

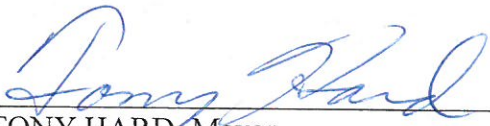
Ordinance No. 893

AN ORDINANCE AMENDING CHAPTER 3 OF THE
ANIMALS CODE OF THE REVISED CODE OF ORDINANCES
OF THE CITY OF NOKOMIS, ILLINOIS

Be it ordained by the City Council of the City of Nokomis, Illinois, that:

The **ANIMALS CODE** of the Revised Code of Ordinances of the City of Nokomis, Illinois, is hereby amended by **deleting the prior Code Chapter 3 (paragraphs 3-1-1 through 3-2-11)** and **replacing it with Code Chapter 3 (paragraphs 3-1-1 through 3-3-7)** attached as **Exhibit A**.

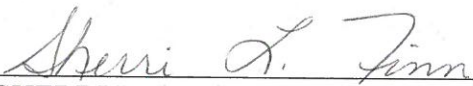
Passed by the City Council and approved by the Mayor of the City of Nokomis, Illinois, this
26th day of December, 2001.



TONY HARD, Mayor

(CORPORATE SEAL)

ATTEST:



SHERRI L. FINN, Acting City Clerk

CHAPTER 3

ANIMALS

ARTICLE I - GENERAL REGULATIONS

3-1-1 DEFINITIONS.

"ANIMAL" shall mean any animal, other than man, which may be affected by rabies.

"ANIMAL CONTROL WARDEN" means any person appointed by the Mayor and approved by the City Council to perform duties as assigned by the Mayor to effectuate this Code.

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

"CAT" shall mean any feline, regardless of age or sex.

"CONFINED" means restriction of an animal at all times by the owner, or his agent, to an escape-proof building or other enclosure away from other animals and the public.

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

"DOG". Whenever "dog" is used in this Code it shall include any canine, female as well as a male dog, regardless of age.

"HAS BEEN BITTEN" means has been seized with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced, and further includes contact of saliva with any break or abrasion of the skin.

"INOCULATION AGAINST RABIES" means the injection of an anti-rabies vaccine approved by the Department.

"LEASH" means a cord, rope, strap, or chain which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animal under control.

"OWNER". For the purpose of this Code, 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.

"RESTRAINT". A dog is under "restraint" within the meaning of this Code if he is controlled by a leash; at "heel" beside a responsible person; within a vehicle being driven or parked on the streets; or within the property limits of his owner or keeper.

"SHADE" shall mean protection from the direct rays of the sun during the months of June through September.

"SHELTER", as it applies to dogs, shall mean a moisture-proof structure of suitable size to accommodate the dog and allow retention of body heat, made of durable material with a solid floor raised at least **two inches (2")** from the ground and with the entrance covered by a flexible, windproof material. Such structure shall be provided with a sufficient quantity of suitable bedding to provide insulation and protection against cold and dampness.

"VICIOUS ANIMAL" shall mean any animal which has previously attacked or bitten any person or which has behaved in such a manner that the person who harbors said animal knows or should reasonably know that the animal is possessed of tendencies to attack or bite persons.

"WILD ANIMAL" shall mean any live monkey or ape, raccoon, skunk, fox, snake, or other reptile, leopard, panther, tiger, lion, lynx or any other animal or any bird of prey which can normally be found in the wild state. (See 510 ILCS Sec. 5/24)

3-1-2 INJURY TO PROPERTY.

(A) **Unlawful.** It shall be unlawful for any person owning or possessing a dog or cat to permit such dog or cat to go upon any sidewalk, parkway, or private lands or premises without the permission of the owner of such premises and break, bruise, tear up, crush or injure any lawn, flower bed, plant, shrub, tree or garden in any manner whatsoever, or to defecate thereon.

(B) **Waste Products 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.

3-1-3 MANNER OF KEEPING.

(A) **Pens, Yards, or Runs.** All pens, yards, runs or other structures wherein any animal is kept shall be of such construction so as to be easily cleaned and kept in good repair.

(B) **Fences.** Fences which are intended as enclosures for any animal shall be securely constructed, shall be adequate for the purpose, kept in good repair and shall not be allowed to become unsightly.

