

CITY OF NOKOMIS

FILED
OCT 24 2016
Sandy Leithuser COUNTY CLERK

ORDINANCE NO. 2032

AN ORDINANCE AMENDING CHAPTER 3 ANIMALS, ARTICLE II ANIMALS, SECTION 3-2-8, ANIMALS PROHIBITED FROM RUNNING LOOSE AND IMPOUNDING OF THE REVISED CODE OF ORDINANCES OF THE CITY OF NOKOMIS, ILLINOIS

**PASSED BY THE CITY COUNCIL
OF THE
CITY OF NOKOMIS**

THIS 10TH DAY OF OCTOBER, 2016

Published in pamphlet form by authority of the City Council of the City of Nokomis, Montgomery County, Illinois, this 11th day of October, 2016.

Ordinance No. 2032

AN ORDINANCE AMENDING CHAPTER 3 ANIMALS, ARTICLE II ANIMALS, SECTION 3-2-8, ANIMALS PROHIBITED FROM RUNNING LOOSE AND IMPOUNDING OF THE REVISED CODE OF ORDINANCES OF THE CITY OF NOKOMIS, ILLINOIS

WHEREAS, it is deemed to be in the best interests of the residents of the City of Nokomis, Montgomery County, Illinois to amend Section 3-2-8 of the code;

WHEREAS, upon Motion duly made and seconded, the following is adopted by the City Council:

WHEREAS, Section 3-2-8 of the Revised Code of Ordinances **currently** states as follows:

3-2-8 ANIMALS PROHIBITED FROM RUNNING LOOSE AND IMPOUNDING.

It is hereby declared to be a nuisance for any animal to run at large at any time within the corporate limits of the City. An animal shall be considered to be running at large when it is not controlled by a leash having a maximum length of not more than **ten (10) feet**, confined in an animal tight cage or enclosure, while confined within a vehicle being driven or parked on a street, or within the property limits of its owner. Such animals may be taken up by the Chief of Police, any police officer, dog catcher, designated pound keeper, or other such official or employee of the City as designated by the Mayor of the City Council, and placed in a pound designated by the City. When animals are apprehended and impounded, the owner, if known, shall be given notice of not less than **five (5) days** by the City Clerk or some other City official. Such notice shall be mailed to the last known address of the owner. An affidavit or testimony of such official who mails such notice shall be prima facie evidence of the receipt of such notice by the owner of such animal. In the case the owner of any such impounded animal desires to make redemption thereof, he may do so on the following conditions:

(A) He shall present evidence of compliance with **Sections 3-2-3 and 3-2-4** of this Article.

(B) He shall pay for the boarding of the animal for the period for which it was impounded, together with all other expenses incurred by the City in connection with capturing and impounding the animal.

(C) He shall pay an additional **Ten Dollars (\$10.00)** as a penalty for the first offense, **Twenty Dollars (\$20.00)** for the second offense and **Thirty Dollars (\$30.00)** for each subsequent offense. This penalty shall be in addition to other penalties invoked by this Article or imposed by a court.

Any animal not so redeemed by the owner within **five (5) days** from the time it was impounded may be destroyed, offered for adoption, or otherwise disposed of by a licensed veterinarian. (**Ord. No. 924; 07-11-05**)

BE IT ORDAINED, that the above-mentioned paragraphs shall be deleted from the City Code.

BE IT ORDAINED that the following shall amend and replace Section 3-2-8 of the Revised Code of Ordinances of the City of Nokomis as follows:

3-2-8 ANIMALS PROHIBITED FROM RUNNING LOOSE AND IMPOUNDING.

It is hereby declared to be a nuisance for any animal to run at large at any time within the corporate limits of the City. An animal shall be considered to be running at large when it is not controlled by a leash having a maximum length of not more than **ten (10) feet**, confined in an animal tight cage or enclosure, while confined within a vehicle being driven or parked on a street, or within the property limits of its owner. Such animals may be taken up by the Chief of Police, any police officer, dog catcher, designated pound keeper, or other such official or employee of the City as designated by the Mayor of the City Council, and placed in a pound designated by the City. When animals are apprehended and impounded, the owner, if known, shall be given notice of not less than **five (5) days** by the City Clerk or some other City official. Such notice shall be mailed to the last known address of the owner. An affidavit or testimony of such official who mails such notice shall be prima facie evidence of the receipt of such notice by the owner of such animal. In the case the owner of any such impounded animal desires to make redemption thereof, he may do so on the following conditions:

(A) He or She shall present evidence of compliance with **Sections 3-2-3 and 3-2-4** of this Article.

(B) He or She shall pay for the boarding of the animal for the period for which it was impounded, together with all other expenses incurred by the City in connection with capturing and impounding the animal.

(C) He shall pay an additional **Seventy-Five Dollars (\$75.00)** as a penalty for the first offense, **One Hundred-Fifty Dollars (\$150.00)** for the second offense and **Two Hundred-Fifty Dollars (\$250.00)** for each subsequent offense. This penalty shall be in addition to other penalties invoked by this Article or imposed by a court.

Any animal not redeemed by the owner within **five (5) days** from the time it was impounded may be destroyed, offered for adoption, or otherwise disposed of by a licensed veterinarian.


BE IT ORDAINED, this Amendment shall be published in pamphlet form and take effect thereafter.

Passed by the City Council and approved by the Mayor of the City of Nokomis, Illinois this 10th day of October, 2016.



Terry Hill, Mayor

(CORPORATE SEAL)

ATTEST: 

Angela Keagy, City Clerk

STATE OF ILLINOIS)
) **ss.**
COUNTY OF MONTGOMERY)
CERTIFICATE OF PUBLICATION)

I, Angela Keagy, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on October 10, 2016, the City Council of such municipality passed and approved Ordinance No. 2032, AN ORDINANCE AMENDING CHAPTER 3 ANIMALS, ARTICLE II ANIMALS, SECTION 3-2-8, ANIMALS PROHIBITED FROM RUNNING LOOSE AND IMPOUNDING OF THE REVISED CODE OF ORDINANCES OF THE CITY OF NOKOMIS, ILLINOIS, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2032, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the Municipal Complex commencing on October 11, 2016, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

DATED at Nokomis, Illinois, this 10th day of October, 2016.

(SEAL)



ANGELA KEAGY, CITY CLERK