

CHAPTER 6

DOGS, CATS AND OTHER ANIMALS

SECTION:

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6-6-1: KEEPING OF DOGS AND CATS: It shall be unlawful for any person or persons to keep or harbor with the Village more than three (3) dogs or three (3) cats over four months old (a total of three animals), in or about any premises or in or about all buildings on any one premises, and keeping or harboring dogs or cats in excess of this number is hereby declared to be a nuisance. It shall be unlawful to keep any dog or cat that has not been inoculated against rabies by a licensed veterinarian with the preceding year.

6-6-2: ANIMAL COLLARS: Every person keeping or harboring any licensed animal shall keep a collar around the neck of the animal with the metal tag securely fastened thereto. Any animal found running at large without a license tag shall be disposed of by the Animal Control Officer or his official representative of the Village as provided in this Chapter.

6-6-3: IMPOUNDING OF DOGS AND CATS: The Animal Control Officer, or his official representative, shall capture and impound all dogs and cats found running at large. The Animal Control Officer, or his official representative, shall thereupon notify the owner of the dog or cat so taken, if the name of the owner can be ascertained, and the owner shall be permitted to redeem the dog or cat within three (3) days by paying the Animal Control Officer, or his official representative, an impounding fee of fifty dollars (\$50.00) plus any other expenses incurred while harboring the impounded animal. Upon any second offenses within one (1) year by the same owner, the impounding fee will be seventy-five dollars (\$75.00) plus any expenses incurred while harboring the impounded animal. Upon the third or more offenses by the same owner, the impounding fee will be one hundred dollars (\$100.00) plus any other expenses incurred while harboring the impounded animal. If no one claims the impounded animal within three (3) days, the Animal Control Officer, or his official representative, shall have the animal destroyed and the carcass disposed of.

That any person, firm or corporation violating any portion of this Ordinance shall be fined not less than \$50.00 nor more than \$500.00 for each and every offense.

6-6-3.1 IMPOUNDING OF OTHER ANIMALS The Animal Control Officer, or his official representative, shall capture and impound all other animals found running at large. The Animal Control Officer, or his official representative, shall thereupon notify the owner of the other animals so taken, if the name of the owner can be ascertained, and the owner shall be permitted to redeem the animal within three (3) days by paying the Animal Control Officer, or his official representative, an impounding fee of one hundred fifty dollars (\$150.00), plus any other expenses incurred while harboring the impounded animal. Upon any second offenses within one (1) year by the same owner, the impounding fee will be two hundred dollars (\$200.00) plus any expenses incurred while harboring the impounded animal. Upon the third or more offenses by the same owner, the impounding fee will be three hundred dollars (\$300.00) plus any other expenses incurred while harboring the impounded animal. If no one claims the impounded animal, the Animal Control Officer, or his official representative, shall attempt to locate a shelter or care facility to provide care. If the animal is refused the Animal Control Officer or his representative shall have the animal destroyed and the carcass disposed of.

That any person, firm or corporation violating any portion of this Ordinance shall be fined not less than \$50.00 nor more than \$500.00 for each and every offense.

6-6-4: LEASH: No person shall permit any dog or cat to be upon any public place unless the dog or cat is securely leashed, or is inside an automobile or other conveyance. (1975 Code)

6-6-5: BITING DOGS OR CATS: Whenever any dog or cat bites a person, the owner of said dog or cat shall immediately notify the Health Officer who shall order the dog or cat held on the owner's premises or shall have it impounded for a period of two (2) weeks. The dog or cat shall be examined immediately after it has bitten anyone and again at the end of the two (2) week period. If at the end of two (2) weeks a veterinarian is convinced that the dog or cat is free from rabies, the dog or cat shall be released from quarantine or from the pound, as the case may be. If said dog or cat dies in the meantime, its head shall be sent to the State Department of Public Health for examination for rabies. The cost and expenses incident to enforcing the provisions of this Section shall be assessed against the owner or keeper of such dog or cat. (1963 Code, Sec. 14.05 Amd. 1975 Code)

6-6-6: TRANQUILIZER GUNS, USE OF: In order to implement the provisions of Section 14.03 of Chapter 14 of Ordinance No. 670, with reference to the impounding of dogs, the Animal Control Officer of the Village of East Alton, Illinois, or such persons as he may from time to time designate are hereby empowered to use implements commonly known as tranquilizer guns for the purpose of injecting tranquilizer fluids into dogs running loose contrary to provisions of said Section 14.03 of Chapter 14 of Ordinance No. 670, the Municipal Code of East Alton, Illinois. (1975 Code)

6-6-7: BEES: No person shall keep or permit to be kept on their premises, consisting of the tract or adjoining lots used for a single purpose, not less than one hundred feet (100') X one hundred fifty feet (150') in dimension, more than two (2) colonies or hives of bees:

said colonies or hives should be located at least ten feet (10') from adjoining property. In the event any bees from hives shall threaten the safety of adjoining residents or reasonable use of adjoining premises, such shall constitute a nuisance and be cause for removal of all hives from the offending premises.

