

## CHAPTER 92: ANIMALS

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**DOGS**

**§ 92.001 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DOG.** Either male or female.

**DOG KENNEL, OPERATOR OF.** The owner of six or more dogs at least two months old, whether for pleasure, profit, breeding, or exhibiting.

**OWNER.** Any person or corporation owning, harboring, or keeping a dog within the limits of the municipality more than ten days.  
(’79 Code, § 90.01) (Ord. 371, passed 4-5-48)

### **§ 92.002 LICENSE REQUIRED TO OWN DOG.**

It shall be unlawful for any person to own, possess, or harbor a dog in the municipality without first having the dog vaccinated against rabies and without having obtained a license in compliance with the provisions hereafter set forth, except that a license or vaccination shall not be required for dogs under the age of two months.  
(’79 Code, § 90.02) (Ord. 371, passed 4-5-48) Penalty, see § 92.999

### **§ 92.003 APPLICATION AND FEE FOR LICENSE.**

For each license and for each renewal of a license the applicant shall, at the time of application and before the issuance of the license, file with the Village Clerk an application giving the full name and residence of the applicant, together with a description of the dog by breed, if known, sex, color, and approximate age. On the applicant's presentation to the Clerk of a certificate issued by a duly registered veterinarian certifying that such dog has been vaccinated for rabies subsequent to April 1 of the current license year, the Clerk shall collect from the applicant \$2 for each and every dog of either sex, whether altered or not. The Clerk shall endorse on all vaccination certificates a memorandum of issuance of the license and the license number. A license may be transferred by the Clerk on application to a succeeding owner for the unexpired portion of the license year on payment of a fee of \$0.50. Where a dog is newly acquired after six months or more of the license year has expired, the license fee shall be \$1.  
(’79 Code, § 90.03) (Ord. 371, passed 4-5-48; Am. Ord. 371A, passed 4-5-54)

### **§ 92.004 VACCINATION AND VACCINATION FEE.**

The President and the Board of Trustees may designate two or more days between April 15 and April 30 in each year at which times and at the place or places designated the municipality will secure the services of a veterinarian who will inoculate the dogs of the municipal residents in conjunction with their application for a dog license. Such applicants shall pay to the Village Clerk the license fee of \$2, and a further sum for the costs of vaccination and vaccine.

('79 Code, § 90.04) (Ord. 371, passed 4-5-48; Am. Ord. 371A, passed 4-5-54)

**§ 92.005 CHECK OR TAG TO BE ISSUED.**

The Village Clerk shall, on issuing the license as herein provided, issue to the applicant a check or tag for each dog for which such fee has been paid. The dog tags shall be numbered consecutively and have stamped thereon the year of issuance and the shape of the tag shall be changed each year.

('79 Code, § 90.05) (Ord. 371, passed 4-5-48)

**§ 92.006 REPLACING LOST OR DAMAGED TAGS; FEE.**

On satisfactory proof to the Village Clerk that a license tag has been lost, worn, or damaged beyond further use, or cannot be found, the Clerk shall issue to the same applicant a new tag of a new and different number on payment of a fee of \$0.25, noting the transaction also on the office file for the number originally issued.

('79 Code, § 90.06) (Ord. 371, passed 4-5-48)

**§ 92.007 WHEN LICENSE YEAR SHALL BEGIN.**

The license year shall begin on April 1 of each year and expire on March 31 of the year following.

('79 Code, § 90.07) (Ord. 371, passed 4-5-48)

**§ 92.008 MAXIMUM NUMBER OF DOGS ALLOWED.**

No person shall own or harbor at any one time within the municipality more than three dogs of licensing age in a residential district without written permission first obtained, for good cause shown, from the Board of Trustees. Written request for such permission shall be filed with the Village Clerk, who shall submit it to the Board for action at their next regular meeting.

('79 Code, § 90.08) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

**§ 92.009 DOG TO WEAR COLLAR OR TAG.**

Every dog over the age of two months, whether kennel licensed or individually licensed, and if individually licensed, whether on or off the owner's premises, shall at all times wear a substantial, durable collar to which shall be attached securely the license tag required. This tag shall not be used on the collar of any other dog than the one for which it is issued. No person shall remove the collar or tag or both from any dog without the consent of the person to whom the license is issued.

