

**TITLE 10**

**ANIMALS**

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## CHAPTER 1

### ANIMALS

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**10-1-1: AUTHORITY:** This Chapter is promulgated pursuant to statutory authority contained in Chapter 24, Section 11-20-9 of the Illinois Revised Statutes.

**10-1-2: DEFINITIONS:**

As used in this Chapter, unless the context otherwise indicates:

**DOG:** Shall be intended to mean all animals of the canine species, both male and female.

**CAT:** Shall be intended to mean all animals of the feline species, both male and female.

**OWNER:** Shall be intended to mean any person, persons, firm, association, partnership, or corporation, owning, keeping, harboring, possessing, or having a right of property in any dog or cat.

**AT LARGE:** Shall be defined to be the presence of a dog at any place except upon the premises of the owner of the dog, unless the dog is on a leash and under control of a person physically able to control it.

**POUNDMASTER:** Shall be intended to mean any person or company appointed by the President and approved by the board to perform duties as assigned by the Village of Tiskilwa and its ordinances.

**DANGEROUS DOG:** Any individual dog which when either unmuzzled, unleashed, or unattended by its owner, or a member of its owner's family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, or any public grounds or places.

**ENCLOSURE:** A fence or structure of at least six feet (6') 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 which may be taken by the owner or keeper, such as tethering of a vicious dog within the enclosure. Such 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.

**FOUND TO BE VICIOUS DOG:** An animal control warden, poundmaster or a law enforcement officer has conducted an investigation and made a finding in writing that the dog is a "vicious dog" as defined herein and, based on that finding, the President, an animal control warden, or the police has declared in writing that the dog is a "vicious dog" as defined herein and has entered an order based on that finding.

**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. Any individual dog that has as a trait or characteristic and a generally known reputation for viciousness, dangerousness or unprovoked attacks upon human beings or other animals, unless handled in a particular manner or with special equipment.

Any individual dog which attacks a human or domestic animal without provocation.

Any individual dog which has been found to be a "dangerous dog" upon three (3) separate occasions.

**EMOTIONAL SUPPORT DOG:** A dog that helps individuals with emotional disabilities such as anxiety or depression by providing comfort and support.

**SERVICE DOG:** A dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as a service dog.

**CHICKEN:** A female member (hen) of the subspecies Gallus Gallus Domesticus, a domesticated fowl.

**CHICKEN ENCLOSURE:** A structure for housing and sheltering of hens. A chicken enclosure shall mean and include any chicken coop, henhouse, chicken tractor or poultry shed that is constructed and maintained.

**CHICKEN PEN:** a wire-enclosed area that is attached to a chicken enclosure for the purpose of allowing hens to leave the chicken enclosure and walk or run about while remaining confined in an enclosed, predator-safe environment.

#### **10-1-3: RUNNING AT LARGE:**

No owner or keeper of any dog or cat shall permit such dog or cat to run at large.

#### **10-1-3a: VILLAGE PARKS:**

No owner or keeper of any dog or cat shall permit such dog or cat to run at large within the park boundaries in the Village of Tiskilwa, Illinois. Numosh park is the only acceptable park where dogs may run off leash while within the fenced in boundaries.

#### **10-1-4 KEEPING A VICIOUS DOG:**

It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless such dog is at all times kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are: 1) if it is necessary for the owner or keeper to obtain veterinary care for the dog or 2) to comply with the order of a court of competent jurisdiction, provided that the dog is securely muzzled and restrained with a chain having a tensile strength of three hundred (300) pounds and not exceeding three feet (3') in length, and shall be under the direct control and supervision of the owner or keeper of the dog.

A. **Subject To Enclosure:** If a dog is found to be a vicious dog, the dog shall be subject to enclosure.

**B. Declared Non Vicious:** No dog shall be deemed "vicious" if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it or is a professionally trained dog for law enforcement or guard duties. Vicious dogs shall not be classified in a manner that is specific as to breed.

**C. Guide Dogs:** Guide dogs for the blind or hearing impaired, Service dogs for the physically handicapped, and sentry, guard, or police owned dogs are exempt from this section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this section, each such dog shall be currently inoculated against rabies. Emotional Support dogs do not qualify for this exemption. It shall be the duty of the owner of such an exempted dog to notify the city clerk of changes of address. In the case of a sentry or guard dog, the owner shall keep the city clerk advised of the location where such dog will be stationed. The city clerk shall provide police and fire departments with a categorized list of such exempted dogs, and shall promptly notify such departments of any address changes reported to him/her.

