. TETHER shall not include the use of a leash by an owner to walk an animal.

VETERINARIAN. A person licensed to practice veterinary medicine in the state.

ARTICLE II — CARE AND TREATMENT

3-2-1 HARBORING OR KEEPING OF CERTAIN ANIMALS PROHIBITED.

No person shall own or keep, suffer or permit domesticated wild animals including swine, cattle, horses, mules or game birds within the city, except as may be permitted by the provisions of Ch. 155 of this code of ordinances, Zoning, or as otherwise may be permitted by special permit issued by the city, or in conjunction with 4-H activities or in conjunction with Randolph County Fair activities.

3-2-2 DUTY OF ANIMAL OWNERS.

Each animal owner shall provide the following:

- (A) Sufficient quantity of palatable food and water free of contamination;
- (B) Adequate shelter and protection from inclement weather and sufficient shade;
- (C) Veterinarian care when necessary;

(G) This language is supported under the Illinois Humane Care for Animals Act (510 ILCS 70/3, Section 3 – Owner's Duties).

(H)

3-2-5 DISTURBANCE OF THE PEACE; NUISANCE.

No animal owner shall suffer or permit it to disturb the peace and quiet of the neighborhood or otherwise create a nuisance by barking or the making of loud noise to the discomfort of neighbors or others in close proximity where the animal is kept or harbored for more than one hour.

3-2-6 ANIMAL AT LARGE PROHIBITED.

(A) All dogs shall be kept under restraint either by leash, a tethering device authorized by § 3-2-4 of this chapter or within an enclosure.

(B) It shall be unlawful for the person to cause, suffer or allow a dog owned or kept by such person to be at large within the city. Any dog running at large within the city will be deemed to be a public nuisance and impounded in the manner provided within this chapter.

3-2-7 TRAPPING PROHIBITED.

(A) It shall be unlawful to engage in trapping for any game animals or fowl within the city, except as otherwise authorized by the Commissioner of Public Health and Safety or Animal Control Officer.

(B)(1) It shall be unlawful to use, trap, device, place or maintain any trap as herein defined upon, in or about any public place or private place where another person or domesticated animal may reasonably come.

(2) A TRAP, as defined herein, shall be a pitfall, snare or device that is mechanically operated which shuts suddenly with a spring designed for the taking of game, other animals or fowl.

3-2-8 VEHICLES CONTAINING ANIMALS; PARKING TIME LIMITED.

(A) No person shall leave any animal unattended in any motor vehicle under conditions which endanger the health or safety of the animal due to heat, cold, lack of ventilation or other circumstances which could reasonably be expected to cause suffering, disability or death.

(B) Any Animal Control Officer or law enforcement officer may enter a motor vehicle by any reasonable means necessary to remove an animal when the animal's health or safety appears endangered.

3-3-5 INOCULATION AGAINST RABIES.

- (A) It shall be unlawful for any owner to keep any dog or cat over four months of age unless such animal has been inoculated against rabies by a licensed veterinarian.
- (B) The veterinarian administering the vaccine shall issue a certificate showing the date of vaccination and the expiration thereof.
- (C) The owner shall maintain proof of inoculation and present it upon request of the Animal Control Officer.
- (D) All dogs within the Village of Tilden shall be registered at Village Hall. A registration fee of Five Dollars (\$5.00) shall be paid annually for each dog. Proof of current rabies inoculation shall be required prior to issuance of a Village registration tag.

3-3-6 QUARANTINE.

- (A) Whenever any animal causes severe injury to a person, the owner shall immediately notify the Animal Control Officer and shall surrender the animal for observation for a period of ten days.
- (B) During quarantine, the animal shall be securely confined and refrain from any contact with any other animal. The quarantine may be on the premise of the owner.
- (C) During quarantine, the animal shall not be removed from the place of confinement without permission of the Animal Control Officer or veterinarian.
- (D) If Animal control requires other confinements, the owner shall surrender the animal for the quarantine period to an animal shelter or Veterinary Hospital at the owner's expense.

ARTICLE IV — DANGEROUS AND POTENTIALLY DANGEROUS DOGS; FERAL CATS

3-4-1 REGISTRATION OF POTENTIALLY DANGEROUS DOGS.