('79 Code, § 90.09) (Ord. 371, passed 4-5-48)

**§ 92.010 POLICE TO MAKE INSPECTION FOR UNLICENSED DOGS.**

The Chief of Police shall enforce provisions of this chapter and shall on and immediately after March 1 of each year make diligent inquiry from house to house within the municipal limits and in any other lawful manner as to the number of dogs owned and whether any such dogs are unlicensed. The Chief of Police shall thereupon make a list of all dogs in the municipality and their owners shall, from time to time, check such list with the records of licenses issued by the Village Clerk.

('79 Code, § 90.10) (Ord. 371, passed 4-5-48)

**§ 92.011 IMPOUNDING LICENSED DOGS; NOTIFYING OWNER.**

(A) The Chief of Police shall seize and impound any licensed dog running at large.

(B) No later than one day after seizure of the dog, the owner of such dog shall be notified by telephone or other means that his/her dog has been seized and has been impounded awaiting redemption on or before a certain specified date, not less than three days after date of seizure.

('79 Code, § 90.11) (Ord. 371, passed 4-5-48; Am. Ord. 467, passed 10-7-57)

**§ 92.012 REDEMPTION OF DOG.**

No dog shall be redeemed by or released to anyone except the owner or his/her duly authorized agent, and then only on the payment of a \$5 fee for the taking up or impounding of said dog, the regular license fee if unlicensed, plus vaccination fee, and the further sum of \$3.50 for the care, custody, and feeding of the dog, plus a \$1 penalty for neglecting to pay a license fee if applicable.

('79 Code, § 90.12) (Ord. 371, passed 4-5-48; Am. Ord. 467, passed 10-7-57)

**§ 92.013 WHEN DOG IS NOT REDEEMED.**

If the impounded dog shall not be redeemed and released to the owner and the required fees and costs paid on or before the third calendar day after the day of seizure, said dog shall be put to death humanely or delivered to the Animal Welfare League or other humane agency, except as provided hereafter and except that a dog impounded on account of being or reasonably suspected of being rabid, or having been bitten by a rabid dog, shall be held for a period of 15 days after seizure, unless death occurs before the expiration of the 15 days.

('79 Code, § 90.13) (Ord. 371, passed 4-5-48)

**§ 92.014 VALUABLE DOGS.**

After the third day of impoundment, the Chief of Police may segregate from the unclaimed dogs such worthy or valuable dogs which he/she deems likely to be purchased because of their intrinsic value or because of previous request of a desire to purchase, and such withdrawn dogs shall be sold and a separate record of each such dog shall be made and the moneys derived from such sale shall be deposited in the municipal treasury. ('79 Code, § 90.14) (Ord. 371, passed 4-5-48)

**§ 92.015 UNLICENSED DOGS.**

(A) All dogs found in the municipality without being licensed or without the proper metallic check or tag attached thereto as herein required are declared a public nuisance, and may be abated, destroyed, and removed, and as such killed and buried, and the carcass properly disposed of.

(B) It shall be the duty of the Chief of Police and such other persons as may be designated by the President to carry out the provisions hereof. ('79 Code, § 90.15) (Ord. 371, passed 4-5-48)

**§ 92.016 DISPOSAL OF BODIES.**

The bodies of all dogs killed shall be disposed of by the Chief of Police on the same day as killed and in as sanitary and proper a way as meets with the demands of public health and welfare. ('79 Code, § 90.16) (Ord. 371, passed 4-5-48)

**§ 92.017 RECORD OF DOGS RECEIVED TO BE KEPT.**

The Chief of Police shall keep a careful record of all dogs received by him, describing each dog and the manner in which such dog has been disposed of. ('79 Code, § 90.17) (Ord. 371, passed 4-5-48)

**§ 92.018 UNLAWFUL TO HARBOR LOUD OR VICIOUS DOG.**

No person shall keep, harbor, or own any dog which by loud, frequent, or habitual barking, yelping, or howling, or by the constant threat of attacking or biting, shall cause annoyance to the neighborhood or to the people passing on the street. ('79 Code, § 90.18) (Ord. 371, passed 4-5-48) Penalty, see § 92.999

**§ 92.019 FAILURE TO GIVE UP DOG.**

No person shall refuse to deliver his/her dog to the Chief of Police when properly requested to do so under the provisions of this chapter.  
(79 Code, § 90.19) (Ord. 371, passed 4-5-48) Penalty, see § 92.999

## **CATS**

### **§ 92.030 DEFINITION.**

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

*CAT.* Every member of the feline species or family.  
(79 Code, § 90.25) (Ord. 755, passed 2-1-71)

### **§ 92.031 OWNERSHIP.**

The keeping, housing, maintaining, feeding, or caring for any cat shall be deemed prima facie evidence of ownership of such cat.  
(79 Code, § 90.26) (Ord. 755, passed 2-1-71)

### **§ 92.032 ENFORCEMENT.**

(A) It shall be unlawful for any person to allow any cats owned by him/her or under his/her control to repeatedly disturb the quiet of any person, cause an abrasion of the skin, or to attempt to bite or snap at any person within the municipality, all without provocation.

