

CHAPTER 4.

ANIMALS AND FOWL

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Article I. In General.

Sec. 4-1. Authority to Destroy Animals.

If any vicious dog or other vicious or injured animal cannot be safely taken and impounded when necessary for the protection of any person or property, it may be destroyed by a police officer or by a person authorized by the Village to do so; provided, however, that in all cases where any animal so destroyed has bitten any person or caused an abrasion to the skin of any person, no injury shall be done to the head of such animal, and it shall be the duty of the person destroying the animal to immediately deliver the carcass to a licensed veterinarian to prepare the head and brain for delivery to the County Rabies Control Department.

It shall be unlawful for any person to kill any animal, other than as prescribed by law, in the Village. (Code 1959, Ord. 93-55)

Sec. 4-2. Removal and Burial of Dead Animals.

Whenever any animal dies within the limits of the Village, the owner or person having possession or control thereof shall forthwith remove or cause such animal to be removed out of the Village limits and buried at least four hundred (400) yards from any dwelling, or otherwise dispose of same. For failure so to do, such person shall be deemed guilty of a misdemeanor for every animal so left unremoved for the space of twenty-four (24) hours after receiving knowledge, notice or information that such animal lies or remains dead within the Village limits. (Ord. 67-02)

Sec. 4-3. Maintaining Abattoir without Special Permission.

Every person who shall keep or use any house, building, pen or other place within the Village limits for slaughtering purposes or as an abattoir, without having first obtained special permission from the Village Board, shall, on conviction thereof, be deemed guilty of maintaining a public nuisance. Any such establishment operated without special permission from the Village Board is hereby declared a nuisance and shall be abated by the Chief of Police accordingly. (Ord. 67-02)

Sec. 4-4. Allowing Escape of or Exhibiting Vicious, etc., Animals.

No person shall knowingly permit or allow any vicious, unruly or mischievous animal owned or kept by him to escape from his custody or control within the Village limits, or exhibit such animal in the streets, alleys or other places within the Village, to the annoyance or danger of any person or the injury or damage of any property. (Code 1959, 506; Ord. 67-02)

Sec. 4-5. Restrictions on Keeping Livestock, Bees, Poultry, etc.

It shall be unlawful to keep any live swine, pigs, goats, cattle, horses, sheep, bees or other livestock in the Village. It shall be unlawful to house or keep any live poultry. (Code 1959, §511, 512; Ord. 67-02)

Sec. 4-6. Keeping Animals Making Loud Noises.

It shall be unlawful to harbor or keep any animal which disturbs the peace by loud noises at any time of the day or night. (Code 1959, §507)

Sec. 4-7. Cruelty to Animals.

No person shall cruelly treat any animal in the Village in any way. Any person who inhumanely beats, underfeeds, overloads or abandons any animal shall be deemed guilty of a violation of this Section.

Sec. 4-7.1. Use of any Leghold.

No person shall use or permit the use of any leghold animal trap or similar device with spring activated jaws of the type used for the trapping of fur-bearing animals which is capable of inflicting cruelty upon dogs, cats or other animals, or which constitutes a hazard to small children. (Ord. 83-38)

Sec. 4-8. Diseased Animals.

No domestic animal afflicted 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 man or beast may be affected, nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the animal control officer. It is hereby made the duty of the animal control officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of contagious infection, except in cases where the state veterinarian is empowered to act. (Ord. 67-02)

Sec. 4-9. Maintenance of a Kennel.

It shall be unlawful for any individual, firm or corporation to operate a kennel in any zoning classification other than the classifications permitted by the Addison Zoning Code. A kennel shall be defined as any premises where three (3) or more animals over four (4) months of age are owned, possessed, kept, suffered or permitted to remain or reside on the premises, boarded, bred or offered for sale. (Code 1959, §518; Ord. 67-02; 69-47; 83-41; 89-100; 18-32)

Article II. Dogs.

Sec. 4-10. "Dog" Defined.

The word "dog," whenever used in this Chapter, except where specifically designated, shall include all animals of the canine species. (Ord. 67-02)

Sec. 4-11. Impoundment--Generally.

It shall be the duty of the Chief of Police or other police officer to capture and impound, in a pound to be furnished by the Village, every dog found at large or without collar, tag or muzzle, as in this article provided. (Code 1959, §515; Ord. 66-02; 67-02)

Sec. 4-12. Same--Redemption by Owners; Impounding and Maintenance Fees.

