

VILLAGE OF GRANDVIEW, ILLINOIS

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ORDINANCE NO. 11- 07

VILLAGE OF GRANDVIEW ANIMAL CONTROL ORDINANCE OF 2011

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ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES  
OF THE VILLAGE OF GRANDVIEW, ILLINOIS

THIS 4<sup>th</sup> DAY OF January, 2011

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Published in pamphlet form by the authority of the President and  
Board of Trustees of the Village of Grandview, Illinois  
Illinois, this 4<sup>th</sup> day of January, 2011.

STATE OF ILLINOIS            )  
  ) ss.  
COUNTY OF SANGAMON        )

**CERTIFICATE**

I certify that I am the duly elected and acting Village Clerk of the Village of Grandview, Sangamon County, Illinois.

I further certify that on January 4, 2011, the corporate authorities of such Village passed and approved Ordinance No. 11-02 entitled:

**AN ORDINANCE RELATING TO FLY-DUMPING**

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

The pamphlet form of Ordinance No. 11-02 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on January 4, 2011, to continue for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Grandview, Illinois, this 4<sup>th</sup> day of January, 2011.

(SEAL)

Sami Royer  
Village Clerk

**ORDINANCE CERTIFICATE**

STATE OF ILLINOIS                    )  
  ) SS.  
COUNTY OF SANGAMON )

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Grandview, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 2011-22 adopted by the President and Board of Trustees of said Village on the 4<sup>th</sup> day of January, 2011, said Ordinance being entitled:

**VILLAGE OF GRANDVIEW ANIMAL CONTROL ORDINANCE OF 2011**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 4<sup>th</sup> day of January, 2011.

Jami Boyer  
Village Clerk

Ordinance No. 11- 02

VILLAGE OF GRANDVIEW ANIMAL CONTROL ORDINANCE OF 2011

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GRANDVIEW, SANGAMON COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1: DEFINITIONS.** All terms in this Ordinance, all terms have the same meaning as in the Animal Control Act, 510 ILCS 5/1 *et seq.* The following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ADMINISTRATOR** A veterinarian licensed by the State of Illinois and appointed by Sangamon County Animal Control pursuant to the Animal Control Act.

**ANIMAL** "Animal" means every living creature, other than man, which may be affected by rabies, and includes dogs and cats.

**AT LARGE** Any animal not under restraint as defined herein.

**BITE** To seize with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced, and further includes contact of saliva with any break or abrasion of the skin.

**CAT** All members of the family Felidae.

**CHIEF OF POLICE** The Chief of the Village Police Department.

**CONFINED** Restriction of an animal at all times by the owner, or his agent, to an escape-proof building, house, or other enclosure away from other animals and the public.

**COUNTY** Sangamon County, Illinois.

**COUNTY ANIMAL CONTROL PERSONNEL** Personnel who are employed by the County to take up domestic animals and transport them to the County Pound, or take up wild animals and dispose of them in accordance with the procedures of the County Animal Control Department.

**COUNTY POUND** The animal pound operated by the County Animal Control Department.

**DANGEROUS DOG** "Dangerous dog" means (i) any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or (ii) a dog that, without justification, bites a person and does not cause serious physical injury.

**DEPARTMENT OF AGRICULTURE** The Department of Agriculture of the State of Illinois.

**DOG** All members of the family Canidae.

**FIGHT** A prearranged conflict between or among 2 or more animals, but does not include a conflict that is unorganized or accidental.

**ENCLOSURE** A fence or structure of at least 6 feet 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 be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, the dog must be locked. A vicious dog may be allowed to move about freely within the entire residence if it is muzzled at all time.

**IMPOUNDED** Taken into the custody of the public animal control facility in the city, town, or county where the animal is found.

**INOCULATION AGAINST RABIES** The injection, subcutaneously or otherwise, as approved by the Department of Agriculture of the canine anti-rabies vaccine approved by the Department.

**LEASH** A cord, chain, rope, strap or other such physical restraint having a tensile strength of not less than three hundred (300) pounds.

**LIVESTOCK** Cattle, cows, horses, sheep, swine, goats, chickens, ducks, turkeys, geese, and any other animals commonly recognized as livestock.

**MUZZLE** A device constructed of strong, soft material or a metal muzzle, made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but will prevent the dog from biting any person or animal.