#### **10-1-5 DISTURBING THE PEACE:**

No person owning any dog shall suffer or permit such a dog to disturb the peace and quiet of the neighborhood by barking, making other loud or unusual noises, or by running through or across cultivated gardens or fields.

#### **10-1-6 NUISANCES:**

Any dog found in the city either without a license or running at large under the conditions set forth above is hereby declared to be a nuisance and shall be impounded as hereinafter provided.

**A.** It is unlawful for any person to maintain a public nuisance by permitting any dangerous dog or other animal to leave the premises of its owner when not under control by leash or other recognized control methods.

#### **10-1-7: IMPOUNDING; DESTROYED:**

It shall be the duty of Bureau County Animal Control to apprehend any dog or cat found running at large. All responsibilities and impounding proceedings shall be done by Bureau County Animal Control.

#### **10-1-8: DOG BITES:**

Whenever any dog bites a person, the owner of the said dog shall immediately notify Bureau County Animal Control. They then have the full rights to decide on how to properly proceed with the actions taken against the animal and it is Bureau County Animals control's duties to take further actions.

#### **10-1-9: VILLAGE REGISTRATION:**

All owners of dogs four (4) months or older within the village must have the dog registered, and in order to have said dog registered, proof of the county registration will be required. The owner of any dog or dogs who has failed to have the dog or dogs registered will be subject to a fine of \$25.00 for the first time and \$35.00 for each time thereafter within each year. The owner will have thirty (30) days in which to register the dog or dogs, and if such registration does not take place within that time, the owner will be subject to a second fine. (The form can be found at the end of this section as well as on the Village website).

#### **10-1-10: LIMITATION ON NUMBER OF DOGS OR CATS PER RESIDENCE:**

No individual, family or group of individuals residing in the same home or apartment shall be allowed to keep more than six (6) dogs or six (6) cats or a combination of greater than six (6) dogs and cats in any residence or apartment unless the individual has an animal dealers license from the State of Illinois. Any individual violating the provisions of this section be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) per day and each day that the violation shall continue shall deem to be a separate offense. Additionally, any person violating this section shall be responsible for any veterinary expenses, impoundment

expenses, and expenses incurred by the Village of Tiskilwa or any other animal rights group in removing the animals from the residence or apartment.

**10-1-11: ANIMAL DEALERS LICENSE:**

No person shall engage in the business of buying, selling, exchanging, breeding, dealing, training or boarding of birds, dogs, cats or other small animals customarily kept as household pets, or used for domestic purposes, without first having obtained an animal dealer's license from the State of Illinois in accordance with the Animal Welfare Act (ILCS Ch. 225, Act 605) and all other licenses or permits required for such activity pursuant to any applicable local, state or federal laws.

A. Persons issued any animal dealers licenses by the State of Illinois shall deal, breed, board or train such animals only from properties the licenses allow.

**10-1-12: WASTE ACCUMULATIONS:**

It shall be unlawful for any person to cause or permit a dog or cat to be on property, public or private, not owned or possessed by such person, unless such person has in his immediate possession an appropriate device for scooping excrement and an appropriate depository for the transmission of excrement to a receptacle located upon property owned or possessed by such person. This section shall not apply to a person who is visually or physically handicapped.

**10-1-13: ORDINANCES REPEALED:**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**10-2-14: EFFECTIVE DATE:**

This ordinance shall take effect upon its passage and publication as provided by Statute.

**10-1-15: SEPARABILITY:**

It is the intention of the Village Board that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Village Board that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

**10-1-16: INTERFERENCE WITH ENFORCEMENT:**

It shall be a violation of this chapter for any person to obstruct, impede or interfere with the capture, impound or disposal of any animal in accordance with this chapter.

**10-1-17: ENFORCEMENT EXEMPTION FROM LIABILITY:**

Persons authorized to enforce the provisions of this chapter shall not be held liable for the injury, death or disease which may occur to any animal as a consequence of the enforcement of the provisions of this chapter; provided such injury, death or disease was not the result of willful and wanton acts or omissions of any said persons.

