

CHAPTER 4
ANIMAL CONTROL

4-4-1: Definitions of Terms: As used in this Chapter, unless the context otherwise indicates:

DOG Shall mean and include all domesticated members of the canis familiar's specie, male or female.

CAT Shall mean and include all domesticated members of the felis familiar's specie, male or female.

OWNER Shall mean any person having a right of property in a dog, cat or other animals, or who keeps or harbors any dog, cat or other animals, or who knowingly permits any such animal to remain on or about any premises occupied by him.

PERSON Shall mean and include individuals, firms, partnerships, associations and corporations.

PUBLIC AREA Shall mean and include any street, alley, sidewalk, parkway, easement, municipal, school, park and association properties.

SPECIFICALLY

DEFINED All terms not specifically defined hereby shall be as per defined in the Illinois Animal Control Act, if such definitions are contained in such Act.

OTHER ANIMAL(S) Shall mean any male or female domesticated or wild animal, other than domestic dogs or cats.

4-4-2: Registration:

A. License Generally. It shall be unlawful for any person(s) to own or keep a dog six (6) months of age, unless such person shall procure and maintain a current annual license therefore, from the McHenry County Department of Health.

B. Collar or Harness and License Required. Every dog within the Village shall be provided by its owner(s) with a suitable collar or harness, to which a current animal license tag issued by the McHenry County Health Department Rabies Control Division must be kept securely fastened. It shall be unlawful for any person, other than the owner, to remove a license tag from a dog.

C. Number of Animals Permitted. No more than three (3) dogs or cats over the age of six (6) months, or combination thereof, may be kept at any dwelling. If at the time of adoption of this Chapter, an owner(s) possesses a number of dogs or cats in excess of three, the excess animals may be kept until they die or are disposed of, but the owner(s) shall not replace any such excess animals.

4-4-3: Nuisance Control of Uninfected Animals:

A. Animals At Large. It shall be unlawful to permit any dog, cat, cattle, horse, swine, reptile, sheep, goat, fowl or poultry or other animal to run at large in any public area or upon the private property of any other person other than on the property of the owner(s)

of such animal in the Village. Any such animal running at large shall be impounded in the manner provided in this Chapter. It shall be further unlawful to picket or tie any such animals in any public area of the Village.

B. Leash Control. Nothing in this Chapter shall be held to require the leashing of any dog, cat or other animal while such animal is on the private premises of the owner(s) or on the private premises of anyone consenting to have such animal on his premises unleashed. The provisions of this section shall not apply to guide dogs (dogs leading blind persons), or to police-owned service dogs.

Except as hereinafter provided, it shall be unlawful for any dog, cat or other animal to be on any public area or off the property of the owner of such animal within the Village, except when such animal is on a leash [not to exceed eight (8) feet in length], and accompanied by a person capable of controlling such animal.

It shall be unlawful for any dog, cat or other animal, even though properly leashed to go or be upon any public school ground, public playground, public swimming pool, public park within the Village or upon a path or sidewalk extending through or within any such area. Exceptions may be in the case of planned educational activity and supervised pet shows and parades arranged with prior notification to and approval of the McHenry County Health Department or Village Police Department.

No dog, cat, or other animal other than guide dogs or police-owned service dogs shall be permitted, whether or not on a leash or carried, to enter any of the following places or areas:

1. Any premises where food is sold or offered for sale;
2. Any shop, store, or other retail place for business, during business hours, excluding any pet shop.
3. Any municipally owned buildings, including the premises on which such buildings are located.

C. Animal Waste. It shall be unlawful for the owner(s) of any dog, cat or other animal to permit such animal to defecate or deposit excreta upon any public area or private property not belonging to the owner(s) of such animal.

D. Noisy Animals. It shall be unlawful for any person to keep or maintain any dog, cat or other animal within the Village limits, which by noises, alarms or disturbs any person who shall reside in the Village.

E. Annoying Animals. Any dog, cat or other animal which conducts itself on private property of any person other than the owner(s) so as to cause damage thereto, or cause annoyance to the owner(s) or occupant thereof, is declared to be a public nuisance.

F. No Wild Animals or Other Animals as Pets. No person shall keep or permit to be kept any wild animal or other animals as a pet, except for the temporary keeping, care and protection of an infant wild animal native or indigenous to this area which has been deemed to be homeless. Such infant wild animal shall be released when it is capable of survival.

G. Keeping Animals Other Than Domesticated Pets. No person, firm or corporation shall own or keep within the Village any goats, sheep, hogs, cattle, fowl, poultry, reptile or serpent, spider, or other animals normally wild, dangerous to human life or carnivorous in nature, other than domesticated house pets, and each day such animals are kept in violation of this Section shall constitute a separate and distinct offense. The words, “fowl” and “poultry” shall include chickens, turkeys, geese and ducks. It is no defense to a violation of this Section that the owner(s) or keeper(s) of any animal which is prohibited in this Section has attempted to domesticate such animal.

