

AN ORDINANCE PERTAINING TO THE
REGULATION, CONTROL, AND INOCULATION
OF DOGS.

WHEREAS, many complaints have been received by the Police Department and members of the Governing Body of this Municipality covering the running at large of dogs and the fact that many dogs have not been properly inoculated against rabies; and

WHEREAS, the corporate authorities deem it necessary to invoke the Police powers for the protection of the residents of this Municipality against such occurrences, and for that purpose to provide regulations which will tend to prevent them, and declare that the regulations established by this ordinance are necessary for the safety, comfort, good order and welfare of the residents of this Municipality; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOKOMIS, ILLINOIS, AS FOLLOWS:

SECTION 1. Definitions.

DOG. "Dog" whenever used in this article shall include a female as well as a male dog.

VICIOUS DOG. A dog is deemed to be vicious when it shall have attacked or bitten any person, or when a propensity to attack or bite persons shall exist and is known or ought reasonably to be known to the owner.

OWNER: For the purpose of this article, the word "owner" means a person having a right of property in a dog, or who keeps or harbors a dog, or who has a dog in his care or who acts as its custodian, or who knowingly permits a dog to remain on or about any premises occupied by him.

AT LARGE. Any dog shall be deemed to be at large when he is off the property of his owner and not under the control of a responsible person.

INOCULATION AGAINST RABIES. Means the injections subcutaneously or otherwise, as approved by the Department of Agriculture of the State of Illinois, of canine antirabic vaccine approved by said Department of Agriculture.

DEPARTMENT OF AGRICULTURE. Department of Agriculture means the Department of Agriculture of the State of Illinois.

RESTRAINT. A dog is under restraint within the meaning of this ordinance if he is controlled by a leash; or at "heel" beside a responsible person, or obedient to that person's commands; within a vehicle being driven or parked on the streets, or within the property limits of his owner.

SECTION 11. DOGS TO BE INOCULATED AND TO HAVE NAME TAGS
AFFIXED TO COLLARS.

(a) Each calendar year, or at such intervals as may hereafter be promulgated by the Department of Agriculture, every owner of a dog four months or more of age shall cause such dog to be inoculated against rabies. Such owner of such dog shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog.

(b) Every owner of a dog regardless of its age shall cause said dog to wear a

collar or harness and to be registered with the City Clerk of the City of Nokomis. The registration fee will be \$3.00 per dog. A metallic tag with the registration number shall be furnished by the City of Nokomis and every owner shall affix this tag thereto. Replacement tags will cost \$00.50.

SECTION III. INOCULATION TO BE PERFORMED BY LICENSED VETERINARIAN: ISSUANCE OF CERTIFICATE.

The inoculation of dogs required by Section 2 (a) shall be performed by a veterinarian duly licensed to practice his profession in this state. Upon performing such inoculation, such veterinarian shall issue to the owner a certificate showing such fact and shall also deliver to such owner a metallic or other suitable tag to be attached to the collar or harness of such dog, which tag shall also certify to the fact of inoculation against rabies.

SECTION IV. DURATION OF INOCULATION.

The inoculation performed under the provisions of Section 3 of this Code shall be effective until the expiration of the calendar year in which the vaccination was performed or the expiration of such period of time as may be promulgated by the Department of Agriculture.

SECTION V. SPECIFICATIONS FOR TAG.

The tag issued under the provisions of Section 3 of this Code shall be in such form as shall be determined by the Department of Agriculture.

SECTION VI. EXHIBITION OF CERTIFICATE UPON REQUEST.

At any reasonable time upon request of any member of the Police Department, the owner of any unmuzzled dog shall exhibit his certificate, issued under the provisions of Section 3 of this Code, showing the inoculation against rabies of any dog owned or controlled by him.

SECTION VII. RESTRAINT OF DOGS.

The owner of a dog shall keep the dog under restraint at all times and shall not permit such dog to be at large, off the premises of the property of the owner or keeper, unless the dog is under complete control as defined in Section 1 of this Code.

SECTION VIII. IMPOUNDMENT OF DOGS RUNNING AT LARGE OR UNLICENSED DOGS: CITATION OF OWNER OR KEEPER.

(a) It shall be the duty of such employees and officers of the Police Department as shall be designated for that purpose by the Chief of Police to take up and impound, in such place as may be designated and set apart for that purpose, any dog found running at large or unlicensed in the City contrary to any of the provisions of this chapter or other ordinances of the City.

(b) When dogs are found running at large or unlicensed, and their ownership is known to the designated employees, such dogs may be impounded at the discretion of such employees, but the employees shall cite the owner of such dog to answer charges of violation of this ordinance.

SECTION IX. NOTICE AND CITATION TO OWNER OR KEEPER OF IMPOUNDMENT.

In case of impounding, and where the owner or keeper of such dog is disclosed by any tag or license tag worn by it, or is otherwise known to the officers impounding same, the Police Department shall at once give notice by mail to such owner informing him of the impounding of his dog and shall cite the owner of such dog to answer charges of violation of this ordinance.

SECTION X. REDEMPTION OF IMPOUNDED DOGS.

Any dog impounded under the provisions of this Code, except such as may have bitten any person as specified in Section 12 of this Code, shall, unless sooner redeemed, be held for the period of seven (7) days in order to afford opportunity

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to the owner or keeper thereof to redeem the same. Any such owner desiring to redeem his impounded dog shall pay an impounding fee of five dollars (\$5.00), and also the cost of keeping such dog while impounded, at the rate of \$1.50 per day.

