

## **CHAPTER 4 ANIMALS**

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### **8-4-1: DEFINITIONS:**

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ALTERED ANIMAL:** An animal which has been spayed or neutered by a licensed veterinarian and which has thereby been rendered incapable of reproduction.

**ANIMAL:** Any live vertebrate creature except man.

**CATS:** All members of the classification, Felidae.

**COMPETENT PERSON:** A person who is physically and mentally capable of managing and controlling a dog which is his/her responsibility while off the premises of the owner or keeper thereof.

**DOGS:** All members of the classification, Canidae.

**EXOTIC ANIMAL:** An animal that is not indigenous to the State of Illinois.

**FIERCE, VICIOUS OR DANGEROUS DOG:** Any dog is hereby declared fierce, vicious, or dangerous that, without provocation, attacks or bites humans or animals. Dogs may be deemed dangerous based on any single incident that results in injury to a person or animal.

**HUNTING:** The act of a person possessing a weapon or being accompanied by a dog for the purpose of taking species protected by the Illinois Wildlife Code in any location such species may inhabit.

**KENNEL:** Any establishment engaged in the commercial business of breeding, showing, buying, selling, or boarding of dogs and cats.

**OWNER:** Any person or persons, firm, association, or corporation who:

- (1) Has a right of property in an animal or dog.
- (2) Keeps or harbors an animal or dog.
- (3) Has an animal or dog in his/her care, or acts as custodian of an animal or dog.

**RUNNING AT LARGE:** Any dog or other animal shall be deemed to be running at large when it is off the premises of its owner or keeper and not under adequate restraint of a competent person. A dog or animal is under adequate restraint within the meaning of this ordinance if it is on its owner's or keeper's premises; or under the owner's or keeper's or other competent person's control on a stout leash not more than eight feet in length; or at heel near a competent person and obedient to that person's commands.

**WILD ANIMAL:** All naturally wild non-domesticated animals.

(Ord. 4595, 11-1-10)

## **8-4-2: CRUELTY TO ANIMALS PROHIBITED:**

No person shall cruelly treat any dog or other animal in the Village in any way. Any person who inhumanely beats, underfeeds, overloads, or abandons any dog or other animal shall be deemed guilty of a violation of this ordinance.

### **8-4-2-1: CARE AND TREATMENT OF ANIMALS:**

No owner or person shall cruelly treat, beat, torment, overload, overwork or otherwise abuse any animal. No owner of an animal shall fail to provide such animal with sufficient and wholesome food and water, adequate shelter and protection from the weather, veterinary care when necessary to prevent suffering, and humane care and treatment. (Ord. 3276, 8-2-99)

### **8-4-2-2: CONFINEMENT IN MOTOR VEHICLE:**

No owner or person shall confine any animal in a motor vehicle in a manner that places it in a life or health threatening situation by exposure to a prolonged period of extreme heat or cold. In order to protect the life and safety of an animal, an animal control officer or a law enforcement officer who has probable cause to believe that this section is violated shall have authority to enter such motor vehicle by any reasonable means under the circumstances, after making a reasonable effort under the circumstances to locate the owner or person. (Ord. 3276, 8-2-99)

### **8-4-3: CERTAIN TYPES OF LEGHOLD TRAPS PROHIBITED:**

(A) It shall be unlawful for any person to set, use, or maintain any leg hold trap, or similar device, which is spring activated and which trap is composed of saw-toothed, spiked, or toothed jaws, or any other leg hold trap capable of inflicting excruciating pain to trapped animals. (Ord. 4595, 11-1-10)

(B) Nothing in this section shall prohibit the sale, transfer, possession, setting, or use in or under buildings, or otherwise, of standard household mouse or rat traps for the purpose of controlling mice, rats, and rodents, nor shall this section apply to the possession or use of traps for display or exhibition purposes by not-for-profit organizations, or to a person in the act of turning over possession of traps prohibited in division (A) above to a local law enforcement agency, or any animal welfare agency.

(C) Conviction under this section shall result in the confiscation of all equipment, animals, and pelts used in, or obtained by reason of violation of this section.

### **8-4-4: ANIMAL FIGHTING:**

It shall be unlawful for the owner of any animal or dog to intentionally allow such animal or dog to become involved in a fight with any other animal or dog.

#### **8-4-5: DANGEROUS ANIMALS:**

(A) It shall be unlawful to permit any dangerous animal or any vicious animal of any kind to run at large within the Village; exhibitions or parades of animals which are fierce in nature in the eyes of the law may be conducted only upon securing a permit from the Chief of Police.

