

Title 6

ANIMALS

Chapters:

6.04 DOGS AND CATS

Chapter 6.04

DOGS AND CATS

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6.04.010 Definitions. The following words and phrases, whenever used in this code shall be construed as defined in this section.

1. "Dog" is any member of the animal species *Canis Familiaris* six months or more in age.
2. "Cat" is any member of the animal species *Feles Familiaris* six months or more in age.
3. "Harborer" is any person who provides food and shelter for a dog or cat on other than a periodic or temporary basis.
4. "Owner" is any person having right of property in any dog or cat; any person who keeps a dog or cat, who has a dog or cat in his care or custody, or who

*Section 6.04.010 amended May 15, 2006; Ref Ord #2006-08
Section 6.04.071 adopted Oct 21, 2013; Ref Ord #2013-15*

knowingly permits a dog or cat to remain on or about any premises occupied by him.

5. "Person" is an individual, firm, corporation, partnership, association, trust, estate, or other legal entity.

6. "Bite." To seize with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced, and includes without limitation any contact of saliva with any break, abrasion or contusion of the skin.

7. "Dangerous dog." Any dog which when either unmuzzled, unleashed or unattended by its owner or member of its owner's family, in a vicious or terrorizing manner approaches any person in an attitude of attack, upon streets, sidewalks or any public grounds or places, or on the private property of any person.

8. "Vicious dog."

A. Any individual dog shall be deemed vicious under the following circumstances:

1. The dog, when unprovoked, inflicts bites to or otherwise attacks a human being or other animal, either on public or private property;
2. The dog has a known propensity, tendency or disposition to attack without provocation to cause injury or to otherwise endanger the safety of human beings or domestic animals;
3. The dog attacks the human being or domestic animal without provocation; or
4. The dog has been found to be a "dangerous dog" and the owner, harbinger, keeper or other person having custody or control of the dog, has been found to be in violation of this chapter on two separate occasions.

6.04.020 License required--Fee. Every person who owns, harbors or keeps a dog within the village shall report to the village clerk within thirty days after he becomes the owner or a keeper of a dog and annually thereafter his name and address and shall give the name, breed, color and sex of each and every dog owned or kept by such person and shall pay to the village clerk or any person designated by the village clerk, the sum of five (\$5.00)dollars annually for each and every dog owned or kept by such person and shall cause the dog to be registered for a license in the office of the village clerk or any place designated by the village clerk. Any person found guilty of violating this section shall be fined \$25.00 for each dog not currently licensed."

6.04.030 Registry kept by village clerk--Contents. The village clerk or such person designated by the village clerk shall keep a complete registry in a book to be kept for the purpose of all licensed dogs, describing the same by name, breed, color and sex. The village clerk shall also enter the name and address of the owner or keeper as given.

6.04.040 Collar or harness and current tags required. Any and all dogs kept within the village limits shall wear a collar or harness at all times with the current village license tag and rabies vaccination tag securely attached to the collar or harness. Any person found guilty of violating this section shall be fined \$25.00 for not having the Village tag and rabies vaccination tag securely attached to the collar or harness.

6.04.050 Annual rabies inoculation. Each calendar year before the first day of June, or at such intervals as may hereafter be promulgated by the board of trustees, every owner or keeper of a dog or cat shall cause such dog or cat to be inoculated against rabies by the rabies inspector or by his deputy, or by any licensed veterinarian. Evidence of such inoculation shall consist of a certificate signed by the person administering the vaccine. One copy filed with the

*Section 6.04.050, amended April 17, 1995 Ref Ord #.95-05
Section 6.04.020, amended Nov. 20, 2006; Ref Ord # 2006-23
Section 6.04.020, amended Nov. 15, 2010; Ref Ord. No.2010-15
Section 6.04.040, amended Nov. 15, 2010; Ref Ord. No 2010-15*

village clerk within thirty days after the inoculation and one copy retained by the veterinarian administering the inoculation as permanent record. The type and brand of the rabies vaccine used must be approved by the United States Department of Agriculture.