**10-1-18: PENALTIES:**

Any person violating any provision of this chapter, shall be fined not less than Fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the first offense; not less than seventy-five dollars (\$75.00) nor more than three hundred dollars (\$300.00) for the second offense; and not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for the third and subsequent offenses. A fine for every provision which is violated will occur. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. In addition to the fines provided herein, any person violating any provision of this chapter shall be responsible for any medical expenses, impoundment expenses, veterinary expenses, or property damages caused by the person's dog or cat.

## **CHAPTER 2**

### **CHICKENS**

#### **10-2-1: OWNERSHIP:**

Raising, harboring, or keeping chickens (poultry) within the Village limits of Tiskilwa is permitted only in Agriculture-zoned districts and Residential-zoned districts. Keeping of chickens in Agriculture-zoned districts is unrestricted. Keeping of chickens in Residential-zoned districts is restricted as follows:

**A)** Roosters are prohibited.

**B)** No more than twelve (12) total fowl shall be permitted on lots zoned and occupied for single family residential use.

**C)** At all times, chicken hens shall be kept within a covered enclosure/structure (henhouse) with an adjacent outdoor fenced-in area that is no less than 32 square feet. Proper fencing material includes clean chain link, aluminum, wood, manufactured PVC or iron, to prevent poultry from being at-large on the owner's property or on neighboring properties.

**D)** At no time are chicken hens allowed to roam or run at large around one's property in the Village. Any hens running at large are subject to confiscation by animal control and any damages done will be the sole responsibility of the chicken hens owners.

**E)** All enclosures/structures shall be located no closer than ten(10) feet from all property lot lines.

**F)** Electric service to a hen house shall not be provided by electrical cord or extension cords.

**G)** All chicken hen enclosures/structures shall be located in the rear yard.

**H)** All areas where chicken hens are kept shall be clean and well maintained with little to no accumulation of waste and shall not produce or cause odors that are detectable on adjacent properties. All areas shall be kept clean, sanitary and rodent Free.

**I)** All feed shall be contained in containers with tightly fitted lids.

**J)** Owner shall ensure that chickens hens do not produce excessive and/or unreasonable noise.

**K)** Inspection of the premises by Village representatives shall be a condition of permitting.

**L)** No butchering of chickens shall be allowed anywhere on the property.

**M)** If it is found that a non-eligible chicken occupation exists, or other noncompliances are evident, and correction has not been made within the time frame given by Village authorities, fines will be levied as follows:

First Offense \$200

Second Offense within any 12-month period \$500

Third Offense, or each thereafter, within any 12-month period \$750

**N)** If there have been three (3) documented violations of any portion of these guidelines, within any 12-month period, there will be a revocation of the permit to keep poultry on the property. Keeping poultry on the property after license revocation will result in a \$75 fine per day, and for every day the violation exists. The eligibility for that lot to raise chickens will be permanently revoked.

**O)** All other poultry, including but not limited to, geese and turkeys, are prohibited.

**R)** An initial building permit shall be required for all enclosures/structures associated with the keeping of chickens. Building Permit fees apply.

**S)** Chicken uses allowed by permit, runs with the land and not the owner. Owners who move to another residential lot shall be bound by the circumstances imposed by the new location prior to any allowance or transfer of chickens.

**T)** All owners must fill out the Chicken Registry application annually. (Due by Jan 31st of each year.)

## Tiskilwa Animal Registration Form

Owners Name: (Last, First)\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_

Animals Name: \_\_\_\_\_ Age:(If Known)\_\_\_\_\_

Animals Breed: \_\_\_\_\_

Color and Description of Animal: \_\_\_\_\_

Date of last rabies vaccination: \_\_\_\_\_

Animals Veterinarian: \_\_\_\_\_

\_\_\_\_\_

Owners Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## CHICKEN REGISTRY

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Number of Chickens (Limit of 12): \_\_\_\_\_

Coop already established: \_\_\_\_YES \_\_\_\_NO

Fencing already installed: \_\_\_\_YES \_\_\_\_NO

I understand that roosters are not permitted and must be removed.

I have received a copy of the regulatory standards ordinance for raising chickens in a Residential District and agree to apply those standards, or be subject to fines for non-compliance.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this signed form to Village Hall before the deadline. Thank you.