3-1-4 KEEPING BARKING DOGS AND CRYING CATS.

(A) **Harboring.** It shall be unlawful for any person to knowingly keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood, or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance.

(B) **Petitions of Complaint.** Whenever any person shall complain to the Police Department that a dog which habitually barks, howls or yelps or a cat which habitually cries or howls is being kept by any person in the City, the Police Department shall notify the owner of said dog or cat that a complaint has been received and that the person should take whatever steps are necessary to alleviate the howling, yelping or crying.

3-1-5 CRUELTY TO ANIMALS PROHIBITED.

(A) **Cruelty to Animals Prohibited.** It shall be unlawful for any person to willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse or cruelly beat, strike or abuse any animal, or by an act, omission or neglect, cause or inflict any unnecessary or unjustifiable pain, suffering, injury or death to any animal, whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animals should be delivered to the County Animal Control Facility for proper disposal.

(B) **Food and Shelter.** It shall be unlawful for any person in charge of any animal to fail, refuse, or neglect to provide such animal with food, potable water, shade or shelter, or to cruelly or unnecessarily expose any such animal in hot, stormy, cold or inclement weather, or to carry any such animal in or upon any vehicle in a cruel or inhumane manner. The terms used in this section shall comply with **Section 3-1-1.** (See 65 ILCS Sec. 5/11-5-6)

3-1-6 EXHIBITING WILD OR VICIOUS ANIMALS.

(A) It shall be unlawful for any person to keep or permit to be kept on his premises any wild or vicious animal as described in this Chapter for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.

(B) It shall be unlawful for any person to keep or permit to be kept any wild animal as a pet, unless a permit is granted by the Department of Natural Resources of the State of Illinois.

(C) It shall be unlawful for any person to harbor or keep a vicious animal within the City. Any animal which is found off the premises of its owner may be seized by any police officer or humane officer and upon establishment to the satisfaction of any Court of competent jurisdiction of the vicious character of said animal, it may be killed by a police officer or humane officer; provided, however, that this section shall not apply to animals under the control of a law enforcement or military agency nor to animals which are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage,

fence, or other adequate means from contact with the general public or with persons who enter the premises with the actual or implied permission of the owner or occupant.

(D) The licensing authority may issue a temporary permit for the keeping, care, and protection of any infant animal native to this area which has been deemed to be homeless.

3-1-7 **HEALTH HAZARD.** The Mayor shall have the power to issue an order prohibiting the keeping of any animal, fowl or bird which is deemed to be a nuisance or pose a health hazard to the general public.

3-1-8 **LIMITATION ON NUMBER OF DOGS AND CATS KEPT.**

(A) **Nuisance.** The keeping of an unlimited number of dogs and cats in the City for a considerable period of time detracts from and, in many instances, is detrimental to the healthful and comfortable life for which such areas were created.

The keeping of an unlimited number of dogs and cats is, therefore, declared to be a public nuisance. The terms "dog" and "cat" shall be construed as provided in **Section 3-1-1.**

(B) **Limitation; Exception.**

(1) It shall be unlawful for any person or persons to keep more than **five (5) dogs** and/or **five (5) cats** within the City, with the exception that a litter of pups, a litter of kittens or a portion of a litter may be kept for a period of time not exceeding **five (5) months** from birth.

(2) The provisions of this section shall not apply to any establishment wherein dogs or cats are kept for breeding, sale, sporting purposes or boarding.

(C) **Kennels.** In the areas where kennels are permitted, no kennel shall be located closer than **two hundred feet (200')** to the boundary of the nearest adjacent residential lot.

3-1-9 **ANIMALS, ETC. IN CITY.**

(A) **Certain Prohibitions.** Except as otherwise provided in Paragraph (D) of this Section, no person shall keep within the City any cattle, cows, horses, sheep, swine, goats, chickens, ducks, turkeys, geese, rabbits, or other livestock.

(B) **Exceptions.** This Section shall not apply in areas of the City that are agricultural in nature nor shall this Section apply to livestock brought in to the City for the purpose of being shipped out of the City.

(C) **Powers of Police Chief.** The police chief shall have the power to issue an order prohibiting the keeping of any animal, fowl, or bird which is deemed to pose a health hazard to the general public.