4-4-4: Care of Animals

A. No owner(s) shall fail to provide his dog, cat or other animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

B. No person shall beat, cruelly ill treat, torment, overload, overwork or otherwise abuse any dog, cat or other animal or cause, instigate or permit any combat between any such animal.

C. No owner(s) of any dog, cat or other animal shall abandon any such animal.

D. Any person who as the operator of a motor vehicle, strikes a dog, cat or other animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the owner(s) of such animal, if known, or to the McHenry County Health Department or to the Village Police Department.

E. No dog, cat or other animal shall be left unattended in any vehicle without proper ventilation.

F. No person shall expose any poisonous substance, whether or not mixed with food, so that the same shall be liable to be eaten by any dog, cat or other animal, provided that it shall not be unlawful for a person to expose on his own property common rodent poison mix with a vegetable substance for the extermination of vermin.

4-4-5: Impounding of Animals:

A. General. The McHenry County Health Department or the Village Police Department may pick up and impound any dog, cat or other animal found in the Village in violation of any provisions of this Chapter.

B. Notice to Owner(s) of Licensed Animals. The McHenry County Health Department or the Village Police Department shall, within twenty-four (24) hours of impounding any dog, cat, or other animal pursuant to this Chapter, give notice in person, or by mail, or by telephone, to the owner(s) of such animal, informing the owner(s) of the cause for impoundment, if the owner's address is readily available. In the event the owner cannot be reached, the time limit for impounding may but need not be extended accordingly.

C. Administrative Fees for Licensed Animals. Any animal impounded pursuant to any of the provisions of this Chapter may be redeemed by owner(s) upon payment of any and all administrative fees which are charged by the McHenry County Department of Health and/or by the Village Police Department.

In addition, the owner(s) shall pay to the McHenry County Health Department and/or to the Village, all costs incurred in connection with the impoundment and care of such impounded animal.

D. Administrative Fees for Unlicensed Animals. Any animal impounded under any provisions of this Chapter may be redeemed by any person(s) upon payment to the McHenry County Health Department, and/or to the Village, whichever incurred such expense, of the following fees and costs: a \$10.00 administrative fee, and all costs incurred by the County and/or by the Village for the keeping of such animal while impounded. In addition, if a license or replacement tag is required under Section 4-4-2 hereof, a license or replacement tag must be obtained and applicable license fee paid prior to release of such animal.

E. Redemption of Animals. Any person redeeming an impounded animal must show to the person in charge of the impounding facility a receipt for the payment of fees and costs paid to McHenry County Health Department and/or to the Village, as the case may be, whereupon such animal may be released.

F. Length of Impoundment. Any animal, licensed or unlicensed, when impounded under any provision of this Chapter, shall be impounded no less than four (4) days before being disposed of. Such an animal may be kept longer at the discretion of the McHenry County Health Department or of the Village Police Department in the event the owner(s) cannot be reached.

G. Disposition of Unredeemed Animals. At the discretion of the McHenry County Health Department, any unredeemed animal impounded under any provision of this Chapter may be destroyed.

H. Disposition of Sick, Suffering or Injured Animals. At the discretion of the McHenry County Health Department or a veterinarian, any sick, suffering or injured animal and other animals found at large or abandoned may be destroyed.

4-4-6: Dangerous Animals:

A. Dangerous Animals. Any dog, cat or other animal declared by the McHenry County Health Department or the Village Police Department to be dangerous or vicious is hereby deemed and hereby declared to be a public nuisance. If such animal is found to be running at large in any public area or without permission or upon the private property of any person(s) other than the owner(s) of such animal and other animals, it may be impounded as provided in this Chapter. Such animal may, if necessary, be rendered helpless by tranquilizing. Members of the McHenry County Health Department and/or the Village Police Department and any other person(s) in the Village may defend

themselves and their families in case of attack by such an animal.

If such a dangerous or vicious animal is declared to be a nuisance, the owner(s) of such animal may be required by the McHenry County Health Department or by the Village Police Department to immediately provide extraordinary restraints, such as, but not limited to, muzzles, chains, cages, and/or warning signs.

The McHenry County Health Department and/or the Village Police Department may enter upon the property of an owner(s) of an animal deemed to be dangerous or vicious for the purpose of seizing it. No person(s) shall hinder or molest a duly authorized person(s) while engaged in the performance of such seizure.

B. Diseased Animals. No dog, cat or other animal with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of persons or of animals may be infected.

4-4-7: Penalty: Any person, firm or corporation violating any provision of this Chapter shall be fined,

as follows:

For a 1st offense, not less than \$100.00 nor more than \$750.00;

For a 2nd offense, not less than \$200.00 nor more than \$750.00; and

For a 3rd offense, not less than \$300.00 nor more than \$750.00.

A separate offense shall be deemed committed on each day on which a violation occurs or continues.