6.04.060 Running at large prohibited. It shall be unlawful for any person to permit any dog to run at large within the village. Any dog found upon any public street, sidewalk, alley, parkway, or any unenclosed place unattended shall be deemed running at large. Any dog off the owner's property without a leash shall be deemed running at large.

6.04.070 Nuisances declared. A. Any dog running at large in the streets or public places of the village, or upon the private premises of any person other than the owner or harbinger, is hereby declared a nuisance.

B. To allow manure or other animal excrement to accumulate so as to constitute a health hazard, or strong and offensive odor, or unclean condition sufficient to create a public nuisance.

C. To suffer any premises where any animal is kept to become nauseous, foul, or offensive to any neighborhood, family, or person is declared a nuisance.

D. It shall be a public nuisance to permit any canine to bark, howl, or otherwise create a disturbance, which shall be offensive to any neighborhood, family, or person.

06.04.071 Removal of dog excrement from property other than owner's.

a. Each owner of a dog shall be responsible for the prompt removal of all fecal matter deposited by the dog owned by such person, if such deposit of fecal matter is made on a public right-of-way or any property which is not owned or possessed under lease by such person. The fecal matter removed must be disposed of properly. Any person, when in possession or control of a dog (even though not the owner of the dog), is responsible for the same duties imposed herein as are imposed on the owner of the dog.

b. This section shall not apply to support dogs or guide dogs for the blind, visually handicapped, hearing impaired or otherwise physically disabled person.

c. Any person violating this ordinance

06.04.0171(a) is considered of a petty offense and shall be fined \$150.00 for the first offense and \$250.00 and for each additional offense. Each deposit of fecal matter is considered a separate offense.

6.04.072 Biting Dogs

A. It shall be unlawful for the owner or the keeper of any dog, when notified that the dog has bitten any person or other animal, or has injured any person or other animal, so as to cause an abrasion, a contusion, or injury to the skin, to sell or give away the dog or allow the dog to be taken beyond the limits of the Village of Rossville. It shall be the duty of the owner, harbinger, or keeper of the dog, on receiving notice to deliver the dog to the Vermilion County Animal Control officer, where the dog shall be securely chained or confined for a period of at least ten days. However, the foregoing shall not apply to any animal used by a law enforcement officer in the performance of the functions or duties of the law enforcement agency.

6.04.073 Vicious or Dangerous Dogs.

A. Keeping a vicious or dangerous dog is prohibited. It shall be unlawful to keep, harbor, own or in any way possess, within the corporate limits of this city, any dog which has been found to be a vicious or dangerous dog.

B. Impoundment of vicious or dangerous dog.

1. Any vicious or dangerous dog found to be running at large or found to be otherwise in violation of the provisions of this section, shall be impounded by the Vermilion county Animal Control Officer.

2. If the incident giving rise to the impoundment has resulted in an injury to a person or other animal, the animal control officer shall notify the county rabies control administrator pursuant to 510 ILCS 5/12, as amended, and shall transfer control of the dog to the administrator in accordance with 510 ILCS 5/13, as amended.

C. The owner of the vicious or dangerous dog shall not transfer ownership of such dog. In the event that

*Section 6.04.060, amended July 18, 1994; Ref. Ordinance No. 865-B.
Section 6.04.070 amended Nov 20, 2006; Ref Ord # 2006-23
Section 6.04.072 adopted May 15, 2006; Ref Ord # 2006-08
Section 6.04.071 adopted Oct 21, 2013; Ref Ord # 2013-15*

the owner does not have the ability to keep such dog, he shall turn over such dog to the Vermilion County Animal Control Officer, or the veterinarian, to be euthanized at the cost of the owner, harborer or possessor of said dog. If the dog is taken to a veterinarian, proof shall be provided to the Vermilion County animal Control Officer that such dog has been euthanized.

