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AN ORDINANCE AMENDING TITLE 8, CHAPTER 4 OF THE ORLAND PARK VILLAGE CODE - ANIMAL CONTROL

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NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

Title 8, Chapter 4 of the Orland Park Village Code is hereby amended to change the title by deleting the words "Penalty of Violation" after 8-4-20 and substituting the word "Hunting" and by adding a new Section "8-4-21: Penalty for Violation."

SECTION 2

Title 8, Chapter 4, Section 8-4-1, of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

"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.”

SECTION 3

Title 8, Chapter 4, Section 8-4-3(A) of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“(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.”

SECTION 4

Title 8, Chapter 4, Section 8-4-5(B) of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“(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.”

SECTION 5

Title 8, Chapter 4, Section 8-4-6(B) is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“(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.”

SECTION 6

Title 8, Chapter 4, Section 8-4-6(D) is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“(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.”

SECTION 7

Title 8, Chapter 4, Section 8-4-8(A) is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“(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.”

SECTION 8

Title 8, Chapter 4, Section 8-4-10 is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“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.”

SECTION 9

Title 8, Chapter 4, Sections 8-4-15(B) and 8-4-15(C) are hereby amended to delete and repeal in their entirety the present wording and substitute therefor the following:

“(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).

(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.”

SECTION 10

Title 8, Chapter 4, Section 8-4-18 is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“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.”

SECTION 11

Title 8, Chapter 4, Section 8-4-20 is hereby amended to delete and repeal in its entirety the present wording and substitute therefor the following:

“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.”

SECTION 12

Title 8, Chapter 4, is hereby amended by adding new Section 8-4-21 to read as follows:

“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.”

SECTION 13

This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

SECTION 14

The Village Clerk is hereby ordered and directed to publish this Ordinance in pamphlet form, said pamphlet to be deposited in the office of the Village Clerk for general distribution.