(B) If on prosecution for the violation of this section such person is found guilty, the court may stay execution or issue a mittimus on motion of the Municipal Attorney, and continue the cause for a reasonable time and order the defendant to have the cat destroyed by a police officer of the municipality within the time for which the cause is continued. On satisfactory showing to the court that said cat has been destroyed, the court may, in its discretion, cause a nonsuit to be entered in the cause.  
(79 Code, § 90.27) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

### **§ 92.033 MAXIMUM NUMBER OF CATS ALLOWED.**

No person shall own or harbor at any one time within the municipality more than three cats of licensing age in a residential district without written permission first obtained, for good cause shown, from the Board of Trustees. Written request for such permission shall be filed with the Village Clerk, who shall submit it to the Board for

action at their next regular meeting.

('79 Code, § 90.28) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

**§ 92.034 LICENSE REQUIRED; APPLICATION; FEE.**

It shall be unlawful for any person to own or keep a cat four months or more of age without having such cat vaccinated against rabies and without having obtained a license therefor in compliance with the provisions hereafter set forth. Said owner or keeper shall make a statement to the Village Clerk giving his/her name and address, and the name, breed, color, and sex of the cat owned or kept by such person. The fee for each license shall be \$2, which shall be paid to the Village Clerk. The license shall expire on March 31 of the year for which the license is issued. No license shall be issued for a sum less than the full annual fee.

('79 Code, § 90.29) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

**§ 92.035 LICENSE ISSUANCE; TAG.**

On payment of the cat license fee and on presentation of a certificate signed by a veterinarian that the cat has been vaccinated against rabies during the preceding 12-month period, the Village Clerk shall furnish to the person paying the same a license certificate and tag for the cat for which such a fee has been paid. The shape of such tag shall be changed each year, and it shall have stamped thereon the year for which the fee is paid, the identifying description, and the number of the tag to correspond with the number on the license certificate.

('79 Code, § 90.30) (Ord. 755, passed 2-1-71)

**§ 92.036 BOOK OF REGISTRY.**

The Village Clerk shall keep a complete registry of all licensed cats, describing the same by name, breed, color, and sex, and shall also enter the name and address of the owner or keeper as given, and the number of the municipality license tag.

('79 Code, § 90.31) (Ord. 755, passed 2-1-71)

**§ 92.037 TRANSFER; FEE.**

Whenever the ownership of a cat shall change, the new owner shall notify the Village Clerk, and pay to the Clerk the sum of \$0.50, whereupon the Clerk shall change the records accordingly for the cat.

('79 Code, § 90.32) (Ord. 755, passed 2-1-71)

**§ 92.038 LICENSE TAG AFFIXED TO COLLAR.**

Every cat legally kept within the municipality shall be provided by its owner or keeper with a collar or harness made of leather, metal, or other substantial material to which a license tag shall be securely fastened.

('79 Code, § 90.33) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.039 REMOVAL OF TAG PROHIBITED.**

It shall be unlawful for any person, other than the owner, to remove a license tag from a cat.

('79 Code, § 90.34) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.040 DUPLICATE TAG; FEE.**

In the event that a license tag should be lost or taken from any duly licensed cat, even though the cat may not have been taken up or impounded, the owner or keeper thereof shall pay to the Village Clerk a fee of \$0.50, and shall be issued a new license tag by the Clerk.

('79 Code, § 90.35) (Ord. 755, passed 2-1-71)

#### **§ 92.041 RUNNING AT LARGE PROHIBITED.**

No person shall cause or permit any cat owned or kept by him/her to run at large within the limits of the municipality.

('79 Code, § 90.36) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.042 LEASH REQUIRED.**

Cats while on any public way or public place, or in the area surrounding any building occupied by two or more families within the municipality, shall be led by a chain or leash not exceeding six feet in length in such a manner as to prevent such cat from running at large or biting any person or another animal.