(B) If a confined dog is declared to be dangerous, fierce, or vicious by either a licensed veterinarian, or the Chief of Police or his/her designee, the owner or keeper of such dog shall immediately provide extraordinary precautions to insure the safety of the public. Precautions that can be mandated may include spaying, neutering, muzzles, chains, cages, warning signs or any reasonable constraint or requirement as may be necessary to safeguard the public. Any dog at large which by its actions is deemed by the Chief of Police, or his/her designee, to be dangerous, fierce, or vicious, and cannot safely be taken up and impounded, may be tranquilized by the Police Department. It shall be the duty of the Chief of Police, or his/her designee to forthwith deliver such tranquilized dog to a licensed veterinarian provided, however, that a police officer shall have the right to slay any dog or animal when in his/her determination it poses an imminent threat of loss of life or serious bodily injury to humans, dogs, cats or other domesticated animals. (Ord. 4458, 2-16-09; Amd. Ord. 4595, 11-1-10)

(C) Dogs that are maintained at a residential, commercial, or other establishment for protection only, shall be contained by a secure fence at all times when outdoors, including when on the owner's property. The Police Department must be notified, by the property owner, of the use of such guard dogs on any property located in the Village of Orland Park.

#### **8-4-6: INJURY BY ANIMAL OR DOG:**

(A) Any animal or dog which bites (as defined in the Illinois Animal Control Act, as from time to time amended) a person or so injures any person so as to cause an abrasion of the skin is hereby declared to be a nuisance.

(B) Whenever the Police Department receives information that any person has been bitten by a dog or other animal, the Chief of Police or his/her designee shall order the dog or other animal confined and observed by a licensed veterinarian for a period of ten (10) days beginning within twenty-four (24) hours of the biting incident. (Ord. 4595, 11-1-10)

(C) The veterinarian shall report, in writing, to the appropriate Rabies Control office of Cook or Will Counties within 24 hours after the dog or other animal is confined by him or her, the owner's name, address, and date of confinement, the breed, description, age, and sex of the dog or other animal. The veterinarian shall confine the dog or other animal for ten days and notify the appropriate Rabies Control office in writing of the final disposition of the dog or other animal at the termination of the period of confinement.

(D) It is unlawful for any person having knowledge that any person has been bitten by a dog or other animal to fail to notify the Police Department within twenty-four (24) hours of said bite. (Ord. 4595, 11-1-10)

(E) It is unlawful for the owner of such dog or other animal to sell or give away or otherwise dispose of the dog or other animal that is known to have bitten a person until it is released by the Police Department or

its authorized agent. It is unlawful for the owner of the dog or other animal to refuse or fail to comply with the written or printed recommendations of the licensed veterinarian in any particular case.

(F) The written or printed recommendations shall, if possible, be delivered in person by the Police Department or its properly authorized agent. If such recommendations cannot be delivered in person, they shall be mailed by regular mail, postage prepaid, and addressed to the owner of the dog or other animal. The affidavit or testimony of the police officer or other properly authorized agent of the Police Department who delivered or mailed such recommendations shall be prima facie evidence of the receipt of such recommendations by the owner of the dog or other animal.

(G) Any expense incurred in the handling of any dog or other animal shall be borne by the owner.

#### **8-4-7: RUNNING AT LARGE PROHIBITED:**

The owner of any dog or animal shall not permit, cause, or suffer the animal or dog to be at large in any of the streets, public ways, or upon the private premises of any person other than the owner of the animal or dog. Having a right of property in, or the keeping, housing, harboring, maintaining, feeding, or caring for, or having custody of any such animal or dog shall be deemed prima facie evidence of ownership of the animal or dog.

#### **8-4-8: DOGS AND OTHER ANIMALS PROHIBITED FROM CERTAIN PLACES:**

(A) **Parks and Village Property:** It shall be unlawful for any person owning, harboring, keeping, or in charge of any dog or other animal to walk or allow such dog or other animal in a park or on other property owned by the Village of Orland Park unless it is under control by leash or other approved control methods. This provision shall not apply to 'seeing eye' dogs aiding visually impaired persons or similarly trained dogs aiding handicapped persons, or police canine units in the performance of their duty. (Ord. 4595, 11-1-10)

(B) **Public Halls, Food Establishments:** It shall be unlawful for any dog or other animal, even though on leash, to be in or enter upon any public hall, restaurant, confectionery shop, coffee shop, ice cream parlor, soft drink parlor, office, store, grocery, meat market, bakery or any store or shop for the sale of food, except any shop for the sale of animal pets, anywhere within the Village, during the time that any of said places or establishments are open for use by the public or persons entitled to use the same. This provision shall not apply to "seeing eye" dogs aiding visually impaired persons or similarly trained dogs aiding handicapped persons, or police canine units in the performance of their duty.

