

CHAPTER 14¹
DOGS AND OTHER ANIMALS

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14.01 DEFINITIONS

In addition to the definitions found in Appendix A of this Code, the following words and phrases shall have the meanings, and are hereby defined, as follows:

Animal: Every living creature, domestic or wild, not including human beings.

Dangerous Animal: Any lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf, coyote or life-threatening snake or reptile.

Domestic Animal: Any animal, except birds or fish, the ownership of which is not prohibited under this Chapter.

Owner: Any person who:

1. has a right of property in an Animal;
2. keeps or has possession of an Animal;
3. has an Animal in his or her care or custody;
4. knowingly permits an Animal to remain on or about any premises occupied by him or her;
5. is deemed an Owner pursuant to Section 14.12.

Run at Large: To be free of restraints off the premises of the Owner.

¹ **Comprehensive amendment, 1992-93-56.**

Prohibited Animal: Pigs, swine, sheep, chickens or other fowl, cattle, horses, goats or similar animals, or any naturally wild animal, except birds or fish, whether or not bred for domestic purposes. This prohibition shall not apply to zoological parks, performing Animal exhibitions, educational institutions or veterinary hospitals.

Vicious Animal: Any Animal which bites, or in any other manner, attacks or attempts to attack, except that any Animal that bites, attacks or attempts to attack any person entering unlawfully upon its Owner's premises, or which is provoked to attack, shall not be deemed a Vicious Animal.

14.02 CRUELTY TO ANIMALS

No person shall cruelly treat any Animal. Any person who inhumanely beats, underfeeds, overloads or abandons any Animal is guilty of a violation of this Section 14.02.

14.03 DANGEROUS ANIMALS

Exhibitions or parades of Dangerous Animals or Prohibited Animals may be conducted upon securing a permit from the Chief of Police. All persons owning or in possession of any dangerous or Vicious Animal shall restrain said Animal from running at large within the Village.

14.04 NOISY ANIMALS

No person shall harbor or keep any Animal, which disturbs the peace by loud noises.

14.05 ANIMALS PROHIBITED

Except as permitted in the A-1 Agricultural Zoning District as provided herein, no person shall stable, keep, or maintain, ride, walk or lead any Prohibited Animals in the Village, except by special permission granted by the Village Board; provided that horses may be led through the Village on a public roadway when safe to do so without disrupting traffic and the Chief of Police may issue a permit for the use of any horse-drawn carriage for a particular event or ceremony. This prohibition shall not apply to zoological parks, performing animal exhibitions, education institutions or veterinary hospitals.

No person shall keep, harbor, care for, act as custodian of or maintain in his or her possession, any Dangerous Animal

14.06 DISEASED ANIMALS

A. All persons owning or in possession of any Animal afflicted with a contagious or infectious disease that may affect the public health shall restrain said Animal from running at large within the Village. No diseased Animal shall be shipped or removed from the premises of the owner except under the supervision of an Animal control officer or the state veterinarian. No diseased Animal shall be brought into the Village.

B. The Animal control officer shall secure the disposition of any diseased Animal and the treatment of affected premises so as to prevent the communication and spread of the contagion or infection, except in cases where the state veterinarian is empowered to act.

14.07 DOG LICENSES

No person shall permit a dog to be or remain in the Village without being registered and licensed by the McHenry County Health Department. The registration and licensing rules of the county shall prevail. In no case shall a dog that has not been inoculated against rabies be allowed to be or remain in the Village.

14.08 DOGS AT LARGE

All Owners shall restrain their dogs from running at large within the Village. The registered owner of every dog that is a Vicious Animal shall keep it safely and securely muzzled.

14.09 IMPOUNDING ANIMALS

A. NUISANCE: Any dog found in the Village either without a license or running at large within the Village shall be considered a nuisance.

B. DUTIES OF THE CHIEF OF POLICE: The Chief of Police shall impound any dog running at large in violation of the provisions of this Chapter 14. The Chief of Police shall have charge of all dogs impounded; he or she shall secure shelter for all such dogs and see that they are humanely treated and fed.

C. REDEMPTION: The Owner of any dog impounded may recover it by paying all the costs, and charges related to the impounding of such dog and all penalties imposed pursuant to this Chapter. When all costs, charges and penalties have been paid to the Chief of Police, he or she shall take the steps necessary to release the dog from the pound and deliver him or her to the Owner.

D. UNLICENSED DOGS: Immediately after impounding any dog, the Chief of Police shall notify McHenry County Animal Control and attempt to locate the Animal's Owner. If the dog is not licensed and not claimed by the Owner, the dog shall be turned over to McHenry County Animal Control.

14.10 ANIMAL BITES

Whenever a dog or other Animal bites a person, the Owner of the Animal shall immediately notify the Chief of Police who shall order the Animal held on the Owner's premises or shall have it impounded for a period of two weeks.

Any Animal shall be examined immediately after it has bitten any person. If the Police Department receives notice of an Animal bite from a person other than the Owner and the Animal's Owner is known, the Chief shall deliver written notice to the Owner who shall give up the Animal to the Police Department for confinement or the Owner shall confine the Animal with the written consent of the Police Department.

14.11 DOG LITTER

It shall be unlawful for any Owner of a dog to walk said dog in or upon any public way or other public place in the Village of Lake in the Hills without having on his or her person sufficient equipment to remove from the public way or other public place any dog litter which may be deposited by said dog.

It shall be unlawful for any Owner of a dog to allow said dog to deposit any litter upon any public way or other public place in the Village or upon any private property not owned by the Owner unless that person has the permission of the owner of the property or immediately removed said dog litter from the property.

14.12 LIMIT

It shall be unlawful for any Owner to keep on any lot or premises or portion thereof more than four Domestic Animals over four months of age or more than two such animals boarded for compensation or sale. If more than one person resides on, owns, leases, possesses or controls any lot or premises or portion thereof, then all such persons shall be deemed, for purposes of this Chapter 14, to be a single Owner; provided, however, that if the lot or premises is improved with more than one dwelling unit, the person or persons who own, reside in, lease, possess or control a dwelling unit shall be deemed to be a single Owner. However, in no event shall a non-resident Owner of property be held liable hereunder, where there is a person on the premises.

This Section 14.12 shall not apply to pet shops, zoological parks, performing Animal exhibitions, educational institutions, veterinary hospitals or duly organized Animal shelters.

14.13 PENALTIES

Any person violating or failing to comply with any provision of this Chapter 14, upon conviction thereof, shall be fined not less than \$50.00 nor more than \$500.00. Each day that a violation continues shall be deemed a separate offense.

Recodified August 24, 2000

Amended December 12, 2002