('79 Code, § 90.37) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.043 CATS RESTRICTED FROM CERTAIN PLACES.**

(A) No cat shall be permitted, even though the same be on a leash or carried, to enter in or be in or on the following places or area:

(1) Commercial or business areas including adjacent parking areas and parkways; provided that cats may be left in cars parked in parking lots adjacent to commercial or business areas.

(2) Any restaurant or food market.

(3) In the public building and on the public grounds adjacent to the municipal hall, public safety building, public works building, water works, library, municipal water wells, or sewage lift stations; provided that cats may be left in cars parked in parking lots adjacent to public buildings.

(4) The above provisions shall not apply where a cat is being taken into a commercial or business area for a visit to a veterinarian, or into a public building for an inoculation.

(B) No cat shall be permitted, even though on a leash, on street median strips.

(C) It shall be the duty of every police officer to report to the Chief of Police any cat which is found in the municipality contrary to the provisions of this section. ('79 Code, § 90.38) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.044 IMPOUNDMENT AUTHORIZED.**

It shall be the duty of the Chief of Police, or police officer designated for that purpose by the Chief of Police, to take up and impound any cat found in violation of the provisions of this chapter. ('79 Code, § 90.39) (Ord. 755, passed 2-1-71)

#### **§ 92.045 IMPOUNDMENT RECORDS; NOTICE TO OWNER.**

The Chief of Police or his/her duly appointed agent shall immediately on impounding any cat make a complete registry thereof, entering the breed, color, and sex of such cat, and whether licensed, if known, and if licensed, he/she shall enter the name and address of the owner or keeper and the number of the license tag, if known, and if bearing an inoculation tag, the number of such tag shall be recorded. Public notice of the impounding shall be given by posting one copy of the description of such cat and date of impounding on the Bulletin Board at the Municipal Hall. In addition, every reasonable effort shall be made to give notice of the impounding to the owner or keeper of such licensed cat. If such cat is not thereafter redeemed within ten days, such cat may be redeemed by any person paying the required fees. An unlicensed cat not redeemed within three days, may be redeemed by any person paying the required fee. A cat so impounded as herein provided shall not be redeemed by, nor sold to, nor given to, anyone for purposes of vivisection. ('79 Code, § 90.40) (Ord. 755, passed 2-1-71)

#### **§ 92.046 IMPOUNDMENT FEES.**

There shall be charged and collected the following fees for the impoundment of any cat under the provisions of this chapter:

- (A) For the taking up or impounding of any cat, licensed or not, \$5.
- (B) For each day, or part thereof, such animal is impounded or sheltered, \$3. ('79 Code, § 90.41) (Ord. 755, passed 2-1-71)

**§ 92.047 REDEMPTION.**

(A) Any person desiring to redeem any cat impounded under the provisions of this chapter shall be entitled to do so by paying all fees which have accrued due to the impounding of such cat as of the date of redemption, and in the event such cat has not been licensed, obtaining a cat license for such cat pursuant to the applicable provisions of this chapter. Anything to the contrary herein provided, no cat may be redeemed by, or sold to, or given to, anyone for purposes of vivisection.

(B) Any cat not redeemed by his/her owner within the time above stated after impoundment may be redeemed by any person paying the required fees, or released to an animal welfare agency, or destroyed in a humane manner. ('79 Code, § 90.42) (Ord. 755, passed 2-1-71)

**§ 92.048 FIERCE CATS; IMPOUNDMENT, DISPOSITION.**

(A) Any dangerous, fierce, or vicious cat running at large in the public ways or public places of the municipality or on private premises of any person, other than the owner or keeper, or which shall bite a person as to cause an abrasion of the skin, is declared to be a nuisance, and such cat shall be immediately taken up and impounded.

(B) It shall be unlawful for the owner or keeper of any cat, when notified that such cat has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such cat, or to permit or allow such cat to be taken beyond the limits of the municipality, other than to take such cat to a duly licensed veterinarian. It shall be the duty of such owner or keeper, on receiving notice of the character aforesaid, to immediately have his/her cat observed by a licensed veterinarian on the first, fifth, and tenth day of a ten-day period commencing within 48 hours of the date of the bite. Cats being so observed shall not be allowed off a leash or to stray. If such cat is delivered to a veterinary hospital, notice of the name and location of such hospital shall be immediately furnished to the Chief of Police by the owner or keeper of such cat.

