

VILLAGE OF OGDEN
CHAMPAIGN COUNTY, ILLINOIS

ORDINANCE NO. 2020-0403

ANIMAL CONTROL ORDINANCE

Passed by the Board of Trustees and
Approved by the President
of
Village of Ogden, Illinois
on April 2, 2020

Published in pamphlet form by authority of the President and Board of
Trustees of the Village of Ogden, Champaign County, Illinois, this 2nd day of
April, 2020.

VILLAGE OF OGDEN
CHAMPAIGN COUNTY, ILLINOIS

Ordinance No. 2020-0403

April 2, 2020

ANIMAL CONTROL ORDINANCE

WHEREAS, the Village of Ogden ("Village") previously adopted an Animal Control Ordinance, Ordinance No. 110206, together with previous versions; and

WHEREAS, the Village has subsequently had additional animal control issues and has decided to update its Animal Control Ordinance to address them all as provided herein; and

WHEREAS, the following Animal Control Ordinance, providing as follows, is appropriate for adoption by the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OGDEN, ILLINOIS, AS FOLLOWS:

1. Animal running at large prohibited.

The running at large of any dog or cat within the Village is declared a public nuisance and is prohibited.

Any dog or cat shall be deemed at large when it is off the property of its owner, possessor, keeper or other authorized person, and is not under the control of its owner, possessor, keeper or other authorized person by leash, cord, chain, rope or other effective device. For the purpose of this ordinance, voice control shall not be considered as control.

A dog or cat is under restraint, and not at large, within the meaning of this ordinance, if it is controlled by leash, cord, chain, rope or other effective device by its owner, possessor, keeper or other authorized person or is confined within a vehicle driven or parked on the streets, or is within the property limits of its owner, possessor, keeper or other authorized person.

2. Liability of owner.

A dog or cat is also deemed to be a public nuisance, and the owner, keeper, possessor, or other authorized person of such an animal shall be in

violation of this ordinance if his or her dog or cat commits any of the following acts in the Village:

- A. Causes damage to the property or possessions of any person other than the owner;
- B. Bites or scratches a person other than the owner;
- C. Seriously or viciously frightens, annoys, nips, hisses at, growls at, barks at, or jumps at any person other than the owner;
- D. Chases or barks at an automobile, bicycle, or any other vehicle upon the streets or alleys or sidewalks of the Village;
- E. Overturns garbage cans, trash bins, recyclable bins or incinerators;
- F. Does not have a current Champaign County, Illinois, tag indicating inoculation against rabies.

3. Barking or howling animals.

It is unlawful for any person to own, possess or keep a dog or cat that howls, whines, wails, growls, or barks with such loudness and/or frequency or for such an extended period of time as to disturb the peace and quiet of the neighborhood.

4. Dangerous and vicious animals.

No animal which has been declared dangerous or vicious by any governmental body, or governmental entity, or governmental official is permitted within the Village limits. All such dangerous and vicious animals are hereby declared public nuisances, are subject to impoundment, and are subject to the penalties described in Section 5 hereof.

5. Impoundment/fines for violation of Sections 1 through 4.

Any dog or cat running at large in violation of Section 1, being a nuisance under Section 2, or barking or howling in violation of Section 3, or being a dangerous or vicious animal under Section 4, is subject to impoundment.

Impounding of all animals will be handled by a designated Village agent or employee, or by a Champaign County Animal Control Officer.

Any owner, keeper, possessor or other authorized person upon claiming the animal is liable for all fees and fines as levied by the Village and Champaign County Humane Society shelter or other impoundment facility.

At the end of seven days, the animal will be put up for adoption or disposed of at the discretion of the impoundment facility, according to its rules and procedures.

Any owner, keeper, possessor or other authorized person who has permitted a dog or cat to run at large in violation of Section 1, to be a nuisance under Section 2, or to bark or howl in violation of Section 3, or constitutes a dangerous or vicious animal under Section 4, is in violation of this ordinance.

Violation of this provision shall constitute a Class B Offense as defined under Section 13 pertaining to fines together with reimbursement to the Village for all fees and costs assessed by the Champaign County Humane Society and/or any other holding facility utilized by the Village.

6. Rabies quarantine - Dogs.

It shall be the duty of the owner, keeper, possessor or other authorized person having custody of any dog which bites any human being to keep such animal locked up in an enclosed facility, (recommendation of a facility will be made by the animal control officer) for ten (10) days following the time the dog has bitten the person. The dog must be examined by a licensed veterinarian at the commencement and termination of this ten (10) day period. If such dog during this period shall die or show definite signs of illness, it shall be the duty of such owner or person having custody of the dog to turn the dog over to the County Animal Officer so that it can be determined whether or not the dog has rabies.

Complaints will be referred directly to the Champaign County Humane Society or the Champaign County Animal Control Officer. If, after investigation by the appropriate local, county or state authority the person is found to be in violation Section 6 of this ordinance shall constitute a Class A offense as defined under Section 13 pertaining to fines.

7. Rabies quarantine - Cats.

When a cat has bitten a person other than the owner, or is believed to be a source of rabies or other infectious diseases, or is otherwise diseased, or presents a hazard to public health, then such a cat is subject to being impounded.

Impounding of all cats will be handled by an appropriate kennel or veterinarian office, selected by the owner, or the Village or a Champaign County Animal Control Officer.

Complaints will be referred directly to the Champaign County Humane Society or the Champaign County Animal Control Officer. If, after investigation by the appropriate local, county or state authority the person is found to be in violation Section 7 of this ordinance shall constitute a Class A offense as defined under Section 13 pertaining to fines.

8. Animal cruelty.

Any person who shall be cruel to any animal by cruelly beating, mutilating, torturing or killing any animal; or any person who fails to provide quarters for animals that are protected from excessive heat or cold; or any person who fails to keep an animal in a clean, sanitary and healthy manner, shall be in violation of this ordinance.

