

## **CHAPTER 8**

### **VILLAGE ANIMAL CODES**

#### **ARTICLE I: GENERAL**

##### **Sec. 8-0. GENERAL - APPLICABILITY.**

The contents of this Chapter are applicable to all persons within the Village of Orangeville, present and future, who have or may have possession, ownership, control, or any other manner of charge of any type of animal, domestic or otherwise, and who have any stated, implied or incurred jurisdiction, liability, or responsibility regarding the implementation, enforcement, and compliance with any and all of the articles of this Chapter.

##### **Sec. 8-1. GENERAL - PURPOSE.**

A. The purpose of this Chapter is to establish reasonable, comprehensive, and functional animal Codes and policies for the Village regarding pets and animal prohibitions.

B. It is intended that these Codes shall help protect and preserve the character of the Village with a consideration toward conserving the community's public health, safety, and welfare, while providing the best possible wholesome community environment.

##### **Sec. 8-2. GENERAL - TERMS and DEFINITIONS.**

For the purposes of this Chapter, the following definitions shall apply to the terminologies indicated whenever they are used in this Chapter, unless the context clearly indicates or requires a different meaning:

**DOMESTIC AND/OR FARM ANIMALS.** The term "Domestic and/or Farm Animals," when used herein, shall mean horses (including miniature horses), cows, cattle, swine (including pot-bellied pigs), sheep, goats, deer, buffalo, llamas, donkeys, mules, burros, asses, minks or any animal raised and/or kept for the purpose of work, pleasure, meat, milk, or pelt or skin.

**DOMESTIC AND/OR FARM FOWLS.** The term "Domestic and/or Farm Fowls," when used herein, shall mean chickens (large or bantam), ducks, geese, turkeys, guineas, pigeons, or any fowls raised and/or kept for the purpose of pleasure, meat, eggs, or plumage.

**STABLES, PENS, STIES, AND HUTCHES.** The term "Stables, Pens, Sties, and Hutches," when used herein, shall mean any place, enclosure, or premises where domestic or farm animals are housed or kept.

COOPS, LOFTS, PENS, OR RUNWAYS. The term “Coops, Lofts, Pens, or Runways,” when used herein, shall mean any place, enclosure, or premises where domestic or farm fowl are housed or kept.

KENNEL or KENNELS. The terms “Kennel” or “Kennels,” when used herein, shall mean any establishment or premises wherein or whereon, dogs are kept for the purpose of breeding, boarding, sale, exchange, or sporting.

CATTERY or CATTERIES. The terms “Cattery” or “Catteries,” when used herein, shall mean any establishment or premises wherein or whereon, cats are kept for the purpose of breeding, boarding, sale, exchange, or sporting.

RABBITRY or RABBITRIES. The terms “Rabbitry” or “Rabbitries,” when used herein, shall mean any establishment or premises wherein or whereon, rabbits are kept for the purpose of breeding, boarding, sale, exchange, or sporting.

PETS. The term “Pets,” when used herein, shall mean dogs, cats, birds, or any small fish or reptiles, or any other animal owned or kept as a family or household pet.

Sec. 8-3. GENERAL - SEVERABILITY.

The articles, paragraphs, sentences, clauses and phrases of this Chapter are severable, and if any phrase, clause, sentence, paragraph or section of this Chapter shall be declared unconstitutional, invalid, or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Chapter.

Sec. 8-4. GENERAL - ADOPTED.

All rules and regulations of the Stephenson County Animal Control Office regarding rabies vaccination, leash law, and registration are hereby adopted for the Village of Orangeville. Village residents may contact the Stephenson County Animal Control Office or visit the Office’s web site for additional and specific information.

Sec. 8-5 through Sec. 8-9. RESERVED.

**ARTICLE II: ANIMALS IN GENERAL**

Sec. 8-10. ANIMALS - PROHIBITIONS.