6.04.075 Penalty for violation.

A. Any person found guilty of violating Sections 6.04.072 or 6.04.073 shall be fined pursuant to Section 1.16.010.

B. A person shall be deemed guilty of multiple violations of this ordinance if the ordinance is violated more than one time in any consecutive twelve month period. There shall be additional charges for multiple violations as follows:

1. First offense pursuant to Section 1.16.010
2. For Second violation within a consecutive twelve month period, the penalty shall be \$250.00.
3. For third offense within a consecutive twelve month period, the penalty shall be \$350.00

6.04.080 Impoundment. Any dog found running at large or loose, as herein defined, may be impounded by the village or someone designated by the village. Upon impoundment, the Village may give written notice to the owner or harborer of such dog stating that the dog may be redeemed within four calendar days upon payment of the redemption fee as provided for herein. The impoundment fee that must be paid prior to redemption of the animal will be the sum of \$25.00, plus an administrative fee of \$65.00. The receipt must be presented to the impoundment center for the redemption of the animal. The owner will be responsible to the impounding center for any additional costs levied by the impounding center for housing, fees, shots or other treatment needed prior to the release of the animal.

6.04.090 Disposal of unredeemed dogs. In the event a

*Sections 6.04.073 and 6.04.075 Adopted May 15, 2006; Ref Ord # 2006-08
Section 6.04.080 amended August 21, 2006; Ref. Ordinance No. 2006-15
Section 6.04.100 amended Aug 19, 2002; Ref Ord # 2002-12*

dog is not redeemed by the owner or harborer thereof, as hereinabove set forth, the village or the impoundment center may dispose of such dog. The owner or harborer of any dog requiring veterinarian destruction or disposition services as a result of any violations of this ordinance shall be responsible for all such expense.

6.04.100 Multiple violation charges.

A. A person will be deemed guilty of multiple violations of this ordinance if the ordinance is violated more than one time in any consecutive twelve-month period.

B. Notice of violation. Upon the issuance of notice as hereinbefore provided in Section 6.04.080 of this ordinance, the dogcatcher shall also advise the person charged if that person is subject to a second or more violations of this ordinance within the said consecutive twelve month period. The notice shall further state that prosecution for violation of the ordinance may be avoided if the person to whom the notice is issued appears and pays the additional penalty, as provided for herein, to the village of Rossville at the Village Hall.

C. Additional charges. There shall be additional charges for multiple violations as follows:

1. For a second violation within a consecutive twelve month period, the penalty shall be an additional fifty dollars over the impoundment fee.

2. For a third violation within a consecutive twelve month period, the penalty shall be an additional seventy five dollars over the impoundment fee.

3. For a fourth violation within a consecutive twelve month period, the penalty shall be an additional one hundred dollars over the impoundment fee.

D. Payment of fee and avoidance of ordinance violation charges. If the fees are paid in accordance with this section after the notice is given, the person to whom the notice is given will avoid prosecution under this ordinance for the penalties hereinafter proposed. The fees herein provided shall be paid upon redemption as hereinbefore provided in Section 6.04.080 of this ordinance.

*Section 6.04.100 amended Aug 19, 2002; Ref Ord # 2002-12
Section 6.04.110 amended Aug 19, 2002; Ref Ord # 2002-12*

E. In the event that the violation is a fourth violation within a consecutive twelve month period, the owner of the animal shall also agree to permanently remove the animal from the village limits of Rossville within twenty-four hours.

F. Institution of charges. In the event that the payment of penalties as provided for in Section 6.04.100 above, and in the case of a fourth violation, removal of the animal, are not complied with in the time limits hereinabove provided, charges may be brought by the village of Rossville for violation of this ordinance and penalties sought as hereinafter provided for.

6.04.110 Penalties. Any person found guilty of violating Section 6.04.100 Paragraph E. shall be fined pursuant to Section 1.16.010.

Title 7

(RESERVED)