**NIP** To pinch or squeeze with teeth with no breaking of skin or tissue.

**OWNER OR KEEPER** A person having a right of property in an animal, who keeps or harbors such animal, who cares for or who acts as its custodian, or who knowingly permits an animal to remain on or about any premises occupied by such person.

**POLICE ANIMAL** An animal owned or used by a law enforcement department or agency in the course of the department or agency's work.

**POLICE OFFICER** The Chief of Police of the Village, or any police officer employed by the Village, or any police officer from another jurisdiction operating in the Village under a mutual aid agreement or under the direction of the Chief of Police of the Village.

**POUND or ANIMAL CONTROL FACILITY** May be used interchangeably and mean any facility approved by the Administrator for the purpose of enforcing the Animal Control Act and used as a shelter for seized, stray, homeless, abandoned, or unwanted dogs or other animals.

**PUBLIC ENTRANCE** The entranceway of a residence or other building closest to the public street or sidewalk or one which would be reasonably perceived by the public to be the entrance to the dwelling available for public use.

**REGISTRATION CERTIFICATE** A printed form prescribed by the Department for the purpose of recording pertinent information as required by the Department under this Act.

**RESTRAINT** An animal is under restraint if it is:

- (A) Attached to a leash held by a responsible person;
- (B) Attached to a structure or fixture in such a manner that it is unable to reach beyond the limits of the owner's or keeper's property and is unable to reach or molest service persons or casual visitors to the owner's or keeper's property using the public entrance or persons placing mail in the mailbox or delivering newspapers at the request of the owners; or
- (C) Enclosed in a fenced yard from which it is unable to escape without assistance from a person; or
- (D) On the property of its owner or keeper authorized by the owner, and under voice command; or
- (E) Confined by a fence of sufficient height and security (which may be an electronic invisible fence system) to prevent it from leaving the area so encompassed,

Herding of animals, and tethering of animals for grazing purposes is not "under restraint" as defined herein.

**SERIOUS PHYSICAL INJURY** A physical injury that creates a substantial risk of death or that causes death, serious disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

**VICIOUS DOG** A dog that, without justification, attacks a person, and causes serious physical injury or death, or any individual dog that has been found to be a "dangerous dog" upon 3 separate occasions.

**WORKING DAY** Any day when the office or public entity referred to was open for the transaction of business.

**SECTION 2: EXERCISE OF CERTAIN POWERS**

(A) The Chief of Police, Police officers, and the Village President shall have the exclusive power to request County Animal Control Personnel to take up and transport animals in accordance with this Ordinance and in accordance with contractual arrangements with the County.

(B) Police officers on duty shall have the additional authority to take up and temporarily detain vicious animals and animals running at large pending the arrival of County Animal Control Personnel.

**SECTION 3: KEEPING OF CERTAIN ANIMALS PROHIBITED.**

(A) The keeping of livestock within the corporate limits of the Village is prohibited.

(B) The keeping of undomesticated animals within the Village is prohibited.

(C) The keeping of more than 3 dogs and cats in the aggregate (e.g., 3 dogs, 2 dogs and 1 cat, 1 dog and 2 cats, or 3 cats) on one zoning lot within the Village is prohibited, provided this subsection does not apply to litters of pups or kittens less than five months of age. Persons having animals in excess of the number permitted by this section as of the effective date of this Ordinance shall not be deemed to be in violation of this Ordinance.

**SECTION 4: INOCULATION OF DOGS; INOCULATION TAG AFFIXED TO COLLARS.**

Each calendar year, or at such intervals as may hereafter be promulgated by the Department of Agriculture, every owner or keeper of a dog which is four (4) months of age or older shall cause such dog to be inoculated against rabies. Such owner or keeper of such dog shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog at all times.

**SECTION 5: INOCULATION TO BE PERFORMED BY LICENSED VETERINARIAN; ISSUANCE OF CERTIFICATE.**

(A) The inoculation of dogs required by this Ordinance shall be performed by a veterinarian, duly licensed to practice in this State or in the State where the inoculation occurred.

On performing such inoculation, such veterinarian shall issue to the owner or keeper a certificate of such fact.

(B) Each owner or keeper is responsible for obtaining annually from the County Clerk a metallic tag suitable for attaching to the collar of such dog which tag shall also certify to the fact of inoculation against rabies. The tag shall be in such form as shall be determined the County Clerk.