In case such dog has not been inoculated against rabies for the current year, such owner shall also advance the fee required to have such dog inoculated by a duly licensed veterinarian as he shall elect and the poundkeeper shall forthwith cause the dog to be duly inoculated against rabies. No dog shall be released without having been inoculated for the current calendar year, or in accordance with the requirements of the Department of Agriculture. Upon payment of the required charges, the dog shall thereupon be released to the owner.

SECTION XI. DESTRUCTION OF UNREDEEMED DOGS.

Any impounded dog which shall not be redeemed within seven (7) days shall be humanely destroyed or otherwise disposed of by the poundkeeper.

SECTION XII. IMPOUNDMENT OF DOGS WHICH HAVE BITTEN PERSONS.

Any dog which shall have bitten or otherwise injured any person so as to cause an abrasion of the skin shall be immediately taken, impounded, and kept separated from other dogs for fourteen (14) days. If during that period such dog develops symptoms of illness, a veterinarian shall be called to diagnose its condition. If the symptoms disclosed are such as to indicate the presence of rabies, such dog shall be destroyed, in such manner, however, as to preserve intact the head, which shall thereupon be detached and immediately sent to the diagnostic laboratory of the Department of Agriculture. In case such dog cannot be safely taken up and impounded, it may be shot, care being taken to preserve the head intact, which shall thereupon be immediately detached and be delivered to the diagnostic laboratory of the Department of Agriculture.

If, at the expiration of the period of fourteen (14) days, no symptoms of rabies have developed in such dog so impounded, the same may be redeemed by the owner upon payment of the redemption fees and charges specified by Section 10 of this Code; provided, however, that in case any dog so impounded for biting a person shall have previously bitten any person, such dog shall be humanely destroyed by the poundkeeper. After having been notified that his dog has bitten or otherwise injured any person, such owner thereof shall not under circumstances permit such animal to be at large unless securely muzzled.

SECTION XIII. DISTURBING THE PEACE.

No person owning any dog shall suffer or permit such 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.

SECTION XIV. VICIOUS DOGS.

It shall be unlawful for any person within the City of Nokomis, Illinois, to have the ownership and control or the custody and control of any dog or other domesticated animal at any time, if such person knows that the same is vicious or has a propensity to attack or bite a human being, unless such dog or domesticated animal is kept on the fenced property, or premises of the owner or within a building, or tied or leashed in such a manner as to prevent it from getting off of said premises of the owner.

SECTION XV. HANDLING COMPLAINTS AGAINST DOGS.

When a person complains that he is molested by a dog or other domesticated animal which such person deems to be vicious, the Chief of Police or dog catcher shall not be required to pick up such animal unless said officer shall, from his own observation or unless the person or persons so complaining shall swear out a warrant against the owner of such animal, in which event said animal will be picked up by the Chief of Police or dog catcher and held awaiting the trial of the issue between the owner of the animal and the person filing the complaint.

SECTION XVI. DISPOSITION OF DOGS DEEMED NUISANCES.

Any dog which may in any manner continually disturb the quiet of any persons or neighborhoods or shall destroy or in any manner injure any animal, plant, shrub or other property not on the premises of its owner or keeper is hereby declared to be a nuisance. No person shall be convicted under the provisions of this section except upon evidence of two (2) or more persons of a different household, and no warrant shall be issued except upon request of the Chief of Police, and such dog shall be taken up and impounded and may be redeemed or disposed of in the manner provided for under Sections 10 and 11 of this Code.

SECTION XVII. DUTIES OF THE CHIEF OF POLICE.

Except as to the regulations concerning inoculation against rabies, the Chief of Police is charged with the duty of enforcing the provisions of this Article.

SECTION XVIII. DUTIES OF THE CITY CLERK.

It shall be the duty of the City Clerk to determine that all fees herein provided, or otherwise provided by ordinance to be paid, are properly accounted for to the City Treasurer.

SECTION XIX. SEVERANCE CLAUSE.

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

SECTION XX. PENALTY.

Any person violating any provision of this ordinance shall be fined not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION XXI. EFFECTIVE DATE.

This ordinance shall be in full force and effect, from and after its passage and publication, in accordance with the terms of 1-2-4 of the Illinois Municipal Code, and all ordinances in conflict with this ordinance are expressly repealed.

INTRODUCED: August 16, 1971 PASSED: August 16, 1971

APPROVED: A. C. [Signature] ATTEST: Mary Jean Scheller
Mayor City Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF MONTGOMERY)
 IN THE CITY OF NOKOMIS, ILLINOIS

I, MARY JEAN SCHELLER, do hereby certify that I am the duly appointed and now acting City Clerk of the City of Nokomis, Illinois; that I have caused Ordinance No. 614 which was duly passed by the City Council of the City of Nokomis, Illinois at a regular meeting thereof held on August 16, 1971, and was approved by the Mayor of said City on said date to be published in the Free Press-Progress, a newspaper of general circulation in the City of Nokomis, Illinois, on the 19th day of August, A.D. 1971.

Given under my hand and official seal this 16th day of August, A.D. 1971.

Mary Jean Scheller (SEAL)
City Clerk