

ORDINANCE NO. 100-2024

AN ORDINANCE RELATING TO ANIMAL CONTROL

WHEREAS: THE VILLAGE PRESIDENT AND VILLAGE BOARD OF TRUSTEES HAVING CONCERNS ABOUT THE PROTECTION AND SAFETY OF THE RESIDENTS OF THE VILLAGE OF GALATIA, HAVE COME TO THE CONCLUSION AN ORDINANCE IS NEEDED TO DEAL ANIMAL CONTROL. THIS ORDINANCE SHALL REPLACE ORDINANCE NO. 20100412, ORDINANCE 201004 AND 20160901 THE FOLLOWING SHALL BE ENACTED:

SECTION ONE: VICIOUS AND DANGEROUS DOGS

Definitions are as such:

- A. "Bite" means to seize or cut with the teeth.
- B. "Confinement structure" means a securely locked pen, kennel, or structure designed and constructed for the keeping of a dangerous dog and which shall be designed, constructed, and maintained in accordance with the standards herein. Such pen, kennel, or structure must be at least six feet in height and at least four feet by eight feet in dimension, and have secure sides and a secure top attached to the sides. All structures used to confine dangerous dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a concrete floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous dogs must comply with all building regulations of the village.

All such structures must be adequately lighted, ventilated, and kept in a clean and sanitary condition. The structure must be suitably designed to prevent entry by young children and prevent the dog from escaping.

- C. "Dangerous dog" means any individual dog which when 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.
- D. "Found to be vicious or dangerous dog" means that a village police officer or animal control officer has conducted an investigation and made a finding in writing that the dog is a dangerous dog as defined in paragraph C above or a vicious dog as defined in paragraph J below.
- E. "K9 patrol dog or police dog" means a professionally trained dog used by law enforcement officers for law enforcement purposes and activities. For purposes of this section, a person shall be deemed to be the owner or custodian of an animal if such person:

1. Has a right of property in such animal: or

2. Keeps or harbors such animal on or about any premises owned or occupied by him: or
 3. Permits such animal to remain on or about any premises owned or occupied by him, where such person knows or has reason to know of the presence of such animal on such premises: or
 4. Has such animal in his care or custody.
- F. "Leash" means a cord, chain, rope, strap, or other such physical restraint having a Tensile strength of not less than three hundred pounds.
- G. "Muzzle" means a device constructed of strong, soft material or a metal muzzle. The muzzle must be made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.
- H. "Running at large" means the failure to confine a vicious dog.
- I. "Vicious dog" means
1. Any individual dog that when unprovoked inflicts bites or attacks a human being or other animal either on public or private property.
 2. Any individual dog with a know propensity, tendency or disposition to attack without provocation, to cause injury or to otherwise endanger the safety of human beings or domestic animals.
 3. 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
ur with special equipment.
 4. Any individual dog which attacks a human being or domestic animal without provocation.
 5. Any individual dog which has been found to be a dangerous dog upon two separate occasions.

CONFINEMENT OF VICIOUS DOGS

It shall be unlawful for any person to keep, harbor or maintain any dog which has been found to be a vicious dog unless such dog is at all times kept in a confinement structure. The only times that a vicious dog may be allowed out of the confinement structure are:

- A. If it is necessary for the owner or keeper to obtain veterinary care for the dog as required by this ordinance.
- B. To comply with the order of a court of competent jurisdiction.

- C. Provided that the dog is securely muzzled and restrained with a leash, and shall be under the direct control and supervision of the owner or keeper of the dog.

SIGN REQUIRED

All persons possessing a vicious or dangerous dog shall display in a prominent place on the premises where a dangerous dog is to be kept a sign which is readable by the public from a distance of not less than one hundred feet using the words "BEWARE OF DOG". A similar sign shall be posted on any confinement structure.

IMPOUNDMENT OF VICIOUS DOG RUNNING AT LARGE

Any vicious dog as herein defined found to be running at large by any member of the city police department or animal control office of the village shall be presumed to be in violation of this ordinance and shall be subject to impoundment by the police department or animal control officer in a humane facility for the keep of dogs.

REDEMPTION OF IMPOUNDED DANGEROUS DOGS

- A. An owner of a vicious dog may redeem a dog impounded pursuant to the Impoundment of Vicious Dog Running at Large section, if the vicious dog has not caused an injury to a person, subject to the following conditions:
 - 1. Proof that the owner has a proper confinement structure in which to keep the dog as required by this ordinance.
 - 2. Payment is made of the cost of keeping the dog during the period of impoundment
- B. An owner of a dog which has caused an injury to a person resulting in the impoundment of the dog shall be entitled to redeem the dog in accordance with the provisions of state law.

LEASH AND MUZZLE ON DANGEROUS DOGS

It shall be unlawful for any person to maintain a public nuisance by failing to prevent a dangerous dog from leaving the premises of its owner when not under control by leash and wearing a muzzle.

EXCEPTIONS

This ordinance shall not apply to any K9 dogs or police dogs as defined earlier in this ordinance.