(C) If any dangerous, fierce, or vicious cat cannot be safely taken up and impounded, such cat may be slain by any policeman, after due diligence in attempting to locate and notify such cat's owner, provided such delay does not imperil the well-being of others. In all cases where any cat has bitten a person or caused an abrasion of the skin of

any person, it shall be the duty of the policeman slaying such cat to deliver the carcass and the brain of such cat to the County Board of Health.

('79 Code, § 90.43) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

## **KENNELS**

### **§ 92.060 KENNEL OPERATORS.**

The owner of six or more dogs at least two months old, whether for pleasure, profit, breeding, or exhibiting, shall be deemed the operator of a dog kennel.

('79 Code, § 90.50) (Ord. 371, passed 4-5-48)

### **§ 92.061 APPLICATION FOR KENNEL LICENSE.**

The application for a kennel license shall state the name and address of the owner of the kennel, the location of the kennel, and the number of dogs proposed to be kept. No kennel shall be established within 50 feet of any dwelling house unless both the owner and lessee of such dwelling house consent in advance in writing to the same.

('79 Code, § 90.51) (Ord. 371, passed 4-5-48)

### **§ 92.062 LICENSE FEE.**

The owner of a dog kennel may, at his/her option, in lieu of an individual license for each dog, procure a kennel license to expire on March 31 next from the Village Clerk on application and payment of a fee of \$25. Such kennel license shall obviate the necessity of procuring individual licenses for said dogs, provided that any such dogs permitted off the owner's premises must be licensed individually, and provided further that the vaccination provisions of this chapter shall also apply to kennel dogs.

('79 Code, § 90.52) (Ord. 371, passed 4-5-48)

### **§ 92.063 LICENSE NOT TRANSFERABLE; LICENSE TO BE POSTED.**

(A) The kennel license is not transferable except on application by both the old and the new owner, and payment of the sum of \$2 as a transfer fee to the Village Clerk.

(B) Each license shall be posted conspicuously on the premises where the kennel is located.

('79 Code, § 90.53) (Ord. 371, passed 4-5-48) Penalty, see § 92.999

### **§ 92.064 TAGS AND CHECKS TO BE ISSUED TO KENNEL DOGS.**

With each kennel license the Village Clerk shall issue an equal number of tags or checks to the number of dogs authorized to be kept in the kennel, such tags bearing the number of the kennel license. Each dog shall wear said tag in lieu of an individual license tag.

(79 Code, § 90.54) (Ord. 371, passed 4-5-48) Penalty, see § 92.999

#### **§ 92.065 KENNELS SHALL BE KEPT CLEAN.**

Dog kennels shall be kept at all times in a clean and sanitary condition, and dogs shall be reasonably restrained from annoying the neighborhood or the general public by loud, frequent, or habitual barking, yelping, or howling.

(79 Code, § 90.55) (Ord. 371, passed 4-5-48) Penalty, see § 92.999

### ***RABID ANIMALS***

#### **§ 92.075 DESTRUCTION.**

Any animal suffering from rabies, or any animal bitten by another animal suffering from rabies, is declared to be a nuisance, and such animal may be impounded by any policeman for observation or slain by such officer when necessary for the protection of persons or property. It shall be the duty of any person owning or exercising ownership or agency over any such animal to surrender the same to any policeman on demand.

(79 Code, § 90.60) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.076 REPORTS.**

It shall be the duty of every veterinarian or other person who discovers any animal suffering from rabies to report such fact immediately to the Chief of Police, or to his/her authorized deputy. Such report shall give the name, if known, and the place of residence of the person owning or harboring such animal, the place where the animal can be found, and the license number of the animal, if a dog or cat, if known. Such animal shall be immediately taken up and impounded and securely kept until the Chief of Police, or his/her authorized deputy, can make or cause to be made an examination of such animal. If on examination it is determined that said animal is suffering with rabies, the animal shall be immediately killed. The owner of the animal may direct the manner in which it shall be destroyed on paying all costs and charges so involved.

(79 Code, § 90.61) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.077 OBSERVATION OF ANIMALS.**

(A) The owner of an animal, having had his/her animal properly vaccinated in accordance with §§ 92.003 and 92.004, must have his/her animal observed by a licensed veterinarian on the first, fifth, and tenth day of a ten-day period commencing within 48 hours of the date of the bite. Animals being observed on the first, fifth, and tenth day of a ten-day period will not be allowed to leave the owners' premises and must be kept in the house or its confines, and not allowed to be off a leash or to stray.