The Chief of Police shall notify the owner of any dog impounded as provided in Section 4-11, if the name of the owner is ascertained, and such owner shall be permitted to redeem such dog within three (3) days by paying all license and other fees then upon such animal, together with the sum of twenty-five dollars (\$25.00). (Code 1959, §515; Ord. 66-2; 67-02; 93-55)

Sec. 4-13. Same--Disposition of Unredeemed Dogs.

Should no redemption be made of any animal impounded as provided in Section 4-11, it shall be the duty of the pound keeper to turn over all animals to any agency which can accept such animal under state law at the end of the third day after publication. (Code 1959, §515; Ord. 66-02; 67-02)

Sec. 4-14. Dogs to be Muzzled or on Leash in Public.

It shall be unlawful to permit any dog to be upon any public place unless such dog is securely muzzled or on a leash. (Code 1959, §516; Ord. 67-02)

Sec. 4-15. Rabies Control--Vaccination Required.

Every person who owns or keeps a dog within the Village limits shall have each of such dogs vaccinated for rabies when such dog is four (4) months of age and annually thereafter as prescribed by the Director of Agriculture. (Ord. 67-02; 70-04)

Sec. 4-16. Same--Proclamation of Mayor during Outbreak of Rabies.

The Mayor of the Village shall have the power and it shall be his duty from time to time, when there is an alarm of rabies, to prohibit all dogs that are not inoculated for rabies and wearing a vaccination tag from running at large within the limits of the Village. Such prohibition may be made by publishing a notice in a newspaper having a general circulation in the Village and by posting three copies of such notice in three public places within the Village. Such prohibition shall continue as long as, in the discretion of the Mayor, it shall be necessary and until public notice shall be given by the Mayor of the discontinuance thereof. (Ord. 67-02)

Sec. 4-17. Same--Notification of Dog Bite.

Whenever any dog bites a person, the owner or other person having knowledge thereof shall immediately notify the Police Department of such incident. (Code 1959, §517; Ord. 67-02; 70-04)

Sec. 4-18 through 4-20 repealed by Ord. 13-44.

Sec. 4-21. Same--Same--Attachment to Dog's Collar; Disposition Generally of Dogs Found Not Wearing Collar and Tag.

Every dog kept within the Village shall be provided by its owner or keeper with a good and substantial collar, and such owner or keeper shall cause to be attached thereto, in a secure manner, a rabies tag for such dog for the current year and shall at all times cause such dog to wear such collar, with such rabies tag attached thereto. Any dog found within the limits of the Village not wearing a collar with a rabies tag attached thereto, as herein provided, shall be impounded and disposed of as provided in Section 4-13. (Code 1959, §514; Ord. 67-02; 76-29; 13-44)

Sec. 4-22. Running at Large of Females in Heat.

No owner or keeper of any female dog shall permit such dog to run at large within the Village while in heat, and any female dog so found running at large is hereby declared a nuisance and shall be taken up and impounded in any pound in the Village. Such dog shall be disposed of, or may be redeemed upon payment of the same fees and in the same manner as licensed dogs may be redeemed which have been impounded, provided such dog has been duly licensed. If it has not been duly licensed, it shall be disposed of, or it may be redeemed in the same manner as unlicensed dogs, upon the payment of the same fee. (Ord. 67-02)

Sec. 4-23. Vicious or Dangerous Dogs Running at Large.

Any owner or keeper of a vicious or dangerous dog as defined in the Illinois Animal Control Act (510 ILCS 5/1 *et seq.*) who shall knowingly permit the same to run at large to the danger, annoyance or damage of any person within the Village shall be deemed to be keeping and maintaining a nuisance. The Chief of Police or other police officer of the Village shall destroy or cause to be destroyed any such dog which cannot safely be taken up and impounded. (Ord. 67-02; 16-16)

Sec. 4-24. Control of Defecation--Required.

- (A) It shall be unlawful for any person to cause or permit a dog to be on any public or private property not owned or possessed by such person, unless such person has in his immediate possession a device for the removal of excrement and a depository for the transmission of excrement to a receptacle located upon property owned or possessed by such person.
- (B) It shall be unlawful for any person causing or permitting any dog in his control to be on any private or public property not owned or possessed by such person to fail to remove excrement left by such dog to a proper receptacle located on property owned or possessed by such person. (Ord. 76-35, §1)

Sec. 4-25 and 4-26 repealed by Ord. 89-100.

Sec. 4-27. Keeping of Dangerous, Vicious, or Wild/Feral Animals or Fowl.