(D) **Exceptions.**

- (1) Livestock shall be defined herein as cattle, sheep, swine, goats and chickens.
- (2) It shall be unlawful to locate, build, construct, keep or maintain an enclosure for livestock in the City, excepting, however, those livestock that are now located in the City.
- (3) No additions or additions of lands of the City shall be made to existing enclosures for livestock.
- (4) No additional lot, lots or adjoining area shall be used for enclosures for livestock after the effective date of this ordinance.
- (5) The owner or owners of all livestock and enclosures for same located within the City, shall by March 1, 2002, register with the City Clerk, giving the name of the owner, address and legal description of the property now being used as an enclosure for livestock.
- (6) Any building or property that has an enclosure located thereon for livestock which ceased to be used for such purpose or purposes for a period of **sixty (60) days**, shall not thereafter be used as an enclosure for livestock.

(See 65 ILCS Secs. 5/11-1-1; 5/11-5-6 and 5/11-20-9)

ARTICLE II - ANIMALS

3-2-1 **DEFINITIONS.** The terms used in this Article shall comply with Section 3-1-1 of this Chapter unless otherwise provided in this Article.

3-2-2 **ANIMALS 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 or keeper of an animal **four (4) months** or more of age shall cause such animal to be inoculated against rabies. Such owner or keeper of such animal shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the animal.

(B) Every owner or keeper of an animal, regardless of age, shall cause the animal to wear a collar or harness and shall affix thereto a metallic or other suitable tag inscribed with the name, address and phone number, if any, of the owner or keeper of the animal.

3-2-3 **INOCULATION TO BE PERFORMED BY LICENSED VETERINARIAN; ISSUANCE OF CERTIFICATE.**

The inoculation of animals required by **Section 3-2-2(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 or keeper a certificate showing such fact and shall also deliver to the owner or keeper a metallic or other suitable tag to be attached to the collar or harness of the animal, which tag shall also certify to the fact of the inoculation against rabies.

3-2-4 **DURATION OF INOCULATION.** The inoculation performed under the provisions of **Section 3-2-3** 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.

3-2-5 **SPECIFICATIONS FOR TAG.** The tag issued under the provisions of **Section 3-2-3** shall be in such form as shall be determined by the Department of Agriculture.

3-2-6 **EXHIBITION OF CERTIFICATE UPON REQUEST.** At any reasonable time upon request of any member of the Police Department or City employee, the owner or keeper of any animal shall exhibit his certificate issued under the provisions of **Section 3-2-3**, showing the inoculation against rabies of any animal owned or controlled by him.

3-2-7 LICENSE. The City Clerk shall issue animal licenses and is authorized to collect a fee of **Five Dollars (\$5.00)** for each license issued. Every animal owner shall obtain a license each year for each animal owned or kept in the City. License shall be valid for a period from **January 1** until **December 31** of the same year. If the animal owner acquires an animal after **January 1**, the license shall be required at the time that the animal is acquired. Nothing contained herein shall alter the existing requirement for each animal owner to obtain a license pursuant to previous Article. The license fee shall be **Five Dollars (\$5.00)** for the license year regardless of whether the license is issued for **twelve (12) months** or for a shorter period of time. The City Clerk shall furnish the animal owner a license tag and a written receipt for each animal license issued. Every owner of an animal shall keep a collar around the animal's neck and shall keep the license tag firmly attached thereto unless otherwise not recommended by a licensed veterinarian. Replacement tags shall be available for **One Dollar (\$1.00)** per tag. The failure to obtain a license shall be punishable by a fine as provided by **Section 3-2-18** of this Article.

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.

(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.

3-2-9 NOTICE AND CITATION TO OWNER OR KEEPER OF IMPOUNDMENT. In case of impounding and where the owner or keeper of such animal disclosed by any tax or license tag worn by it or is otherwise known to the officers impounding the same, the designated official shall make reasonable attempts to contact the owner, informing the owner of the impounding of the animal and shall cite the owner or keeper of such animal to answer charges of violation of this Chapter.

3-2-10 OBSTRUCTION POUNDMASTER. Any person(s) who shall bring any animal into the City for the purpose of causing the same to be impounded or any person who shall resist, hinder or molest the poundmaster or dogcatcher or police officer while engaged upon the duties imposed upon them by this Chapter or any person who shall break into the pound and release or deliver any animal therefrom without having first paid the fees herein specified, or any owner or keeper of any animal who shall permit any animal to run at large within the corporate limits of the City, upon conviction of any part of this Chapter shall be fined according the Chapter 1-Administration of this Code.

