

ORDINANCE NO. 86-24

AN ORDINANCE RELATING TO THE REGULATION,
CONTROL, AND INOCULATION OF DOGS

WHEREAS, the Village of Chatham has heretofore, from time to time, adopted various Ordinances pertaining to the control of dogs, including but not necessarily limited to Ordinances 73-7, 77-17, and 79-15;

WHEREAS, the significant increase in the population of the Village has resulted in a greater need to protect the health, safety, and property of the public, while safeguarding the rights of dog owners; and

WHEREAS, the existence of various Ordinances pertaining to the regulation and control of dogs has resulted in uncertainty on the matter, so that it is desirable that an entirely new Ordinance be adopted to expand and clarify the standards, regulations, procedures and penalties pertaining to the control of dogs which is a matter of great importance to the health and safety of the citizens of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS as follows:

Ordinance 73-3, pertaining to the regulation, control, and inoculation of dogs, and Ordinance 77-17, Ordinance 79-15, and any other ordinances of the Village insofar as they purport to amend said Ordinance 73-7, are hereby repealed and rescinded in full.

The following shall be, after its adoption and publication as required by law, henceforth, the Ordinance for the Village of Chatham pertaining to the regulation, control, and inoculation of dogs:

Section 1
DEFINITIONS.

(A) DOG. "Dog", whenever used in this Ordinance, shall include a female as well as a male dog.

(B) OWNER. For the purpose of this Ordinance, the word "owner" or "keeper" of a dog means a person having a right of property in a dog, or who keeps or harbors a dog, or who has a dog in his care or who acts as its custodian, or who knowingly permits a dog to remain on or about any premises occupied by him.

(C) STRAY DOG. Shall mean a dog which does not have a sturdy collar with a license or owner's identification tag affixed thereto.

(D) AT LARGE. Any dog shall be deemed to be at large when he is off the property of his owner and not under the control of a responsible person, or on the property of his owner and neither under the control of a responsible person or under restraint.

(E) INOCULATION AGAINST RABIES. Inoculation means the injection, subcutaneously or otherwise, as approved by the Department of Agriculture of the State of Illinois of canine anti-rabic vaccine approved by the Illinois Department of Agriculture.

(F) FIERCE DOGS. Any dog that has bitten one or more persons shall be classified as a fierce dog.

(G) UNDER THE CONTROL OF A RESPONSIBLE PERSON. A dog is under control within the meaning of this Ordinance if he is controlled by a leash, at "heel" immediately beside a responsible person, or under restraint within the property limits of his owner or keeper.

(H) RESTRAINT. A dog is under restraint within the meaning of this Ordinance if he is confined by a fence of sufficient height and security to prevent the dog from leaving the area so encompassed, on a leash under the control of a responsible person, or on a leash securely fastened to an inanimate object and of a length which prevents the dog from leaving the property of his owner or keeper.

Section 2
DOGS ARE TO BE INOCULATED
AND TO HAVE NAME TAGS AFFIXED TO COLLARS.

(A) Each calendar year, or at such intervals as may hereafter be promulgated by the Department of Agriculture, every owner or keeper of a dog three (3) months or more of age shall cause such dog to be inoculated against rabies. Such owner or keeper of such dog shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog.

(B) Every owner or keeper of a dog, regardless of age, shall cause said dog to wear a collar or harness and shall affix thereto a metallic or other suitable tag inscribed with the name, address, and phone number, if any, of the owner or keeper of the dog.

Section 3
INOCULATION TO BE PERFORMED
BY LICENSED VETERINARIAN; ISSUANCE OF CERTIFICATE

The inoculation of dogs required by Section 2 shall be performed by a veterinarian duly licensed to practice his profession in this State. Upon performing such inoculation, such veterinarian shall issue to the owner or keeper a certificate showing such fact and the date of the performance and shall also deliver to such owner or keeper a metallic or other suitable tag to be attached to the collar or harness of such dog, which tag shall also certify to the fact and date of inoculation against rabies. The tag issued shall be in such form as shall be determined by the Illinois Department of Agriculture.