No person, business association, or corporation may keep any dangerous or vicious animals, which include (a) any animal that poses a danger or hazard to humans; (b) any lion,

tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, Canada lynx, bobcat, jaguarondi, hyena or coyote, or wolf; (c) certain primates (i.e. monkeys, chimpanzees, or gorillas); (d) reptiles, including constricting or poisonous snakes (such as pythons and boa constrictors), venomous snakes (such as cobras, rattlesnakes and water moccasins), any other species of snake exceeding two (2) feet in length, and reptiles in the alligator/crocodile family; (e) bears, horses/ponies, sheep, poisonous insects, wild pigs, hunting birds (i.e., falcons, hawks), goats, fox, skunks, raccoons, opossums; (f) spiders, tarantulas or other insects; or (g) any other type of animal or fowl (chickens, ducks, geese, guinea hens, pigeons, or similar fowl) which is generally classified as an undomesticated animal or fowl (even though some individual members may be domesticated with proper training) or any other nontraditional domesticated animal or fowl in any place other than a properly maintained zoological park, circus, scientific or educational institution, research laboratory, veterinary hospital or animal refuge are prohibited. (Ord. 85-35; 93-55; 02-37; 04-40; 07-39; 08-19; 16-16)

Sec. 4-27.1. Keeping of Fowl Prohibited.

- (A) It shall be unlawful, and it is hereby declared a nuisance, to raise, maintain or have upon any property within the Village any live chickens, ducks, geese, guinea hens, pigeons, or similar fowl.
- (B) Any person who engages in or permits ground feeding of chickens, ducks, geese, guinea hens, pigeons, or similar fowl on public or private property within the Village shall be guilty of a violation of this section. (Ord. 00-100; 23-02)

Sec. 4-28. Attempts at Domestication No Defense.

It is no defense to a violation this Chapter that the keeper of any animal or poisonous reptile which is prohibited by Section 4-27 of this Article has attempted to domesticate such animal or poisonous reptile. (Ord. 85-35)

Article III. Cats.

Sec. 4-29. "Cat" Defined.

The word "cat" whenever used in this Chapter, except where specifically designated, shall include all animals of the feline species.

Sec. 4-30. Impoundment--Generally.

It shall be the duty of the Chief of Police or other police officer to capture and impound, in a pound to be furnished by the Village, every cat found at large without collar or tag, as in this article provided.

Sec. 4-31. Same--Redemption by Owners; Impounding and Maintenance Fees.

The Chief of Police shall notify the owners of any cat impounded as provided in Section 4-30, if the name of the owner is ascertained, and such owner shall be permitted to redeem such

cat within twenty-four (24) hours by paying all license and other fees then upon such animal, together with the sum of five dollars (\$5.00) on the first offense, with a maintenance fee of one dollar (\$1.00) per day for the costs of keeping such animal. On the second offense, the impounding fee shall be ten dollars (\$10.00), with a maintenance fee of one dollar (\$1.00) per day for the costs of keeping such animal.

Sec. 4-32. Same--Disposition of Unredeemed Cats.

Should no redemption be made of any animal impounded as provided in Section 4-30, it shall be the duty of the pound keeper to turn over all animals to any agency which can accept such animal under state law at the end of the twenty-four (24) hour period after notice.

Sec. 4-33. Rabies Control--Vaccination Required.

Every person who owns or keeps a cat within the Village limits shall have each of such cats vaccinated for rabies when such cat is four (4) months of age and annually thereafter.

Sec. 4-34. Same--Notification of Cat Bite.

Whenever any cat bites a person, the owner or other person having knowledge thereof shall immediately notify the Police Department of such incident.

Sec. 4-35 through 4-37 repealed by Ord. 13-44.

Sec. 4-38. Same--Attachment to Cat's Collar; Disposition Generally of Cats Found Not Wearing Collar and Tag.

Every cat kept within the Village shall be provided by its owner or keeper with a good and substantial collar, and such owner or keeper shall cause to be attached thereto, in a secure manner, a rabies tag for such cat for the current year and shall at all times cause such cat to wear such collar, with such rabies tag attached thereto. Any cat found within the limits of the Village not wearing a collar with a rabies tag attached thereto, as herein provided, shall be impounded and disposed of as provided in Section 4-32. (Ord. 13-44)

Sec. 4-39. Penalties.

The penalty for violation of this Chapter shall be not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00) for each such offense. If such penalty is paid directly to the Police Department within ten (10) days in the envelope provided for such purpose, the amount of the penalty shall be twenty-five dollars (\$25.00), i.e., the minimum fine amount.

The Police Department is authorized to issue administrative adjudication citations for violations of this Chapter pursuant to Chapter 30 of the Village Code by personal service or by placing violation notices at the site where violation of this Chapter has occurred. (Ord. 89-100; 08-67)