#### **8-4-9: IMPOUNDMENT AND REDEMPTION:**

(A) It shall be the duty of the Chief of Police, his/her designee and every police officer and conservator of the peace to apprehend any dog or animal found running at large contrary to the provisions of this ordinance and to impound the dog or animal in such place as shall be designated for that purpose.

(B) Any animal not bearing a serially numbered tag evidencing inoculation as required by the Cook

County Animal and Rabies Control Ordinance which has been impounded shall be separated from other impounded animals that do bear a serially numbered tag evidencing inoculation as required by the Cook County Animal and Rabies Control ordinance and shall be disposed of by delivery to a chartered animal humane society as soon as is practicable. (Ord. 4458, 2-16-09)

(C) The Chief of Police or his/her designee shall within eight hours of such impounding, attempt by telephone, or if unsuccessful by regular mail, to notify the last-known owner of the animal that the animal has been impounded. The animal may be redeemed by the owner only upon the payment of a fine for violation of the Village Code and any other applicable fees or costs and the execution of a certificate that the animal so impounded will voluntarily be impounded by the owner should the animal later be suspected of having bitten or injured any person during the period the animal was at large. In the event any such animal remains unredeemed and unwanted for a period of eight hours (or such lesser period if the Chief of Police or his/her designee determines that facilities are not available for continued impoundment), then the animal shall be disposed of by delivery to a chartered animal humane society. (Ord. 3276, 8-4-99; Amd. Ord. 4458, 2-16-09)

(D) Anything in this ordinance to the contrary notwithstanding, no dog or cat suspected of having rabies shall be released within less than ten days following its impounding, and any such dog or cat shall be held and dealt with in the manner hereinafter provided.

#### **8-4-10: LEASH OR OTHER CONTROL METHODS REQUIRED:**

It is unlawful for any owner of any animal or dog to maintain a public nuisance by permitting any animal or dog to leave the premises of its owner when not under control by leash or other recognized control methods. Animals or dogs confined on the owner's property shall be restrained so that they do not disturb any public right-of-way. (Ord. 4595, 11-1-10)

#### **8-4-11: ANIMALS DISTURBING THE PEACE:**

No person shall harbor or keep any animal or dog which barks, whines, howls, or makes excessive noise so as to disturb the peace of other residents or to constitute a nuisance at any time of the day or night. Every hour any animal or dog continues to disturb the peace or constitutes a nuisance shall constitute a separate offense.

In the event an animal or dog is disturbing the peace or constituting a nuisance as described in this SECTION, and

(A) Such animal or dog is outside of a building, and

(B) The owner of the animal or dog is not on the premises and cannot be contacted by telephone or any other reasonable means by the Chief of Police or his/her designee in order to cease the disturbance or abate the nuisance, the Chief of Police or his/her designee may enter upon the premises (but not in any building) to apprehend and impound the animal or dog, in the manner provided in SECTION 9 hereof, so long as the apprehension can be accomplished without harm to the animal or dog.

#### **8-4-12: FEMALE DOGS AND CATS IN HEAT:**

The owner or keeper of any female dog or cat shall not permit or suffer such dog or cat, while in heat, to be upon any sidewalk, street, parkway, alley, or other public place, or upon any private premises, other than the premises of the owner or keeper, or, if outdoors, upon any unfenced part of the premises of the owner or keeper which is closer to a sidewalk, street, parkway, alley, or other public place, than ten feet.

#### **8-4-13: DEFECATION CONTROL:**

(A) It is unlawful for the owner of any animal or dog to maintain a public nuisance by permitting any animal or dog to defecate on any property, public or private, not owned or possessed by such owner unless the owner removes such excrements as provided for in this section. Having a right of property in, or the keeping, housing, harboring, maintaining, feeding, or caring for, or having custody of any animal or dog shall be deemed prima facie evidence of ownership of any such animal or dog for the purpose of enforcing this section.

(B) It shall be unlawful for any owner of any animal or dog to walk or permit such animal or dog to be on any property, public or private, not owned or possessed by such owner unless the animal or dog is accompanied by a person who has in his/her possession a device for the removal of excrement and a depository for the transmission of excrement to a receptacle located upon the property owned or possessed by the person.

(C) It shall be unlawful for the owner of any animal or dog to immediately fail to remove excrement left by the animal or dog on property, whether public or private, not owned or possessed by the person. The excrement shall be removed to a proper receptacle located on property owned or possessed by the owner.

