

Animal Ordinance

Be it ordained by the President and board of the Village of Union Hill that:

SECTION I: Definitions for this Ordinance shall be as follows:

AT LARGE: At large means not confined without means of escape of any portion of the animal's body in a pen, corral, yard, cage, house, vehicle or other secure enclosure, unless on a leash, cord, chain, and under the control of a competent human being.

OWNER: Owner means any person, partnership, or corporation owning, possessing, keeping, looking after or harboring one or more animals. An animal shall be deemed harbored if fed or sheltered for seven or more consecutive days.

RESTRAINT: Any animal is properly restrained when secured by a leash or lead and under the physical control of the animal's owner or attending party, or confined within the exterior boundaries of the owner's or harborer's real property by a physical fence.

DISPOSAL: "Disposal" is defined, for the purpose of this section, as the removal of feces by means of a bag, scoop or other device and an eventual disposal in a trash receptacle, by burying or by other means of lawful disposal.

VICIOUS DOG: Any individual dog that when unprovoked inflicts, bites or attacks a human being or other animal either on public or private property. Any 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.

FENCE: A fence is defined as, permanent physical barrier of wood, PVC or chain link, enclosing an area of ground to mark a boundary, control access, or prevent escape and entry.

SECTION II: All animals shall be kept under restraint. It is an animal owner's responsibility to insure that animals on and off their real property be restrained. When off the real property, animals shall be on a leash.

SECTION II B: Restraint while on owners real property:

All dogs must be restrained by either fence or leash depending on size as follows:

- A. Dogs over twenty pounds (20lbs) must be restrained to the owner's property by a physical fence.
 - (a) Fence must be made of wood, chain link, or PVC.
 - (b) Fence must be at least 48" in height and tall enough to keep dogs contained.
 - (c) Fence must be of adequate construction, NOT made of 2x4's, pallets, plywood or any temporary fencing.
 - (d) Fence must keep the resident dog in and other dogs and children out.
 - (e) Fence CANNOT be underground, electric, electronic or "invisible".
 - (f) Fence must be at least 6(six) feet away from any public sidewalk, right away or easement. (Fence installed prior to October 1st, 2022 (10/01/2022) will be subject to being grandfathered in after board approval.)
- B. Dogs under twenty pound (20lbs) will be allowed to be restrained to owner's property by leash or cable.
 - (a) Leash or cable must be at least six (6) feet in length.
 - (b) Leash or cable must be tethered to a fixed object permanently installed.
 - (c) Leash or cable must be located where the animal cannot trespass beyond its owner's property line.
 - (d) Leash or cable shall not be permitted to be within 6(six) feet of any public sidewalk.

SECTION II C: A dog shall be leashed when it is off the owner's property. One end of the leash shall be attached to the collar or harness and the other end attached to the person accompanying the animal. The length of leash must allow that the owner to have complete control at any given time.

SECTION III: No person owning or having charge, care, custody, or control of any animal shall cause, permit, or allow the animal to run at large upon any street, alley, or other public place, or upon any private property or premises other than those of the person owning or having charge, care, custody, or control of the animal, within the village.

SECTION IV: Every dog or cat four (4) months or older must be vaccinated for Rabies and be licensed by Kankakee County. All outdoor cats feral or domesticated must also be sterilized and micro-chipped.

SECTION V: The keeping of female chickens (hens) or ducks for non-commercial purposes so long as they are confined in a securely enclosed yard or pen at all times and are kept no closer than twenty (20) feet to neighboring dwellings. They must follow the same restraint as all other animals as defined in Section I.

SECTION VI: It shall be unlawful for the owner or person having charge of any animal to permit, either willfully or by failure to exercise due care, such animal to commit a public nuisance by defecating in any area of the village other than the premises of the owner or person having charge or control of the animal, unless said owner or person having charge takes immediate steps to remove and properly dispose of said feces.

A. It shall be unlawful for the owner or person having charge of any animal to take said animal off the private property of said person without having in the possession of the owner or person having charge of the animal, a proper means of disposal for the feces of the animal.

B. A property owner is required to clean all feces from his or her property as often as necessary to prevent contamination to animals or humans and to avoid nuisance from odors and breeding of insects.

SECTION VII: Vicious and Dangerous Dogs.

- A. Some stipulations for a dog being deemed vicious are as follows but not limited to:
- 1) Engages in or is trained for animal fighting
 - 2) Aggressively bites, attacks, or endangers or has inflicted severe injury on a human being on public or private property
 - 3) Any dog which, when unprovoked, bites a person causing an injury
 - 4) Kills a human being
 - 5) Injures a human being
 - 6) Severely injures or kills a domestic animal, which may include livestock, while off the owner's property
 - 7) Has, when unprovoked, chased or approached a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack
 - 8) Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog are not enough.
- B. Once deemed a vicious dog, they must be enclosed in a fence or structure at least 6 feet high that prevents entry of young children and prevents escape of the animal. The only times a vicious dog is allowed outside the enclosure are to go to the vet or to comply with a court order.
- C. It is mandated in the Village of Union Hill that it be reported to animal control of any vicious animal behavior, as stated in Section VII A, whether against a human or another animal.
- D. The animal's owner is legally responsible for damages including hospital damages property damages, vet bills ect., regardless of the location of infraction (on real property, off real property, on leash, etc.).

Violations of any of the above sections will result in a fine as follows:

Minimum civil penalties for infractions:

(1) First infraction \$50.00 (2) Second infraction 100.00 (3) Thereafter 250.00

This Ordinance shall take effect on the _____ day of _____, 2022.

PASSED THIS _____ DAY OF _____, 2022.

APPROVED THIS _____ DAY OF _____, 2022.

PRESIDENT

ATTEST:

VILLAGE CLERK

CERTIFICATION

I, Erin Stowe, the Village Clerk of the Village of Union Hill, Illinois, hereby certify that I am the duly acting and authorized Village Clerk of Union Hill, Illinois and I am the keeper of all Municipal records of said Municipality: and I certify that the Animal Ordinance, a copy of which is attached hereto and made a part of hereof is a true and correct copy of the Ordinance that is to be effective _____, 2022: that the original copy of this Ordinance is in the Clerk's office of Union Hill, Illinois.

Village Clerk