Section 4
EXHIBITION OF CERTIFICATE UPON REQUEST.

At any reasonable time upon request of any member of the Police Department, the owner or keeper of any unmuzzled dog shall exhibit his certificate issued under the provisions of Section 3 of this Ordinance, showing the inoculation against rabies of any dog owned or controlled by him.

Section 5
CONTROL OF DOGS.

The owner or keeper of a dog shall keep the dog under control at all times and shall not permit such dog to be at large, off the premises of the property of the owner or keeper, unless the dog is under complete control as defined in Section 2 of this Ordinance. No dog shall be allowed upon the premises of another person without that person's permission. The owner or keeper of the dog shall not permit

any dog to deposit any offal or noisome substance upon the property of any other person, or upon any public place within the corporate limits of the Village to the prejudice of other persons or the general public.

Section 6
RUNNING AT LARGE.

No dog shall run at large at any time within the corporate limits of the Village with or without a license tag fastened to its collar. Any dog running at large at any time within the Village shall be taken up by the Chief of Police, policeman, or dog catcher, or any employee of the Sangamon County Animal Shelter at the direction of any such officer of the Village.

Section 7
VILLAGE MAY PROVIDE OR DESIGNATE POUND.

The Village may designate a suitable place or places for the impounding of dogs pursuant to this Ordinance, which place may be a facility maintained and operated by the Village, the premises of a licensed veterinarian having adequate facilities for confining and caring for dogs, or the Sangamon County Animal Shelter. The person in charge of such facility shall be known as the "Poundkeeper" for purposes of this Ordinance, and in the case of a pound maintained and operated by the Village or the facilities of a licensed veterinarian serving as the pound for the Village, the Chief of Police will be the Poundkeeper; in the case of the Sangamon County Animal Shelter, the Administrator of the facility so designated by the Sangamon County Board of Trustees shall be the Poundkeeper.

Section 8
NOTICE AND CITATION
TO OWNER OR KEEPER OF IMPOUNDMENT.

In case of impounding, where the owner or keeper of such dog is disclosed by any tax or license tag worn by it, or is otherwise known to the officers impounding same, the Police Department shall promptly give notice by mail to such owner or keeper, informing him of the impounding of his dog, and the place of such impounding, and shall cite the owner or keeper of such dog to answer charges of violation of this Ordinance.

Section 9
REDEMPTION OF IMPOUNDED DOGS.

Any dog impounded under the provisions of this Ordinance, except such as may have bitten any person or constitutes a nuisance, as specified in Sections 11 and 13 of this Ordinance, shall, unless sooner redeemed, be held for the period of three (3) days in order to afford opportunity to the owner or keeper thereof to redeem the same. The owner

of any dog so impounded may claim the same within three (3) days and have the same released upon compliance with Sections 2 and 3 of this Ordinance, and upon paying the Village Clerk Twenty-five Dollars (\$25.00) for the first offense within a twelve-month period; Fifty Dollars (\$50.00) for the second offense within a twelve-month period; and Seventy-five Dollars (\$75.00) for the third offense within a twelve-month period, along with, in each case, the costs incurred by the Village for the services of the Sangamon County Animal Shelter or payment of charges of the licensed veterinarian, if any. On the fourth offense within a twelve-month period, the dog shall be humanely destroyed, or otherwise disposed of by the Poundkeeper.

In case such dog has not been inoculated against rabies for the current year, such owner shall also advance the fee required to have such dog inoculated by a duly licensed veterinarian as he shall elect and the Poundkeeper shall forthwith cause the dog to be duly inoculated against rabies. No dog shall be released without having been inoculated for the current calendar year, or in accordance with the requirements of the Illinois Department of Agriculture. Upon payment of the required charges, the dog shall thereupon be released to the owner or keeper.

Section 10
DESTRUCTION OF UNREDEEMED DOGS.

Any impounded dog which shall not be redeemed within three (3) days shall be humanely destroyed, or otherwise disposed of by the Poundkeeper.

Section 11
IMPOUNDMENT OF DOGS WHICH HAVE BITTEN PERSONS.