**SECTION 6: DURATION OF INOCULATION.**

The inoculation performed under the provisions of Section 4 shall be effective until the expiration of a calendar year in which the vaccination was performed or the expiration of such period of time as may be promulgated by the Department of Agriculture.

**SECTION 7: EXHIBITION OF CERTIFICATE ON REQUEST.**

At any reasonable time on request of any member of the Police Department or animal control officer, the owner or keeper of any dog shall exhibit any current, valid certificate, required under the provisions of this Code, certifying the inoculation against rabies of any dog owned or kept by him.

**SECTION 8: RESTRAINT OF DOGS AND OTHER ANIMALS**

Owners and keepers of dogs, cats and other animals shall keep the dogs, cats and other animals under restraint at all times and shall not permit such dogs and other animals to be at large. Any animal found running at large contrary to provisions of this Ordinance may be apprehended and impounded.

**SECTION 9: ANIMALS DISTURBING THE PEACE.**

(A) The owner or keeper an animal shall not suffer or permit the animal to bark, howl, cry, or make other distressing or loud or unusual noise or to disturb the peace or quiet of any place, neighborhood, family, or person in the Village.

(B) In addition to the general restrictions of subparagraph (A), for the purpose of this Section, an owner or keeper is in violation of this Section if he or she permits a dog to bark in a substantially continuous manner for a period of more than fifteen (15) minutes, or who allows such animal to bark, howl or cry for numerous periods of time, regardless of duration, so as to disturb the quiet of the neighborhood or of particular neighbors.

(C) In case any animal shall repeatedly disturb the peace or quiet of any place or neighborhood or become a nuisance as defined in this Code, the Village police department may contact animal control to remove the animal for placement in the Sangamon County Animal Pound.



(D) The owner may redeem the animal from the Sangamon County Animal Pound pursuant to Section 22. Failure to redeem the animal will result in its disposition pursuant to Section 23.

**SECTION 10: KEEPING ANIMALS.** No person shall house or keep animals in any pen, stable, yard, confinement structure, or any other place in such a manner that associated debris or odors are unreasonably offensive to persons residing in the vicinity or passing along any nearby street or alley, or constitute a hazard to the health of persons residing nearby.

**SECTION 11: BITING ANIMALS.**

No owner or keeper of an animal shall suffer, permit, or fail to prevent an animal from biting or attacking a person or another animal resulting in injury to the person or animal attacked, provided that such an attack on a person who is or reasonably appears to be in the commission of a criminal act is not prohibited if the animal is acting in the defense of the owner or keeper of his or her family or premises, and the animal remains on its premises. For purposes of this Section, it is not necessary that the person bitten or attacked be arrested or convicted of a criminal offense.

**SECTION 12: CONFINEMENT; WARNING OF DANGEROUS ANIMALS.**

No person shall own, keep, or harbor within the Village an animal other than a dog known to be dangerous or vicious, unless such person shall keep such animal safely and securely confined so as to protect from injury any child or other person who may come on the premises in the vicinity where such animal may be located. Adequate warning by sign, or otherwise, shall be given to all persons coming on the premises in the vicinity of any such vicious or dangerous animal. The confinement of vicious dogs and dangerous dogs is further subject to the provisions of the Animal Control Act.

**SECTION 13: KILLING OR ATTACKING ANIMALS.**

No person shall kill or wound or attempt to kill or wound by the use of firearms, sling shot, bow and arrow, B-B gun, air rifle, or any other dangerous weapon, any animal within the Village limits, provided that this Section shall not prohibit a person from defending himself or another from attack by an animal. This Section does not prohibit the use of a weapon by a police officer to destroy animals which are seriously injured to avoid unnecessary suffering, or in self-defense or defense of others.

**SECTION 14: CRUELTY TO ANIMALS.**

No person shall commit acts of cruelty to animals. The following acts shall be deemed to be examples of cruelty to animals and are not intended to be a complete list of acts which may constitute cruelty. Doctors or veterinary medicine, in the performance of their profession, are not subject to the provisions of this Section.

(A) Overloading, overdriving, overworking, beating, torturing, tormenting, mutilating, or killing any animal or causing or knowingly allowing the same to be done.