3-2-11 IMPOUNDMENT OF ANIMALS 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 animals for **ten (10) days**. If, during that period, such animal 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 animal shall be destroyed in such a 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 animal 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 **ten (10) days** no symptoms of rabies have developed in such animal so impounded, the same may be redeemed by the owner upon payment of the redemption fees and charges specified by this Chapter; provided, however, that in case any animal so impounded for biting a person shall have previously bitten any person, such animal shall be humanely destroyed by the poundkeeper. After having been notified that the animal has bitten or otherwise injured any person, the owner or keeper thereof shall not, under any circumstances, permit such animal to be at large unless securely muzzled.

3-2-12 IMPOUNDMENT. Those persons charged with the duty of enforcing this Chapter may employ any method found practical and humane in capturing and impounding any animal found running at large.

3-2-13 REDEMPTION OF IMPOUNDED ANIMALS. The owner of any animal impounded under this Chapter may redeem the same by paying all the costs and charges assessed, if any, that have accrued up to the time of making redemption and on paying the same; it shall be the duty of the authorities to release the animal from the pound and deliver it to its owner, or certify the release thereof to any County authority having possession of the animal.

3-2-14 CITY POUND DESIGNATED. The City Council shall designate a City Pound.

3-2-15 DISPOSITION OF ANIMALS DEEMED NUISANCES. Any animal which may, in any manner, continually disturb the quiet of any person or neighborhood 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, and such animal shall be taken up and impounded and may be redeemed or disposed of in the manner provided for under this Code.

3-2-16 DANGEROUS DOG - FEMALE DOG AT LARGE. It shall be unlawful for the owner or keeper of any fierce or dangerous dog or of any female dog, while in heat, to run at large within the limits of this City.

3-2-17 FEMALE DOG WITH OTHER DOGS. No person in control or possession of a female dog or permitting the same to remain upon his or her premises, shall permit any such female dog, while in heat, to consort with any other dog or dogs in an indecent manner in any place of public view, whether upon his own or any other premises.

(See 65 ILCS Secs. 5/11-1-1 and 5/11-20-9)

3-2-18 PENALTY. Any person, firm or corporation violating any provision of this Chapter shall be fined no less than **Fifty Dollars (\$50.00)** nor more than **Five Hundred Dollars (\$500.00)** for each offense. Any fine levied by the Circuit Court of Montgomery County shall be in addition to the impoundment fee and penalties as provided for in the aforesaid **Section 3-2-8**. The bringing of an action pursuant to this Section for violation of said **Section 3-2-8** shall not stay the provisions of said **Section 3-2-8** in regard to disposal or impoundment of the animal if not redeemed. If the owner redeems the impounded animal pursuant to said **Section 3-2-8** within the allotted time, such action shall not constitute an admission that the owner has violated this Article for the purposes of a prosecution and assessment of fine pursuant to this **Section 3-2-18**.

ARTICLE III - VICIOUS AND DANGEROUS DOGS

3-3-1 **DEFINITIONS.** For purposes of this Article:

(A) **"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 known 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 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.
- (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 **three (3)** separate occasions.

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.

If a dog is found to be a vicious dog, the dog shall be subject to enclosure.

(B) **"Dangerous dog"** means 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.

(C) **"Enclosure"** means a fence or structure of at least **six (6) feet** 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.

(D) **"Impounded"** means taken into the custody of the public pound in the City or town where the vicious dog is found.

(E) **"Found to Be Vicious Dog"** means:

- (1) that the Administrator, an Animal Control Warden, or a law enforcement officer has conducted an investigation and made a finding in writing that the dog is a vicious dog as defined in paragraph (1) of Subsection (A) and, based on that finding, the

- Administrator, an Animal Control Warden, or the Director has declared in writing that the dog is a vicious dog or
- (2) that the circuit court has found the dog to be a vicious dog as defined in paragraph (1) of Subsection (A) and has entered an order based on that finding.

3-3-2 **UNLAWFUL TO MAINTAIN.** 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:

(A) If it is necessary for the owner or keeper to obtain veterinary care for the dog or

(B) 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 (3) feet** in length, and shall be under the direct control and supervision of the owner or keeper of the dog.