Complaints will be referred directly to the Champaign County Humane Society or the Champaign County Animal Control Officer. If, after investigation by the appropriate local, county or state authority the person is found to be in violation Section 8 of this ordinance shall constitute a Class A offense as defined under Section 13 pertaining to fines.

9. Removal of dog excrement.

A. No owner or person in control of a dog shall permit the dog to deposit fecal matter on any public right-of-way or property, or on any private property, other than that of the owner or person in control, without providing a means of disposing of the fecal matter.

B. The owner or person in control of the dog shall promptly remove any fecal matter deposited on any such property, other than property belonging to the owner or person in control of the dog.

C. This section shall not apply to support dogs or guide dogs used by blind, visually handicapped, hearing impaired or otherwise physically disabled persons.

D. The offenses prohibited by this section shall be absolute liability offenses.

E. Violation of this section 9 shall constitute a Class C offense as defined under Section 13 pertaining to fines.

10. Livestock & Wild Animals

It shall be unlawful to permit any cattle, horses, ponies, donkeys, llamas, alpacas, ostriches, swine, sheep, goats, or poultry in the Village.

Violation of this section 10 shall constitute a Class A offense as defined under section 13 pertaining to fines.

11. Number Limit & Exotic Animals.

(a) The keeping or harboring within the Village of Ogden, Illinois, of in excess of three dogs other than young dogs kept for a period of time not exceeding five months from birth, by any person or household or upon any one tract of real estate or property which property is not zoned and which household or person is not licensed to operate a veterinary business or animal pound business is likely to result in excessive noise and odors and be offensive and detrimental to the public health and welfare, and therefore the same is hereby defined and declared to be a nuisance and prohibited within the corporate limits of the Village of Ogden, Illinois.

(b) It shall be unlawful for anyone to keep, harbor or permit at large any exotic animal within the Village of Ogden, Illinois. "Exotic animal" means any live monkey, alligator, crocodile, cayman, raccoon, skunk, fox, bear, sea mammal, poisonous snake, member of the feline species other than the domestic

cat (*felis domesticus*), member of the canine species other than the domestic dog (*canis familiaris*) of any other animal that would require a standard of care and control greater than that required for customary household pets or domestic farm animals.

Violation of this section 11 shall constitute a Class B offense as defined under section 13 pertaining to fines.

12. Definitions.

AT LARGE: shall mean off the premises of the owner and not under the control of a leash of the owner, a member of the owner's family or an authorized person. For the purpose of this ordinance, voice control shall not be considered control.

DOG: means any animal of the canine species.

OWNER: shall mean any person having a right of property in an animal who keeps or harbors an animal, or who has it un his/her care, or acts as its custodian, exerts control over it, or who knowingly permits an animal to remain on or about premises owned by such person.

CAT: means all members of the family Felidae.

FERAL CAT: means a cat that (i) is born in the wild or is offspring of an owned or feral cat and is not socialized, or (ii) is a formerly owned cat that has been abandoned and is no longer socialized or a cat not socialized living on a farm.

LEASH: a cord, rope, strap or chain which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animal under control.

13. Fines - Injunction.

Class A, B, or C offenses shall be subject to fines as follows:

For Class A offenses the fine shall be \$200.00

For Class B offenses the fine shall be \$100.00

For Class C offenses the fine shall be \$50.00

Citation of offenses for which a fine is imposed shall allow the accused ten (10) days to pay the fine at the office of the Village Clerk, Ogden, Illinois or the accused may appeal the citation to the Board of Trustees for which appeal forms and instructions may be obtained from the Village Clerk. If the appeal is rejected

by the Board of Trustees, then the fine must be paid within ten (10) days thereafter. If the fine is not paid within ten (10) days after issuance of the citation, or within ten (10) days of rejection of an appeal to the Board of Trustees, then complaint may be filed by the Village with the Circuit Court in Champaign County, Illinois.

14. Severability.

This ordinance rescinds all other prior animal control ordinances. If any provision of this ordinance is determined to be invalid or unenforceable for any reason, then that determination shall not effect the validity or enforceability of the other provisions of this ordinance, unless the determination of invalidity so determines or requires.

15. Effective Date.


This ordinance shall be effective on and after its passage, approval and publication in accordance with law.

16. Publication.

Village Clerk is directed to publish this ordinance in pamphlet form in accordance with law.

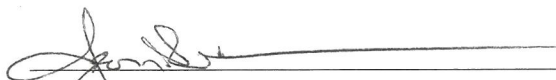
PRESENTED, PASSED APPROVED, AND ADOPTED by the President and Trustees of the Village of Ogden, Illinois, at a duly conducted meeting thereof this 2nd day of April, 2020.

APPROVED:



Village President

ATTEST:



Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF CHAMPAIGN)

CERTIFICATE

I, Jennifer Bowman, certify that I am the duly appointed and acting municipal clerk of the Village of Ogden, Champaign County Illinois.

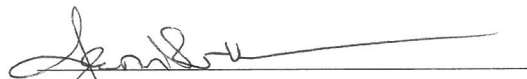
I further certify that on April 2, 2020, the Corporate Authorities of such municipality passed and approved Ordinance No 200-043 entitled:

ANIMAL CONTROL ORDINANCE

I further certify that the attached copy of said ordinance is a true and correct copy of said ordinance, as appears from the records of the Village of Ogden, Illinois.

The pamphlet form of Ordinance No 200-043 including the Ordinance and a cover sheet thereof was prepared, a copy of such ordinance was posted in the municipal building, commencing on April 2, 2020, and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Ogden, Illinois, this 2nd day of April, 2020.



Village Clerk
Village of Ogden, Illinois