

CHAPTER 14 DOGS AND OTHER ANIMALS

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14.01 DEFINITIONS

In addition to the definitions found in Appendix A of this Code, the following words and phrases shall have the meanings, and are hereby defined, as follows:

Animal: Every living creature, domestic or wild, not including man.

Dangerous Animal: Any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf, coyote or life-threatening snake or reptile.

Domestic Animal: Any animal, except birds or fish, the ownership of which is not prohibited under the definition of “prohibited animal” set forth herein.

Owner: Any person who has:

1. A right of property in an animal;
2. Keeps an animal;
3. Has an animal in his care or custody; or
4. Who knowingly permits an animal to remain on or about any premises occupied by him.

Run at Large: To be free of restraints off the premises of the owner.

Prohibited Animal: Pigs, swine, sheep, chickens or other fowl, cattle, horses, goats or similar animals, or any naturally wild animal, except birds or fish, whether or not bred for domestic purposes. Such animals shall, however, be permitted in zoological parks, performing animal exhibitions, educational institutions or veterinary hospitals.

Vicious Animal: Any animal which bites, or in any other manner, attacks or attempts to attack, except that any animal that bites, attacks or attempts to attack any person unlawfully entering upon its owner's premises, or which is provoked to attack, shall not be deemed a vicious animal.

14.02 CRUELTY TO ANIMALS

No person shall cruelly treat any animal. Any person who inhumanely beats, under feeds, overloads or abandons any animal is guilty of a violation of this Section 14.02.

14.03 DANGEROUS ANIMALS

All persons owning or in possession of any dangerous or vicious animal shall restrain said animal from running at large within the City. Exhibitions or parades of dangerous or otherwise prohibited animals as defined in Section 14.01 herein may be conducted upon securing a permit from the Chief of Police.

14.04 NOISY ANIMALS

No person shall harbor or keep any animal which disturbs the peace by loud noises.

14.05 ANIMALS PROHIBITED *Amended, 09-7-2*

A. **FARM ANIMALS:** No person shall stable, keep or maintain any prohibited animals as defined in Section 14.01 herein in the City, nor shall any person ride, walk or lead such prohibited animals in the City, except by special permission granted by the City Council; provided that horses may be led through the City on a public roadway when safe to do so without disrupting traffic. And except also that the City may issue a permit for the use of any horse-drawn carriage for a particular event or ceremony.

B. **EXOTIC ANIMAL:** Except as provided herein, no person shall own, keep or harbor within the City any animal deemed to be dangerous including snakes, reptiles or lizards that are poisonous; any rodent weighing more than one pound, with the exception of guinea pigs; or any other exotic animals as defined in Section 2.09 of Article XVII of the McHenry County Animal Control ordinance. This prohibition shall not apply to property properly zoned for facilities such as zoos, animal shelters, animal hospitals, kennels, ponds, pet stores and scientific or research laboratories.

14.06 DISEASED ANIMALS

A. All persons owning or in possession of any animal afflicted with a contagious or infectious disease shall restrain said animal from running at large within the City where the public health may be affected. No diseased animal shall be shipped or removed from the premises of the owner except under the supervision of an animal control officer or the state veterinarian. No diseased animal shall be brought into the City.

B. The animal control officer shall secure the disposition of any diseased animal and the treatment of affected premises so as to prevent the communication and spread of the contagion or infection, except in cases where the state veterinarian is empowered to act.

14.07 DOG LICENSES

No person shall permit a dog to be or remain in the City without being registered and licensed by the McHenry County Health Department. The registrations and licensing rules of the county shall prevail. In no case shall a dog that has not been inoculated against rabies be allowed to be or remain in the City.

14.08 DOGS AND CATS RUNNING AT LARGE *Amended, 09-7-2*

A. **RUNNING AT LARGE:** It shall be unlawful to permit any dog or cat to run at large in the City at any time. Dogs and cats which are on any street, alley or sidewalk or other public place without being held securely on a leash or restrained shall be deemed to be running at large.

B. **NUISANCE:** Any dog found in the Village either without a license or running at large is hereby declared to be a nuisance and shall be impounded as provided in this Chapter.

C. **DUTIES OF THE POLICE DEPARTMENT:** The Police Department shall impound any dog running at large in violation of the provisions of this Chapter. The Police Department shall have charge of all dogs impounded; shall secure shelter for all such dogs and see that they are humanely treated and fed. The Police Department shall relinquish the animal to the Animal Control Division of McHenry County pursuant to any agreement between the City and the county regarding animal control.

D. **REDEMPTION:** The owner of any dog impounded may redeem it by paying all the costs, charges and penalties that have accrued by the City or the county.

E. **DANGEROUS AND VICIOUS DOGS:** Any dog that has been involved in an incident which may result in a dangerous and vicious dog determination shall be relinquished to the Animal Control Division of McHenry County for such a determination under the terms of Section 5, Dangerous and Vicious Animals, of Article XVII, of the McHenry County Animal Control ordinance. Guide dogs for the blind or hearing impaired, support dogs for the physically handicapped of police owned dogs are exempt from this Section provided such dogs are in compliance with Section 14.07 of this Code.

14.09 ANIMALS BITES

Whenever a dog or other animal bites a person, the owner of the animal shall immediately notify the Chief of Police who shall order the animal held on the owner's premises or shall have it impounded for a period of two weeks.

The animal shall be examined immediately after it has bitten any person and the animal's owner is known, the Chief shall deliver written notice to the owner who shall give up the animal to the Police Department for confinement or the owner shall confine the animal himself with the written consent of the Police Department.

14.10 DOG LITTER

It shall be unlawful for any person owning, keeping or otherwise having possession or control of a dog to walk said dog in or upon any public way or other public place in the City without having on his person sufficient equipment to remove from the public way or other public place any dog litter which may be deposited by said dog.

It shall be unlawful for any person owning, keeping or otherwise having possession or control of a dog to allow said dog to deposit any litter upon any public way or other public place in the City or upon any private property not owned by that person unless that person has the permission of the owner of the property or immediately removed said dog litter from the property.

14.11 LIMIT

A. SINGLE FAMILY DWELLING: It shall be unlawful for any person to keep on any lot or premises or portion thereof more than four dogs, cats or domestic animals as defined in Section 14.01 herein over four months of age or more than two such animals boarded for compensation or sale. If more than one person resides on any lot or premises or portion thereof, then the person who owns, leases, possesses or controls said premises shall be presumed, for purposes of this Chapter 14, to be the keeper of all animals kept thereon, regardless of the legal ownership thereof. However, in no event shall a non-resident owner of property be held liable hereunder, where there is a person on the premises.

B. MULTIPLE FAMILY DWELLING: No more than one dog or two other domestic animals shall be permitted in a multiple family dwelling unit.

C. EXCEPTIONS: This Section 14.11 shall not apply to pet shops, zoological parks, performing animal exhibitions, educational institutions, veterinary hospitals or duly organized animal shelters.