(B) The owner of a biting animal, having had his/her animal properly vaccinated for the first time within 30 days of the biting incident, must have his/her animal impounded for the full ten days at a recognized impounding facility.

(C) Because of the lenient policy, all animals, without exception, must be impounded for the full ten-day period at a recognized impounding facility if the animal has not been vaccinated in accordance with the above. It will also be required that animals that have inflicted face wounds will be impounded for ten days.  
(79 Code, § 90.62) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.078 REMOVAL FROM QUARANTINE.**

No person shall remove from any place of quarantine any animal which has been isolated as authorized without the consent of the Chief of Police or his/her authorized deputy.  
(79 Code, § 90.63) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.079 DEFERMENT OF VACCINATIONS.**

By obtaining an anti-rabies inoculation deferment from a licensed veterinarian, and on the approval of the Chief of Police, or his/her authorized deputy, animals that are ill may be deferred from the vaccination requirement. Old age of the animal shall not, however, be grounds for deferment.  
(79 Code, § 90.64) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

#### **§ 92.080 PERSONS AUTHORIZED TO IMPOUND ANIMALS.**

The Chief of Police, or his/her authorized deputy, is authorized to take up and impound any animal found in violation of the provisions of this chapter and to enforce such provisions.  
(79 Code, § 90.65) (Ord. 755, passed 2-1-71)

### **ADDITIONAL REGULATIONS**

**§ 92.090 DECLARATION OF NUISANCES.**

It shall be deemed unlawful and a nuisance for any person within the limits of the village:

(A) To fail to remove or have removed or to deposit the carcass of any dead animal from or on any place under his/her ownership or control within the village.

(B) To permit any domestic animal or pet to run at large or to bite any other person or animal. All domestic animals or pets while on any public way or public place shall be led by a chain or leash, not exceeding six feet in length, and every such owner or keeper shall take whatever means are necessary to keep such domestic animal or pet under control. Every such owner or keeper shall be responsible for the prompt removal and sanitary disposition of any waste deposited by his/her domestic animal or pet, anywhere in the village. When accompanying the domestic animal or pet outside his/her premises, each such owner shall have on his/her person, suitable means for the prompt removal of such waste.

(C) To permit any domestic animal or pet excreta to accumulate in any yard, pen, or premises in or on which the animal shall be confined or kept to the extent that the stench or sight becomes or results in a health hazard or nuisance.  
(79 Code, § 90.70) (Ord. 755, passed 2-1-71; Am. Ord. 938, passed 4-18-77; Am. Ord. 1386, passed 2-30-89)

**§ 92.091 DANGEROUS ANIMALS AT LARGE PROHIBITED; PERMIT FOR EXHIBITION.**

It shall be unlawful to permit any dangerous animal of any kind to run at large within the municipality. Exhibition of animals which are ferae naturae in the eyes of the law may be conducted only on securing a permit from the Chief of Police, or his/her authorized deputy.  
(79 Code, § 90.71) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

**§ 92.092 CRUELTY.**

No person shall cruelly treat any animals in the municipality in any way. Any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this chapter.  
(79 Code, § 90.72) (Ord. 755, passed 2-1-71) Penalty, see § 92.999

**§ 92.093 KILLING DANGEROUS ANIMALS.**

The members of the Police Department are authorized to kill any dangerous

animal of any kind when necessary for the protection of persons or property.  
(79 Code, § 90.73) (Ord. 755, passed 2-1-71)

## ***DANGEROUS OR VICIOUS DOGS***

### **§ 92.105 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

#### ***DANGEROUS OR VICIOUS ANIMAL.***

(1) Any animal that when unprovoked inflicts bites on or attacks a human being or domestic animal either on public or private property; or in a vicious or terrorizing manner approaches any person in an apparent attitude of attack on any public way or in any public place;

(2) Any animal with a known propensity, tendency or disposition to attack without provocation, to cause injury or otherwise to endanger the safety of human beings or domestic animals;

(3) Any animal that attacks a human being or domestic animal without provocation; or

(4) Any animal owned, harbored, trained or used for fighting against another animal.

(79 Code, § 90.75) (Ord. 1335, passed 10-5-87)

### **§ 92.106 ADDITIONAL REQUIREMENTS.**

(A) No person shall possess, harbor, keep or maintain a dangerous or vicious animal except in accordance with the requirements of this section.