6-6-8: VICIOUS DOGS

A. Definitions: For the purposes of this section, based upon the opinion and discretion of the animal control officer after conferring with the Director of Public Works or his designee:

DANGEROUS DOG: Any individual dog which when either unmuzzled, unleashed, or unattended by its owner, or a member of its owner's family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, or any public grounds or places; excluding and professionally trained dog for law enforcement or guard duties.

ENCLOSURE: A chain link fence (minimum gauge 6) or structure of at least six feet (6') tall in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious dog within the enclosure. The enclosure shall have secure sides and a secure top attached to the sides, a secure bottom or floor attached to the sides, and it shall be designed to prevent the animal from escaping the enclosure. All enclosures used to confine vicious or dangerous dogs must be locked with a key or combination lock when such animals are in the enclosure. All such enclosures must be kept in a clean and sanitary condition. The construction and maintenance of the enclosure shall be subject to the inspection and approval of the Public Works Director and the animal control officer.

IMPOUNDED: Taken into custody by the Village police or any Village animal control officer.

VICIOUS DOGS:

1. Any individual dog that when unprovoked inflicts bites or attacks a human being or other animal either on public or private property;
2. An individual dog with 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. An individual dog which has been found to be a "dangerous dog" upon three (3) separate occasions;
4. No dog shall be deemed a vicious dog if it bites, attacks or menaces a trespasser on the property of its owner, or defends its owner or member of the owner's family from

attack by a human or another animal, or harms or menaces anyone who has tormented or abused it, or is a professional trained dog for law enforcement or guard duties.

- B. Keeping Prohibited: It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless such dog is at all times kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are: 1) if it is necessary for the owner or keeper to obtain veterinary care for the vicious dog, or 2) to comply with the order of court of competent jurisdiction, provided that said vicious dog is securely muzzled and restrained with a chain having tensile strength of three hundred (300) pounds and not exceeding three feet (3') in length, and shall be under the direction control and supervision of the owner or keeper of the vicious dog.

No owner or keeper of a vicious dog shall sell or give away any vicious dog within the Village limits, and no dog known to be vicious may be obtained by an East Alton resident to be kept within said Village limits.

- C. Restrictions on Keeping: The owner of a dog that has been declared a vicious dog shall be subject to such requirements as may be imposed by the Director of Public Works or his designee through written notification to the owner, including, but not limited to, the following. Said owner shall comply with the requirements imposed by the Department of Public Works within fourteen (14) calendar days following the notification to the owner.
1. A vicious dog may be required to wear at all times a brightly colored collar with a large, brightly colored metal tag attached to the collar so that the animal can readily be identified as a dangerous animal.
 2. The owner shall immediately notify the Department of Public Works if a vicious dog is loose, unconfined or missing, has attacked another animal or has attacked a human being.
 3. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the animal to exit such building of its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the animal from exiting the structure.
 4. The owner shall display a sign on his premises that there is a dangerous animal on the property. This sign shall be visible and capable of being read from the public highway or thoroughfare from which the property is entered. In addition, a similar sign is required to be posted on the kennel or pen or fenced yard of such animal.
 5. A vicious dog may be off the owner's premises only if it is muzzled. The muzzle must be made in a manner that will not cause injury to the animal or interfere with its vision or respiration but must prevent it from biting any person or animal.

6. The owner of a vicious dog shall present to the Department of Public Works proof that the owner or keeper has procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00), covering the year period during which licensing is sought, and each year thereafter. The policy shall contain a provision requiring the Village to be notified by the insurance company of any cancellation, termination or expiration of the policy.

D. Impoundment, Disposition:

1. A dog found to be a vicious dog and impounded shall not be released to the owner until the Director of Public Works or his designee approves the enclosure required in subsection B of this section.
2. The owner of a dog declared to be a vicious dog shall have a reasonable amount of time, not less than ten (10) days from the date of impounding the vicious dog, plus such extensions of time as the Director of Public Works or his designee deems reasonable, in which to construct, obtain or provide an enclosure meeting the definition of "enclosure" as defined in subsection A of this section.
3. The owner of a dog declared to be a vicious dog shall inform the Department of Public Works of the owner's plans for the dog promptly and in any event not more than ten (10) days after the dog was impounded. If the owner informs the Department of Public Works that the owner intends to give up the dog or if the owner fails to inform the Department of Public Works within ten (10) days of the owner's decision to keep the dog, or if the owner fails to make reasonable plans for the future enclosure of the vicious dog, or if the owner fails to satisfy the Director of Public Works or his designee of the sufficiency of the enclosure for the vicious dog within a reasonable amount of time, the vicious dog shall be dispatched promptly.
4. The owner shall pay any and all costs incurred for the keeping of the dog, in addition to the impoundment fees assessed. All fees provided to be paid by this section shall be paid to the Village Clerk. Proceeding may be instituted against the owner for violation of this section and the owner's permit granted by this chapter may be revoked.