A. The following animal prohibitions shall apply to all Village residents. It shall be unlawful: **(1)** to maintain any type of farm animal or animals or farm fowl or fowls (see definitions),

domesticated or not, within the Village limits. Wild animals venturing into the Village shall not be deemed a violation of this Code unless a person has established a feeding or watering spot or pattern of such activity to attract such animals (other than birds and squirrels); **(2)** for any animal owner or person to allow, take, or otherwise control his/her animal(s) on any public property or street, or private property belonging to others, within the Village and not clean up all solid waste (manure) deposited by said animal(s); **(3)** to kill, or attempt to kill or wound, by the use of firearms, all types of air guns, all types of bow and arrow, pelting with stone or otherwise, or by the use of a sling-shot, any bird, fish or animal within the Village. Police officers in the performance of their duties are exempt from this statute; **(4)** for any person to be guilty of cruelty to any animal by overloading, over-driving, overworking, beating, torturing, tormenting, mutilating, failing to provide animal in his/her charge or custody as the owner or otherwise, with proper food, drink, and shelter, abandoning any animal of any age or condition, or causing or knowingly allowing the same to be done; **(5)** for any person to keep, harbor, or maintain a stable, pen, sty, hutch, coop, loft or runway within the Village. This provision shall not apply to the keeping of pets. Pet enclosures shall be maintained in a sanitary state at all times and shall not present an offensive odor or condition; **(6)** for any person, persons, associations, or corporations to keep more than four (4) dogs or cats over four months of age of either sex in any home, trailer, pen, yard, or building within the Village; **(7)** for any person, persons, associations, or corporations to keep more than four (4) rabbits over four months of age of either sex in any home, trailer, pen, yard, or building within the Village; and **(8)** for any person, persons, associations, or corporations to have and/or maintain any dog or cock fighting equipment and facilities, and/or either type of fighting animal. It shall further be unlawful to host, sponsor, permit, or allow any dog or cock fight to take place within in the village.

B. Any individuals/households having any prohibited animals and/or numbers of specific animals that exceed the authorized number on the date this Book of Codes is adopted shall be "grandfathered" under the following guidelines: **(1)** prohibited animals may be maintained until their sale or death. After the date of which ever event takes place first, the individuals/households shall then be bound by the appropriate prohibition; **(2)** individuals/households with numbers of animals in excess of those permitted shall be authorized to maintain the excess number until such time as the animals reach the age of four months. At that time the individual/household shall be required to remove/have removed the animals from the village, and shall be bound by the appropriate prohibition; and **(3)** all Village residents desiring to have animals in the Village after the date of adoption of this Book of Codes are bound by the prohibitions of paragraph "A" of this Section.

#### Sec. 8-11. ANIMALS - REMOVAL OF DEAD.

Any person having a dead animal, or an animal past recovery which is not killed for meat, or is improper to use as meat, or in an offensive condition, or sick with an infectious or contagious disease on his/her premises within the Village, and every person whose animal

or any animal in his/her charge or under his/her control in any street or place may die or become, or be in a condition past recovery, shall at once remove or cause the removal of such animal. Small animal "road kill" within the Village may be reported to the Village Hall.

Sec. 8-12. ANIMALS - WILD.

Any person encountering or having contact with any wild animal that they believe presents a threat or danger to any person, household, or business in the Village should contact the Stephenson County Sheriff's dispatcher (911) and report the incident.

Sec. 8-13 through 8-19. RESERVED.

**ARTICLE III: DOGS AND CATS**

Sec. 8-20. DOGS AND CATS - IN GENERAL.

A. Any person residing within the Village owning, keeping, or harboring any dog(s) within the Village, shall, upon demand by authorized municipal authority, be required to demonstrate proper and current registration of said dog(s) with the Stephenson County Animal Control Office (ACO) in Freeport. The Stephenson County ACO guidelines do not require cats to be registered.

B. Any person visiting the Village who brings with them any dog(s), shall, upon demand by authorized municipal authority, be required to demonstrate proper and current registration of said dog(s) with either the appropriate city or county animal control office from that person's place of residence.

C. No dog(s) or cat(s) shall be permitted to run at large within the Village, except if said animal(s) is/are secured and contained on the owner's premises in an area enclosed by an appropriate and functional containment fence. Any dog(s) or cat(s) found running at large in the Village shall be declared to be a public nuisance and subject to removal/impoundment by the Stephenson County ACO.

D. No dog(s) or cat(s) shall be permitted to commit any of the following acts on any premises or property, private or public in the Village: **(1)** bite or charge any person; **(2)** destroy private property; **(3)** scatter refuse; **(4)** chase vehicles; **(5)** deposit fecal matter on any property not of its owner; or **(6)** commit any nuisance defined by this Chapter or other Village Code.

E. Any person allowing their dog(s) or cat(s) to trespass and defecate upon any public or private property within the Village not owned, leased or otherwise controlled by said person, shall be responsible for the immediate clean-up any such fecal matter deposited upon such property and shall also be responsible for the proper disposal of the same in a sanitary manner.