(D) No owner of any animal or dog shall allow excrement to accumulate in any yard, pen, or premises in or upon which the animal or dog shall be confined or kept to the extent that the stench becomes offensive to those residing in the vicinity, or results in a health hazard or nuisance. Any accumulation of excrement upon the premises of the owner which becomes offensive to those residing in the vicinity is hereby declared to be a nuisance.

#### **8-4-14: DISEASED ANIMALS:**

(A) No domestic animal afflicted with a contagious disease or an infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man, animal, or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except upon the supervision of the Health Officer.

(B) It is made the duty of the Health Officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of contagion or infection, except in cases where the state veterinarian is empowered to act.

#### **8-4-15: KEEPING CERTAIN ANIMALS PROHIBITED:**

(A) No person shall cause or allow any stable or place where any animal is or may be kept to become unclean, or unwholesome, and it shall be unlawful to keep any live snakes, large cats, swine or pigs, cattle, goats, or the like in the Village. No other animals may be maintained or kept in the Village for any purpose other than as pets (except as permitted in pet shops and animal hospitals).

(B) It shall be unlawful to keep or harbor any exotic animals, wild animals, live snakes, alligators, crocodiles, large cats, swine or pigs, cattle, goats, or the like in the Village. No other animals may be maintained or kept in the Village for any purpose other than as pets (except as permitted in pet shops and animal hospitals). (Ord. 4595, 11-1-10)

(C) It shall be unlawful to house or keep any live poultry or fowl within 100 feet of any school or church or within 100 feet of any residence other than the residence of the owner of such animals or poultry, or within 100 feet of any public street. It shall be unlawful to harbor or keep any fowl for the use in the staging of any cockfights. (Ord. 4595, 11-1-10)

#### **8-4-15-1: NUMBER OF DOGS AND CATS:**

It shall be unlawful for any person to keep more than three (3) dogs and three (3) cats on property within the Village, except that a litter may be kept for a period not exceeding four (4) months from birth. (Ord. 3276, 8-2-99)

#### **8-4-16: VACCINATION REQUIRED:**

Except as otherwise in this section provided, it shall be unlawful to own or keep within the Village any animal required to be vaccinated under the Cook County Animal and Rabies Control Ordinance which has not been vaccinated against rabies by a licensed veterinarian within the then calendar year; provided, however, that it shall not be unlawful to keep an unvaccinated dog or cat which is under four months of age; and further provided, however, it shall not be unlawful if the animal has been vaccinated in accordance with the Cook County Animal and Rabies Control Ordinance and lawful regulations promulgated thereunder. Evidence of vaccination shall be the serially numbered tag issued by Cook County, or a lawful authorized and licensed veterinarian, and attached to the collar or harness worn by the animal. (Ord. 3276, 8-2-99; Amd. Ord. 4458, 2-16-09)

#### **8-4-17: ANIMALS SUFFERING FROM RABIES DECLARED NUISANCE:**

Any animal, dog or cat suffering from rabies as determined by a licensed veterinarian is hereby declared to be a nuisance. It shall be the duty of the owner or keeper of the animal, dog or cat to immediately confine the animal, dog or cat for observation as provided for by the Illinois Animal Control Act. (Ord. 3276, 8-2-99)

#### **8-4-18: RIGHT OF ENTRY:**

For the purpose of carrying out the provisions of this Chapter, the Chief of Police, or any other officer so



designated may enter upon private premises to apprehend an at-large animal or dog, a dangerous dog or other animal, or an animal or dog thought to be infected with rabies. If, after request therefor, the owner of such animal or dog shall refuse to deliver such animal or dog to such person, the owner shall be in violation of this ordinance. (Ord. 4595, 11-1-10)

#### **8-4-19: CONTRACTS WITH HUMANE SOCIETIES:**

For the purposes of carrying out the intention of this Chapter, the Village may enter into contracts with chartered humane societies. In any contract or agreement with a chartered humane society, the Village shall be responsible for payment for no more than three (3) days of impounding of an unclaimed animal. Notwithstanding, the owner of any animal claiming an impounded animal shall be responsible for all costs of impounding as well as any other applicable fines or fees under these regulations or state law.

(Ord. 3276, 8/3/99)

#### **8-4-20: HUNTING PROHIBITED**

Hunting for any animals within the limits of the Village of Orland Park is prohibited with the exception of licensed trappers or private property and designated officers or contractors of the police department.

(Ord. 4595, 11-1-10)

#### **8-4-21: PENALTY FOR VIOLATION:**

Whoever violates any provisions of this Chapter shall be fined not more than \$1,000.00 for each and every violation thereof and every day the violation continues, except as provided in Section 11 hereof, shall constitute a separate offense. (Ord. 4595, 11-1-10)