(B) Cruelly working any old, maimed, injured, sick, or disabled animal or causing or knowingly allowing the same to be done.

(C) Failing to provide any animal in one's charge or custody, as owner or keeper, with proper food, drink, shelter, air, sanitation, or medical care.

(D) Abandoning any animal without making provisions for its care and feeding.

**SECTION 15: COCK FIGHTING; DOG FIGHTING**

No person shall use or keep animals or be in any way connected with the management of any place kept or used for the purpose of fighting or baiting any dogs, cocks, or other animals or permit such place to be kept or used on premises owned or controlled by such persons.

**SECTION 16: DEAD ANIMALS.**

(A) The owner or keeper of an animal shall be responsible for the disposal of such animal's remains upon its death, from whatever cause, and regardless of the location of the remains of such animals.

(B) Animals remains shall be disposed of:

- (1) By burial beneath at least eighteen (18) inches of compacted soil on the property of the animal's owner or keeper, or any other location with the express permission of the owner of the property.
- (2) By or through the County Animal Pound.
- (3) By or through a licensed veterinarian; or
- (4) By action of the Police Department.

(C) The Police Department may issue a written notice to any owner or keeper who has failed to properly dispose of the remains of an animal as prescribed herein. Such person shall have twenty-four (24) hours from receipt of such notice to properly dispose of such remains. The notice shall be served on the violator personally or by leaving such notice at this usual place of abode with some person of the family, of the age of thirteen (13) years or upwards and informing that person of the contents thereof.

(D) The Village may dispose of any animal's remains without notice to the owner or keeper when:

- (1) Such remains are located on a public roadway;
- (2) The remains are located on the property of a person other than the owner or keeper; or
- (3) Service of a notice on the owner or keeper is refused or not readily possible within a short time;

(E) In any case where a disposal notice is required, in accordance with paragraph (C) above, on failure of a person served a notice to properly dispose of such remains within the time allowed, the remains may be disposed of by employee of the Village and all costs of such removal shall be paid by the owner or keeper of the dead animal to the Village.

(F) A minimum charge of Fifty Dollars (\$50.00) for each hour or part of an hour spent by police officers or other Village employees in disposing of the remains shall be levied against the owner or keeper when the Village disposes of the remains. The Village may institute legal proceedings to collect any amount owing by the owner or keeper providing that such suit is filed within two (2) years of the issuance of the notice or disposal of the remains if no notice is required.

**SECTION 17: INJURED ANIMALS; ANIMALS FOUND DEAD ON PUBLIC WAYS.**

(A) Any animal discovered injured on a public way shall be impounded or picked up by the County Animal Control Personnel at the direction of a police officer and processed in accordance with the procedures of the County Pound.

(B) When a domestic animal is discovered dead on a public way, the police officer on duty shall attempt to ascertain its owner and shall request that the owner dispose of the remains. If a wild animal is discovered dead on the public way, or the officer cannot ascertain the owner of a dead domestic animal, the officer shall notify the Street Department of the animal, and the Street Department shall dispose of the remains.

**SECTION 18: INTERFERENCE WITH ENFORCEMENT**

No person shall, in any way, interfere with any person who is known to such person to be or who identifies himself to be and is in fact, a Village or County employee or other officer enforcing the provisions of this Ordinance or engaged in catching or impounding any animal under the authority of this Ordinance.

**SECTION 19: AUTHORITY TO IMPOUND ANIMALS AND ENTER ONTO PRIVATE PROPERTY.**

(A) It shall be the duty of police officers to request the County Animal Control Personnel to take up and impound in the County Animal Pound any animal found at large or any dog found in the Village without inoculation tags contrary to any of the provisions of this Ordinance, or statutes of the State.

(B) Police officers and County Animal Control Personnel are authorized to go on private property in order to enforce this Ordinance or to take up any animal which is believed to be at large or take up any dog found without required inoculation tags; however, such persons may not enter a private dwelling house for this purpose without a valid warrant or the consent of the occupant. Nor shall such persons remove an animal believed to be at large without reasonably attempting to ascertain whether the property on which the animal is found is owned by the owner or the authorized keeper of the animal.