(B) Every dangerous or vicious animal shall have a special license. In order to obtain a special license for a dangerous or vicious animal, the owner of the animal shall present to the Village Clerk proof that the owner has procured general public liability insurance in the amount of \$100,000 for a single incident, issued by an insurer authorized to underwrite risks in this state, covering any damage or injury which may be caused by the dangerous or vicious animal during the license period. The insurance policy shall contain a provision that the village will be notified 30 days prior to any cancellation of the policy. Each special license shall be covered by a different insurance policy number.

(C) The owner of the dangerous or vicious animal shall have the special

license number of the animal tattooed on the upper inner lip of the animal by a licensed veterinarian.

(D) All owners, keepers or harborer of dangerous or vicious animals must within ten days of the effective date of this ordinance provide to the Village Clerk two color identification photographs with two different poses of the licensed animal clearly showing the color and approximate size of the animal.

(E) The owner of the dangerous or vicious animal shall post a sign no smaller than 24 inches square, bearing the legend "Warning Dangerous Animal" in print no smaller than three inches high, and the license number of the animal in print no smaller than one inch high. The sign shall be posted at the entry to the building in which the animal is kept, in such a way as to be visible from the nearest public sidewalk.

(F) The owner of a dangerous or vicious animal shall not allow the animal outside the owner's dwelling unless the animal is in a locked enclosure secure on all sides and on the top against intrusion by domestic animals and humans other than the owner, and if the enclosure has no bottom secured to the sides, the sides must be imbedded in the ground no less than two feet; or the animal is muzzled and under restraint and under the direct control of the owner.

('79 Code, § 90.76) (Ord. 1335, passed 10-5-87) Penalty, see § 92.999

#### **§ 92.107 KEEPING GUARD DOGS.**

(A) The term **GUARD DOG** shall mean any dog trained or used to protect persons or property by attacking or threatening to attack any person found within the area patrolled by the dog and that is either securely enclosed within that area at all times or under the continuous control of a trained handler.

(B) It shall be unlawful for any person to place or maintain guard dogs in any area for the protection of persons or property unless the following provisions are met:

(1) The dogs shall be confined to an enclosed area adequate to insure they will not escape; or

(2) They shall be under the absolute control of a handler at all times when not securely enclosed; and

(3) The owner or other persons in control of the premises upon which a guard dog is maintained shall post warning signs on, over or next to all exterior doors stating that such a dog is on the premises. At least one such sign shall be posted at each driveway or entranceway to said premises. The signs shall be in lettering clearly visible from either the curblin or a distance of 50 feet, whichever is lesser, and shall contain a telephone number where some person responsible for controlling such guard dog can be reached 24 hours a day; and

(4) Prior to the placing of a guard dog on any property, the person or persons responsible for the placing shall inform the Police Department and the Fire Department, in writing, of their intention to post the dog or dogs, the number of dogs to be posted, the location where the dog or dogs will be posted, the approximate length of time the dog or dogs will be guarding the area, the daily hours the dog or dogs will be guarding the area, the breed, sex, age and rabies tag number of the dog or dogs. Such notice must be renewed every six months.

('79 Code, § 90.77) (Ord. 1335, passed 10-5-87) Penalty, see § 92.999

### **§ 92.999 PENALTY.**

(A) Any person who violates any provision of this chapter for which another penalty is not otherwise provided herein shall be subject to the penalty provision of § 10.99.

(B) Any dangerous or vicious animal kept, harbored or maintained in violation of §§ 92.105 through 92.107 shall be subject to impoundment and destruction by the village police. If a dangerous or vicious animal possessed, harbored, kept or maintained in violation of §§ 92.105 through 92.107 bites or inflicts any other injury on any person other than its owner, the owner of the animal shall be subject to a minimum fine of \$500. Any person who otherwise possesses, harbors, keeps or maintains a dangerous or vicious animal in violation of §§ 92.105 through 92.107 shall be subject to a fine of not less than \$100 and not more than \$750. In addition to the fine imposed, the registration of the subject dangerous or vicious dog shall be revoked and the dog physically removed permanently from the village. Each day that a violation of §§ 92.105 through 92.107 continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates §§ 92.105 through 92.107 shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of said sections.

('79 Code, § 90.99) (Ord. 1335, passed 10-5-87)