Any dog which shall have bitten or otherwise injured any person so as to cause an abrasion of the skin shall be immediately taken, impounded, and kept separated from other dogs for fourteen (14) days. If, during that period, such dog develops symptoms of illness, a veterinarian shall be called to diagnose its condition. If the symptoms disclosed are such as to indicate the presence of rabies, such dog shall be destroyed, in such a manner, however, as to preserve intact the head, which shall thereupon be detached and immediately sent to the diagnostic laboratory of the Illinois Department of Agriculture. In case such dog cannot be safely taken up and impounded, it may be shot, care being taken to preserve the head intact, which shall thereupon be immediately detached and be delivered to the diagnostic laboratory of the Department of Agriculture.

If, at the expiration of the period of fourteen (14) days, no symptoms of rabies have developed in such dog so impounded, the same may be redeemed by the owner upon payment of the redemption fees, and charges specified by Section 9 of this Ordinance; provided, however, that in case any dog so impounded for biting a person shall have pre-

viously bitten any person, such dog shall be humanely destroyed by the Poundkeeper. After having been notified that his dog has bitten or otherwise injured any person, the owner or keeper thereof shall not under any circumstances permit such animal to be at large unless securely muzzled.

Section 12
FIERCE DOGS.

Any fierce dog running at large in the streets or public places of the Village or upon private premises of any other person not the owner or keeper, shall be taken up and impounded in the manner provided by this Ordinance for the impounding of dogs; provided, however, that if any fierce dogs found at large cannot be safely taken up and impounded, such dog may be slain by any Village policeman.

Section 13
DISPOSITION OF CERTAIN
FIERCE DOGS AND DOGS DEEMED NUISANCES.

Any dog which may in any manner continually disturb the quiet of any person's or neighborhood's property, or shall destroy or in any manner injure any animal, plant, shrub, or other property not on the premises of its owner or keeper, is hereby declared to be a nuisance, and any dog which is a nuisance, and any fierce dog, shall be taken up and impounded and may be redeemed or disposed of in a manner provided for under Section 10 of this Ordinance; except, any fierce dog which has bitten more than one person shall be humanely destroyed.

Section 14
DUTIES OF CHIEF OF POLICE AND
MANAGER OF ANIMAL SHELTER RELATIVE TO ORDINANCE.

Except as to the regulations concerning inoculation against rabies, the Chief of Police is charged with the duty of enforcing the provisions of this Ordinance.

Section 15
DUTIES OF VILLAGE CLERK.

It shall be the duty of the Village Clerk to determine that all fees herein provided or otherwise provided by law to be paid are properly accounted for to the Village Treasurer.

Section 16
UNKNOWN OWNER; POSTING NOTICE.

When any animal is impounded and its owner is unknown, there shall be placed at the Village Hall by the Chief of Police, or his designed, a notice describing the said animal and where it is located.

Section 17
DOG CATCHER.

The President may appoint a dog catcher, by and with the consent of the Village Board. The salary shall be established in the annual appropriation Ordinance.

Section 18
PENALTY.

Any owner or keeper of a dog who violates or fails to comply with the provisions of this Ordinance shall, upon conviction, be punished by a fine of not less than \$25.00 but not to exceed \$500.00 for each offense, in addition to any costs of the Village as are required to be paid in this Ordinance.

Section 19
SEVERABILITY.

If any section, paragraph, clause, or provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance or the application of such sections, paragraphs, clauses, or provisions to persons or circumstances other than those to which it is held invalid shall not be affected hereby.

Section 20
PUBLICATION.

The Village Clerk is hereby directed to cause this Ordinance to be published in a newspaper of general circulation in the Village and to publish this Ordinance in pamphlet form.

Section 21
EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED by the President and Board of Trustees of the
Village of Chatham, Illinois, on the 11 day of November,
1986.

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Barbara J. Bickhaus
Village Clerk of the
Village of Chatham, Illinois

APPROVED by the President of the Village of Chatham,
Illinois, this 11 day of nov, 1986.

Ed Oman
President of the
Village of Chatham, Illinois

ATTEST:

Barbara J. Bickhaus
Village Clerk of the
Village of Chatham, Illinois