

ARTICLE I. IN GENERAL**Sec. 18-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Animal means every wild, tame or domestic member of the animal kingdom other than the genus and species *Homo sapiens*.

Dangerous animal means:

- (1) Any animal which is not naturally tame or gentle and which is of a wild nature or disposition and which is capable of killing, inflicting serious injury upon, or causing disease among human beings or domestic animals and having known tendencies as a species to do so.
- (2) Any animal declared to be dangerous by the public safety committee or its designee.
- (3) The following animals, which shall be deemed to be dangerous animals per se:
 - a. Wolves and coyotes.
 - b. Badgers, wolverines, weasels, mink, and other Mustelids except ferrets.
 - c. Bears.
 - d. All apes, including chimpanzees, baboons, and macaques.
 - e. Monkeys, except squirrel monkeys.
 - f. Elephants.
 - g. Wild boar.
 - h. Black widow spiders and scorpions.
 - i. Snakes which are naturally venomous or poisonous.
 - j. All cats, except domestic cats (carnivores of the family Felidae, including but not limited to lions, cougars, tigers, jaguars, leopards, lynx, bobcats, etc.).
 - k. Raccoons, opossums, and skunks.
 - l. Alligators and crocodiles.

Horse means a large solid-hoofed herbivorous mammal (*Equus caballus*).

Kennel means any premises on which four or more dogs or four or more cats, six months of age or older, are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint.

Owner means any person having a right of property in a dog or other animal or who keeps or harbors a dog or other animal or who has it in his care or acts as its custodian or who knowingly permits a dog or other domestic animal to remain on or about any premises occupied by him.

Person means any individual, association, partnership or corporation, and includes any officer, employee, or agency thereof.

Pet shop means any person engaged in the business of breeding, buying, selling or boarding

animals of any species, except the operation of a kennel, agricultural or wildlife pursuits.

Riding school or horse stable means any person engaged in the business of teaching persons to ride horses or providing horses to ride for a fee.

Vicious animal means any animal, except for a dangerous animal per se, as listed in this section, while running at large, that has attacked or bitten any person without provocation, or any animal that has exhibited vicious propensities in present or past conduct:

- (1) By biting a person on two separate occasions within a 12-month period;
- (2) That did bite once causing injuries above the shoulders of the person;
- (3) That could not be controlled or restrained by the owner at the time of the bite to prevent the occurrence;
- (4) That has attacked or bitten any domestic animal or fowl on two separate occasions within a 12-month period; or
- (5) Which has been found to possess such a propensity by the city council's public safety committee, after hearing.

(Code 1976, § 7-1)

Cross references: Definitions generally, § 1-2.

Sec. 18-2. Maintaining livestock or poultry within city.

It shall be unlawful to maintain any cattle, swine, sheep, goats, other hoofed animals or poultry within the city limits.

(Code 1976, § 7-2; Ord. No. 2009-39-A, § 1, 12-1-2009)

Sec. 18-3. Number of animals permitted on premises.

No person shall suffer or permit more than three dogs or cats to be or remain in or about single-family residence, building or lot, or more than one dog or cat in any single-family apartment building, within the city, under his control at any one time. For the purpose of this section, a dog shall be considered all of the canine family 60 days or more of age.

(Code 1976, § 7-3; Ord. No. 2009-39-A, § 1, 12-1-2009)

Sec. 18-4. Disturbing the peace.

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 1976, § 7-4)

Sec. 18-5. Care of injured dogs and cats.

The person responsible for enforcement of this chapter shall remove from any street or public place within the city any injured dog or cat not being attended and properly cared for by the owner and shall, if he deems it advisable, impound and confine the dog or cat with a veterinarian. If the veterinarian shall treat the injured dog or cat, he shall advise the person responsible for enforcement of this chapter of the cost of the treatment, and if such dog or cat is redeemed as provided in this chapter,

the person redeeming the dog or cat shall also pay the charges of the veterinarian. If the cat or dog is not redeemed, it shall be disposed of in a humane manner.

(Code 1976, § 7-5)

Sec. 18-6. Cruel treatment.

(a) No person or owner may beat, cruelly treat, torment, starve, overwork or otherwise abuse any animal.

(b) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.

(Code 1976, § 7-21)

State law references: Similar provisions, 510 ILCS 70/3.01; authority to prohibit cruelty to animals, 65 ILCS 5/11-5-6.

Sec. 18-7. Dogs and cats running at large.

(a) The owner or keeper of any dog or cat shall keep his dog or cat under restraint at all times and shall not permit the dog or cat to be at large.

(b) A dog or cat is under restraint within the meaning of this section if it is controlled by a leash, at heel beside a competent person, and is obedient to that person's commands, or when under the control of a competent person on or within a vehicle being driven or parked on the street, within a secure fence in the yard on the property of the owner, or securely fastened by chain or other restraint within the property of the owner.

(Code 1976, § 7-41)

Sec. 18-8. Fines and redemption fees.

(a) *Fines.* Violations of this chapter are misdemeanors and are subject to the general fine provisions of section 1-11.

(b) *Redemption fees.* Any animal impounded under this chapter may be redeemed by the owner, or his designee, at the animal shelter after paying the cafeteria fine, if applicable, and:

(1) The amount of the current veterinarian inoculation fee unless current inoculation is proven.

(2) For each day or part thereof that the animal has been impounded, \$5.00.

(c) *Cafeteria court fines.*

(1) Any person violating this chapter may voluntarily, if the option is granted, pay the following to the police department:

a. A fine of \$25.00 for the first and second violation of the same animal within a 12-month period of time; or,

b. A fine of \$50.00 for the third and subsequent violations by the same animal within a 12-month period of time.

Any such payment so voluntarily made, if so consented to, shall be a full and effectual bar to further prosecution under this chapter for the specific violation designated upon the receipt issued therefor.

(2) All cafeteria fines must be paid within 24 hours. Penalty for late payment is as follows: an additional \$0.50 over 24 hours, \$5.00 over 72 hours, and \$10.00 over ten days. Failure to settle this case within 30 days will result in a warrant being issued for arrest and additional penalties assessed.

(3) All charges of such violations which are not either so discharged by the voluntary payment as provided in this subsection may be heard and disposed of by an appropriate action before any court of competent jurisdiction.

(d) *Disposition.* Any animal not redeemed by the owner within five days, unless otherwise provided, shall be destroyed in a humane manner.

(Code 1976, § 7-70; Ord. of 3-5-1996, §§ 1--3; Ord. of 3-10-1998, § 3(7-70(c)(2))

Secs. 18-9--18-35. Reserved.