- (A) The owner of a potentially dangerous dog shall register such dog with the city within ten days after the dog has been declared potentially dangerous.
 - (B) The owner shall provide proof of current rabies inoculation and shall maintain the dog in compliance with all restrictions imposed by this chapter.
 - (C) Registration shall be renewed annually.
 - (D) Failure to register a potentially dangerous dog shall constitute a violation of this chapter.
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- (B) If the Animal Control Officer determines that the dog is dangerous, written notice of the determination shall be issued to the owner either personally or by certified mail.
 - (C) The owner shall comply with all requirements imposed by this chapter within ten days of receipt of notice.
 - (D) Any dangerous dog may be immediately seized and impounded where necessary to protect the public health, safety and welfare.
 - (E) Failure of the owner to comply with the provisions of this chapter may result in impoundment or destruction of the dangerous dog in accordance with Illinois law.
 - (F) The owner of a dangerous dog may appeal the determination in the manner provided by Illinois law.
 - (G) The Animal Control Officer may seek injunctive relief or other remedies available by law to enforce compliance with this chapter.
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3-4-7 FERAL CATS; SEIZURE.

- (A) Feral cat colony caretakers participating in trap, neuter and release programs shall comply with applicable provisions of Illinois law and this chapter.
 - (B) Caretakers shall make reasonable efforts to ensure feral cats are vaccinated and sterilized.
 - (C) Feral cat colonies shall not be maintained in a manner constituting a nuisance or threat to public health or safety.
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3-4-8 MANAGING FERAL CAT POPULATIONS.

- (A) Any person or organization acting as a caretaker for feral cats within the city shall register each feral cat colony with the Animal Control Officer.
 - (B) The caretaker shall maintain the colony in a clean and sanitary condition at all times.
 - (C) The caretaker shall provide food, water and shelter for the feral cats and shall make reasonable efforts to ensure that all cats are vaccinated against rabies and sterilized.
 - (D) The caretaker shall comply with all applicable provisions of Illinois law and this chapter.
 - (E) Feral cat colonies shall not be maintained in a manner constituting a nuisance or threat to public health or safety.
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3-5-5 RETURN OF IMPOUNDED ANIMAL TO ITS OWNER.

No impounded animal shall be returned to its owner unless and until the owner thereof:

- (A) Provides proof of ownership of the animal;
 - (B) Pays all impoundment, boarding, veterinarian and other fees associated with the impoundment of the animal; and
 - (C) Complies with all provisions of this chapter.
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3-5-6 IMPOUNDMENT AND KENNEL FEES; DISPOSITION.

- (A) The owner of an impounded animal shall be responsible for all impoundment, boarding, veterinarian and other related fees incurred by reason of the impoundment.
 - (B) Impoundment and kennel fees shall be established by resolution of the Village Board.
 - (C) Any animal not redeemed within the time permitted by law may be adopted, transferred or humanely euthanized in accordance with Illinois law.
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3-5-7 MANDATORY STERILIZATION OF IMPOUNDED ANIMALS.

Impounded dogs and cats may be sterilized prior to release or adoption in accordance with Illinois law.

3-5-8 MANDATORY INOCULATION AGAINST RABIES.

No impounded dog or cat shall be released to its owner or adopted by any person unless such dog or cat has been inoculated against rabies in accordance with the provisions of this chapter and Illinois law.

3-5-9 DISPOSITION OF OWNER-SURRENDERED ANIMALS AND IMPOUNDED ANIMALS NOT CLAIMED BY OWNER.

Any owner-surrendered animal or impounded animal not claimed by its owner within the time provided by law may be adopted, transferred or humanely euthanized in accordance with Illinois law.

(D) When the owner of a captured or held animal is discovered or known, the animal shall be returned to the owner upon payment of any applicable fees and compliance with all applicable procedures.

ARTICLE VI — ADMINISTRATION AND ENFORCEMENT

3-6-1 ANIMAL CONTROL OFFICER.

The Animal Control Officer shall have police powers in the enforcement of the provisions of this chapter, and no person shall interfere with, hinder, molest or abuse the Animal Control Officer in the exercise of such power. It shall be the duty of the Animal Control Officer to investigate any complaint concerning the harboring or keeping of any animal in the city, to capture and impound in a place furnished by the City Council.

3-6-2 ISSUANCE OF CITATIONS.

The Animal Control Officer or any law enforcement officer may issue citations for violations of this chapter.

3-6-3 PENALTY.

Any person violating any provision of this chapter shall be subject to fines and penalties as provided by ordinance and Illinois law.