**SECTION 20: IMPOUNDMENT OF DOGS OR OTHER ANIMALS WHICH HAVE BITTEN PERSONS.**

(A) Any dog whether under restraint or not, which shall have bitten or otherwise injured any persons so as to cause an abrasion of the skin shall be immediately taken by the Police Department or County Animal Control Personnel, impounded at the County Pound. The handling, disposition and redemption of such animals shall be in accordance with the County's procedures and the Animal Control Act.

(B) After having been notified that his or her animal has bitten or otherwise injured any person, the owner or keeper thereof shall not, under any circumstances, permit such animal to be outside of his premises except on a leash with a responsible adult until the procedures prescribed in subsections (A) and (B) of this Section have been completed. An owner who has knowledge that his or her animal has bitten or otherwise injured any person and knows that the Police Department or Sangamon County Animal Control Center is investigating a claim shall not under any circumstances trade, sell, or give away the animal until such investigation is complete.

**SECTION 21: NOTICE TO OWNERS OR KEEPERS OF IMPOUNDMENT AND VIOLATION.**

The Police Department shall make reasonable efforts to notify the owners or keepers of animals impounded pursuant to this Ordinance, if known to them, of the fact of impoundment and the procedures for redemption of the impounded animal.

**SECTION 22: REDEMPTION OF IMPOUNDED ANIMALS.**

(A) An animal impounded under the provisions of this Ordinance, except an animal that may have bitten any person, shall, unless sooner redeemed, be held until it may be disposed of pursuant to the Animal Control Act in order to afford opportunity to the owner or keeper thereof to redeem the same. Any owner or keeper desiring to redeem an impounded animal shall pay an impounding fee of \$125.00 per animal payable to the Sangamon County Animal Control Center in the form of cash, cashier's check or money order in addition to the fees and set forth in subparagraph (B). Prior to disposition, animals shall be held for a minimum of 3 calendar days, if the owner is not known, and for a minimum of 7 calendar days, if the owner is known, in order to give the owner an opportunity to redeem the animal. Animals which have bitten persons are subject to an impoundment of at least 10 days in the Sangamon County Pound.

(B) Pursuant to an intergovernmental agreement with the Village, Sangamon County will remit the impounding fee to the Village. Any owner or keeper desiring to redeem an impounded animal shall, as a condition of release:

(1) Show proof of inoculation or pay the requisite deposit as set forth in subparagraph (D); and

(2) Pay to County Animal Control Officer, or reimburse the Village, for all fees charged by Sangamon County Pound or to be charged by Sangamon County Pound for responding to any and all calls with respect to the animal, picking up the animal, and boarding the animal. Sangamon County Animal Control's hourly charges and boarding fees for impounded animals are established by Sangamon County and are outside the Village's control.

(C) If the animal is in the County Pound, it may be released only upon the owner's showing of proof of inoculation, or by payment by the owner of the Sangamon County Pound's charges for inoculation. If the owner cannot show proof of inoculation, then in addition to all other charges, the owner shall pay Sangamon County Animal Control the amount of money required for inoculation, which fee is established by Sangamon County.

(D) The owner of an impounded animal shall pay the Sangamon County Animal Control Center directly for all impoundment fees, costs, and services rendered. In the event that the Village is billed for the fees, costs, and services rendered, the Village will be entitled to collect costs from the owner in the amount of \$80.00 per hour for each call with a minimum one hour charge and boarding fees for impounded animals of \$10.00 per day.

**SECTION 23                    DANGEROUS DOG DETERMINATIONS**

Whenever the Police Department has reason to believe that a dog is dangerous, it shall report the dog to County Animal Control for further investigation and disposition in accordance with the Animal Control Act. Upon a determination that a dog is dangerous, and unless and until such a determination is overruled on administrative review, the owner thereof shall fully comply with the directives of the Administrator accompanying the finding. No person shall keep or maintain a dangerous dog or allow a dangerous dog to leave such person's premises, in violation of the Animal Control Act.

**SECTION 24:                    VICIOUS DOG DETERMINATIONS**

Whenever the Police Department has reason to believe that a dog is vicious, it shall report the dog to County Animal Control for a determination of viciousness, or it may consult with the Village Board and Village Attorney regarding the bringing of an action in the Circuit Court pursuant to Section 15 of the Animal Control Act. Upon a determination that a dog is vicious, and unless and until such a determination is overruled on appeal, the owner thereof shall fully comply with the directives of the Administrator or the Court accompanying the finding. No person shall keep or maintain a vicious dog or allow a vicious dog to leave such person's premises or an enclosure mandated by the Animal Control Act, in violation of the Animal Control Act.