SECTION TWO: CONTROL AND DISPOSAL OF ANIMALS AND FOWL

- A. It shall be unlawful for the owner or custodian of any animal or fowl to allow it to stray upon the land of another or into any street, alley or other public place within the Village of Galatia, Illinois.
- B. It shall also be unlawful for the owner or custodian of any dog to permit it to engage in repeated or uncontrolled episodes of barking when such barking creates a disturbance or nuisance to the surrounding residents. When any Village Official, including any Village Board Member, Village President, Village Clerk, Village Police Officers or Animal Control Officer, may receive a written complaint from any resident of the Village of Galatia concerning such barking by a specific animal, they shall notify the owner or person in apparent ownership, possession or control of said animal of the complaint received and shall permit them a reasonable time, not to exceed five (5) days to correct the situation. In the event that the "barking" has not been terminated at the end of that time, the owner or person in apparent possession or control of the animal shall be cited under this Ordinance and subject to the penalties as set forth herein.
- C. (1) The owner or custodian of any dog, fowl or other animal shall prevent such animal at all times from running at large within the Village of Galatia
- (2) An animal shall be considered running at large if it is on any property other than that owned or lawfully occupied by the owner or custodian of the animal; provided however; that an animal that is restrained by a leash, held in the hand of its owner or custodian, which is of sufficient strength enough to control and prevent the escape of such animal shall not be considered running at large.
- (3) It shall not be a defense to a complaint for a violation of this Section that an animal broke loose from or escaped from a restraint device intended by the owner or custodian to prevent the animal from running at large.
- (4) For purpose of this section, a person shall be deemed to be the owner or custodian of an animal if such person has a right of property in such animal, or keeps or harbors such animal on or about any premises owned or occupied by that person.
- D. It shall be unlawful for any person to keep or raise or feed any animal of a species of a horse, mule, ass, cattle, sheep, fowl, goat or swine upon any land within the Village of Galatia, Illinois, unless such animal or animals are being kept, raised or fed by any such person on a single tract of property containing five (5) or more acres owned or leased by such person.
- E. No owner or person who possesses an animal shall fail to properly care for such animal in a humane manner. In a humane manner shall be defined as, but not limited to:
1. Sufficient quantity of good wholesome food and water.
 2. Adequate shelter and protection from the weather.
 3. Veterinary care when needed to prevent suffering Humane care and treatment

as required by state law.

Upon observation by the animal control officer of a violation of this section, the animal control officer shall have the authority to enter upon such premises and remove the animal and take for impoundment at the Saline County Animal Shelter.

F. Any dog which cannot be safely impounded in the Village of Galatia's dog control facility, if any, may be slain by any police officer of such Village or other authorized animal control officer of the Village of Galatia.

G: All structures, pens, coops, or yards wherein animals or fowl are kept or pennitted to be shall be maintained in a clean and sanitary condition, devoid of all rodents and vermin, and free from objectionable odors.

H: Any person violating any of the provisions of this Section or neglecting or refusing to comply with any of the provisions hereof: shall be fined not less than Fifty Dollars (\$50) and no more than Five Hundred Dollars (\$500.00) for each violation.

I: It is the intention of the Village Board of the Village of Galatia, Illinois, that this Ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

J: The Village Board of Trustees, by and through the President and its officers, may, on an on-going basis or otherwise, contract for the services of an animal control officer to police the Village of Galatia, Illinois, and enforce the terms of this and other ordinances of the Village of Galatia, Illinois, as it relates to animals and fowl.

K: The authorized agent of the Village shall collect and bury all dead animals found upon the streets or alley ways of the Village of Galatia, Illinois.

SECTION THREE: PET SHOPS, KENNELS, CATTERIES, ANIMAL CONTROL FACILITIES, ANIMAL SHELTER AND PET RESCUE FACILITIES

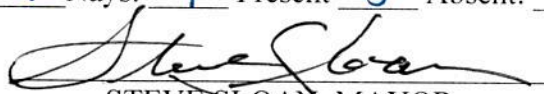
- A. No person or persons shall own or operate an animal shelter or pet rescue facility without a valid license from the Illinois Department of Agriculture.
- B. No person or persons shall be a pet shop operator, kennel operator or cattery operator, as defined in **225 ILCS 605/2**, without a valid license from the Illinois Department of Agriculture.
- C. No pet shop operator, kennel operator, cattery operator, animal control facility, animal shelter or pet rescue facility shall be located any closer than one hundred (100) feet from a

residence or business.

- D. Any person violating any of the provisions of this Ordinance or neglecting or refusing to comply with the provisions hereof, shall be fined not less than Fifty Dollars (\$50.00) and no more than Five Hundred Dollars (\$500.00) for each violation. For purposes of a violation, each day after receiving notice shall be considered an additional violation of this Ordinance.
- E. It is the intention of the Village Board of VILLAGE OF GALATIA, ILLINOIS, that this Ordinance and every provision thereof shall be considered separable and the invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

This Ordinance shall be in full force and effect from and after its passage, approval and publication according to the laws of the State of Illinois.

PASSED, APPROVED AND ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF GALATIA, SALINE COUNTY, ILLINOIS this 8th day of January, 2024, on roll call vote as follows: Ayes: 4 Nays: 1 Present 5 Absent: 1


STEVE SLOAN, MAYOR

ATTEST:


PAULETTE STEVENS, VILLAGE CLERK