Any dog which has been found to be a vicious dog and which is not confined to an enclosure shall be impounded by the Animal Control Warden, or the police and shall be turned over to a licensed veterinarian for destruction by lethal injection.

3-3-3 **OWNER'S RESPONSIBILITY.** If the owner of the dog has not appealed the impoundment order to the circuit court in the County in which the animal was impounded within **seven (7) working days**, the dog may be humanely dispatched. A dog found to be a vicious dog shall not be released to the owner until the Administrator, an Animal Control Warden, or the Director approves the enclosure as defined in this Section.

No owner or keeper of a vicious dog shall sell or give away the dog.

3-3-4 **DOG PERMITTED TO LEAVE PREMISES.** 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.

Guide dogs for the blind or hearing impaired, support 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 in accordance with this Code. It shall be the duty of the owner of such exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator 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.

3-3-5 **INJUNCTION.** The Administrator, the City Attorney, or any citizen of the City in which a dangerous dog or other animal exists may file a complaint to enjoin all persons from maintaining or permitting such, to abate the same, and to enjoin the owner of such dog or other animal from permitting same to leave his premises when not under control by leash or other recognized control methods. Upon the filing of a complaint in the circuit court, the court, if satisfied that this nuisance may exist, shall grant a preliminary injunction with bond in such amount as the court may determine enjoining the defendant from maintaining such nuisance. If the existence of the nuisance is established, the owner of such dog or other animal shall be in violation of this Act, and in addition the court shall enter an order restraining the owner from maintaining such nuisance and may order that such dog or other animal be humanely dispatched. (See 510 ILCS Sec. 5/17)

3-3-6 **LIABILITY OF OWNER OR DOG ATTACKING OR INJURING PERSON.** If a dog, or other animal, without provocation, attacks or injures any person who is peaceably conducting himself in any place where he may lawfully be, the owner of such dog or other animal is liable in damages to such person for the full amount of the injury sustained. (See 510 ILCS Sec. 5/16)

3-3-7 **RIGHT OF ENTRY - INSPECTIONS.** For the purpose of carrying out the provisions of this Code and making inspections hereunder, the Administrator, or his authorized representative, or any officer of the law may enter upon private premises to apprehend a straying dog or other animal, a dangerous dog or other animal, or a dog or other animal thought to be infected with rabies. If, after request therefor, the owner of such dog or other animal shall refuse to deliver the dog or other animal to the officer, the owner shall be in violation of this Code. (See 510 ILCS Sec. 5/17)

(See 65 ILCS Secs. 5/11-1-1 and 5/11-20-9)

(See also 510 ILCS Sec. 5/24)

Certificate of Publication

County of Montgomery }
State of Illinois } ss.

Nokomis, Illinois Jan. 9 2002

Theresa M. Rogers being duly sworn, says he is the authorized agent of NOKOMIS FREE PRESS, INC., an Illinois corporation, and does hereby certify that said corporation is the publisher of the FREE PRESS-PROGRESS and that he is duly authorized to make this certificate for the corporation that the notice of

Revised Code of Ordinances of the
City of Nokomis

of which the annexed is a true copy, was printed and published one times in the regular editions of FREE PRESS-PROGRESS, a secular newspaper of general circulation, published in the city of Nokomis, in said county and state, and that the first publication was made on the 9th day of January, 2002, and the last in the paper published on the 9th day of January 2002, and that said newspaper was regularly published for twelve months prior to the first publication of said notice.

Publisher's Fee \$ 358.40

Theresa M. Rogers

Authorized Agent of
FREE PRESS, INC.
Nokomis, IL 62075

STATE OF ILLINOIS)
) SS
MONTGOMERY COUNTY)

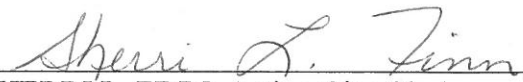
CERTIFICATION

I, SHERRI L. FINN, certify that I am the duly appointed Acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on December 26, 2001 the City Council of such municipality passed and approved Ordinance No. 893 which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 893, including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on December 28, 2001, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

Dated at Nokomis, Illinois, this 28th day of December, 2001.



SHERRI L. FINN, Acting City Clerk