**SECTION 25:                    DISPOSITION OF ANIMALS.**

Any dog or other animal, which has not been redeemed within the time specified in Section 22 shall be humanely destroyed or otherwise disposed of by the director of the County Animal Pound.

**SECTION 26:                    CITATIONS IN ORDINANCE VIOLATION CASES**

(A) For violations of this Ordinance other than violations relating to dangerous, vicious and biting dogs and other animals, Village police officers are authorized in their discretion to issue citations. Citations shall be issued on forms approved by the Chief of Police and shall be served personally on the violator, left with a responsible family member of at least sixteen (16) years of age at the home of the violator, or mailed to the residence of the violator.

(B) On receipt of any citation alleging violation of any section of this Ordinance, the violator may pay one-half (1/2) of the minimum fine provided in this Ordinance at the Village Hall within ten (10) working days of issuance of the citation, and in such event, the Village will not prosecute the ordinance violation. After ten (10) working days but before filing of an action with the Circuit Court of Sangamon County, an alleged violator may avoid prosecution under this Ordinance by paying the full minimum fine applicable to the violation at the Village Hall.

**SECTION 27:                    PROSECUTION OF VIOLATIONS**

(A) The Village may by its attorney file a complaint, whether in the Circuit Court or in proceedings for administrative adjudications established in the future and prosecute any alleged violation of this Ordinance:

(1) where a citation has been issued, after ten (10) working days have elapsed from the date of issuance of a citation;

(2) where no citation has been issued, at any time.

(B) In addition to the penalties set forth in this Ordinance, the Village may pursue any and all other remedies available under State law, including but not limited to bringing actions to abate nuisances and seeking the destruction of dangerous or vicious animals.

#### **SECTION 28: NUISANCES**

In addition to subjecting persons responsible therefor to the fines and penalties set forth herein, the following acts in violation of this Ordinance are hereby declared a nuisance:

(A) Keeping or harboring animals in violation of Section 3 and 10;

(B) Suffering or permitting any animal to disturb the peace as set forth in Section 9, 10;

(C) Failing to confine or warn of a dangerous dog in violation of Section 12;

(D) Keeping a place where cockfighting or dogfighting occurs in violation of Section 15;

(E) The failure to take measures for the protection of the public as ordered by Sangamon County Animal Control, the Administrator or a court in the case of a dangerous or vicious dog.

The Village may, in addition to seeking remedies and fines allowed by this Ordinance and the Animal Control Act, seek appropriate relief in the Court to restrain or compel the cessation of a nuisance as defined herein.

#### **SECTION 29: FINES & PENALTIES.**

Any person found to have violated this Ordinance shall, in addition to boarding costs and impoundment fees required herein, be fined:

A. \$750.00 for any violation of Sections 11, 12, 18, 20, or 23 of this Ordinance, including any failure to comply with the directive of the Administrator, Sangamon County Animal Control or the Court relating to vicious or dangerous dogs;

B. not less than \$250 or more than \$750 for any other violation of this Ordinance.

Each day an offense continues shall be considered a separate offense.


**SECTION 30: INCORPORATION OF ANIMAL CONTROL ACT**

The provisions of the Animal Control Act are herein incorporated by reference. Any violation of the Animal Control Act is also a violation of this Ordinance. In the event of a conflict between the Animal Control Act and this Ordinance, the Animal Control Act shall apply.

**SECTION 31: EFFECTIVE DATE, REPEALER**

This Ordinance is effective upon its passage, approval and publication as required by law. The Clerk shall publish this Ordinance in pamphlet form. All prior ordinances of the Village on the subject of animal control are hereby repealed. The provisions of this ordinance are severable; in the event any provision is found to be unenforceable, the remainder of the Ordinance shall be enforced.

PASSED this 4th day of January, 2011.

  
\_\_\_\_\_  
Village President

ATTEST:

  
\_\_\_\_\_  
Village Clerk

AYES: Trustman, Murphy, M. Murphy, Ochs, Pataroyji

NAYS: 0

PASSED: 5

APPROVED: 5

ABSENT: 1