

VILLAGE OF OGDEN
ANIMAL CONTROL ORDINANCE

**VILLAGE OF OGDEN
CHAMPAIGN COUNTY, ILLINOIS**

ORDINANCE NO. 110206

ANIMAL CONTROL ORDINANCE

WHEREAS, the Village of Ogden, Illinois has experienced dogs and cats running loose within the Village; and

WHEREAS, the President and Board of Trustees believe that the following Animal Control Ordinance is in the best interest of the Village of Ogden and its citizens and accordingly should be adopted.

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 a 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 a leash, cord, chain, rope, or other effective device by its owner, possessor, keeper or other authorized person, or it 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 of 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 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 and extended period of time as to disturb the peace and quiet of the neighborhood.

4. Impoundment/fines for violations of Sections 1 through 3.

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, is subject to impoundment.

Impounding of all animals will be by the village police or an employee of the village or by a Champaign County Animal Control Officer, or any other animal control agency.

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.

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, is in violation of this Ordinance. Such person shall be subject to a fine of One Hundred Fifty (\$150.00) Dollars, plus costs for each violation.

5. 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 control officer so that it can be determined whether or not the dog has rabies.

6. 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 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 a Champaign County Animal Control Officer.

7. 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 Human Society of the Champaign County Animal Control Officer. If, after an investigation by the appropriate local, county, or state authority the person is found to be in violation of this Ordinance, a fine of Two Hundred (\$200.00) Dollars per violation shall be imposed.

8. 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 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 a 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) Any owner or person in control of a dog who violates the Prohibitions of this section shall be fined an amount of fifty (\$50.00) Dollars for each offence.

9. Fines – Injunction.

Except as herein otherwise provided, any person violating the terms of this Ordinance shall be subject to a fine of Two Hundred (\$200.00) Dollars for each violation. The village may impose an administrative fine in lieu of judicial action, but if the person charged elects not to pay such administrative fine, the village attorney may prosecute such violation in the appropriate court for imposition of an appropriate fine by the court.

In addition to the fines, the village may, as it deems advisable, seek injunctive relief against continuing violations of this Ordinance.

10. Severability.

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 determination of invalidity so determines or requires.

11. Effective Date.

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

12. Publication.

Village Clerk is directed to publish the Ordinance in pamphlet form in accordance with law.

Village President

ATTEST:

Village Clerk

STATE OF ILLINIOS)
)
COUNTY OF CHAMPIAGN)

CERTIFICATE

I, _____, certify that I am the duly elected or appointed municipal clerk of the Village of Ogden, Champaign County, Illinois.

I further certify that on the ____ day of _____, 2006, The Corporate Authorities of such municipality passed and approved Ordinance No. _____ entitled:

ANIMAL CONTROL ORDINANCE

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on the ____ day of _____, 2006, 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 ____ day of _____, 2006.

Village clerk
Village of Ogden, Illinois