F. It shall be unlawful to permit any dangerous or vicious dog(s) or cat(s) to run at large within the Village. The Village Police Department is authorized to kill any such dangerous dog(s) or cat(s) within the Village when it is necessary for the protection of any person or property within the Village.

G. The owners or keepers of any dog(s) or cat(s) within the Village that unduly and habitually disturbs the quiet and peace of any person or neighborhood within the Village shall be declared to be a nuisance.

H. Any person in the Village keeping or harboring any dog(s) registered under the provisions of this Chapter in the Village, shall keep and maintain a collar around the neck of each dog with the registration/rabies tag issued by the Stephenson County ACO fastened thereto. Any dog found in the Village without such tag shall, for the purpose of this Chapter, be deemed an unregistered dog and subject to impoundment. Currently, the Stephenson County ACO does not require cats to wear collars with rabies tags affixed.

I. If a "stray" dog or cat is observed within the Village by a Village resident, said resident shall call the Stephenson County ACO and report the stray. If the owner of a stray pet is notified that their animal has been picked up by the Stephenson County ACO, they will be advised to go to the Village Hall to pick up an impound release form, pay their fine, and report to the Freeport Animal Hospital to recover said animal. Dogs and cats held by the Freeport Animal Hospital under the jurisdiction of the Stephenson County ACO shall be subject to the rules and regulations of both agencies regarding impounding, adoption and/or destruction.

J. The owner of any cat which requires entrapment by the Village to contain/recover said cat, shall be liable for a service fee of five-dollars (\$5.00) payable to the Village. Thereafter, the fee for continued entrapment of the same cat shall be increased by increments of five- dollars (\$5.00) for each subsequent trapping within a period of twelve (12) months. For each twelve (12) month period thereafter, the fee for trapping will be re-implemented on the same basis at the same rates for the previous twelve (12) month period.

#### Sec. 8-21. DOGS AND CATS - RABIES.

A. It shall be the duty of all owners or keepers of a dog(s) within the Village to have such animal(s) vaccinated for protection from rabies in accordance with the Stephenson County ACO rabies guidelines. Such person shall pay the required annual registration fee and maintain a current and valid rabies vaccination record and tag for said dog(s). Said guidelines do not require cats to be protected from rabies.

B. If there is a rabies emergency in the Village, any animal subject to rabies infection shall not be allowed into a public place or area within the Village unless said animal is properly contained so as to prevent it from coming in contact in any manner with another animal or person.

C. Any dog or cat in the Village that bites or injures any person in the Village shall be subject to impoundment by the Stephenson County ACO, and turned over to a licensed veterinarian for a period of two (2) weeks for rabies monitoring. At the end of said period of time, a report as to the dog's or cat's health shall be released. If said animal is found to be infected with rabies, it shall be disposed of in accordance with current Stephenson County protocols. In the event the animal is found to be free of infection, it shall be released to the owner or keeper upon payment of all fees assessed. If the animal is not claimed, it shall be made available for adoption or destruction in accordance with the Stephenson County ACO guidelines.

Sec. 8-22. PETS - KENNELS, CATTERIES, AND RABBITRIES.

No person or corporation shall operate a kennel or kennels, a cattery or catteries, or a rabbitry or rabbitries for the purpose of breeding or boarding dogs, cats, or rabbits or any other animals within the Village.

Sec. 8-23 through 8-98. RESERVED.

#### **ARTICLE IV: PENALTIES**

Sec. 8-99. PENALTY - AS INDICATED BY ARTICLE.

A. All possible code violations addressed by this Chapter are subject to citation.

B. All penalties addressed by this article are applicable only upon conviction of the referenced violation in the appropriate legal forum. Upon conviction, the Village shall also be entitled to reasonable fees and costs for its part in the adjudication.

C. Whenever in this Chapter or in any Section of this Chapter an act is prohibited or is made or declared to be unlawful or a misdemeanor or a violation of this Chapter, or whenever in such statute the doing of any act is required or the failure to do any act is declared to be unlawful or a misdemeanor or a violation therefor, the violation of any such provision of this Chapter or any statute herein shall be punishable by a fine of not less than ten-dollars (\$10.00), nor more than seven-hundred, fifty-dollars (\$750.00). Each day any violation of any provision of the Chapter or any statute of the Chapter continues, consecutive or not, shall constitute a separate offense. Regardless of the number of total days of violation, any fine shall not exceed three-thousand-dollars (\$3,000.00).