

VILLAGE OF PALESTINE, ILLINOIS

ORDINANCE NO. 2010-O- 01

AN ORDINANCE TO AMEND CHAPTER 13,  
DOGS AND OTHER ANIMALS,  
OF THE PALESTINE VILLAGE CODE

ADOPTED BY THE BOARD OF TRUSTEES OF  
THE VILLAGE OF PALESTINE, CRAWFORD COUNTY, ILLINOIS  
THIS 1st DAY OF April, 2010

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE  
BOARD OF TRUSTEES OF THE VILLAGE OF PALESTINE,  
CRAWFORD COUNTY, ILLINOIS  
THIS 1st DAY OF April, 2010

  
SHIRLEY ADAMS, Village Clerk

ORDINANCE NO. 2010-0- 01

AN ORDINANCE TO AMEND CHAPTER 13, DOGS AND OTHER ANIMALS, OF THE PALESTINE VILLAGE CODE

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois that CHAPTER 13, DOGS AND OTHER ANIMALS, of the Palestine Village Code be, and it is to be amended, as follows:

**13.01 DOGS AT LARGE; BARKING DOGS.**

- (a) No dog shall be permitted to be at large upon the lands of another person within the Village of Palestine, Illinois, unless upon a leash, without the consent of the owner of such land.
- (b) No dog shall be permitted to be at large upon streets, alleys or public grounds within the Village of Palestine, Illinois, unless such dog is on a leash
- (c) No dog shall be permitted to disturb the peace and quiet of the neighborhood by barking or making other loud or unusual noises.

**13.02 VICIOUS DOGS.** No fierce, dangerous or vicious dog shall be permitted to run at large upon the lands of another person or upon any streets, alleys or public grounds within the Village unless upon a leash held by some person.

**13.03 IMPOUNDING DOGS.**

- (a) Any dog running at large upon the land of any person other than the owner of such dog without the landowner's consent, or upon any street, alley or public grounds within the Village, is hereby declared to be a public nuisance. Any person may cause such dog to be taken and placed in secure custody in a place provided for such purpose, and deliver the dog to the keeper of such place where it shall be held for a period of not exceeding 7 days.
- (b) Any dog impounded as the result of action by a Village employee, or, at Village expense, shall subject the owner to liability for any costs incurred by the Village for the pick up, care, maintenance, and return of said dog.

**13.04 DEAD DOGS.** Should a dog be found dead upon any street or highway, it shall be the duty of the owner or keeper of such dog to remove and dispose of such dead dog. DPW staff will pick up a dead dog as soon as possible and hold it (for a period of 24 hours) until the owner has been notified.

**13.05 FIERCE DOGS.** No confined dog shall be declared dangerous, fierce, or vicious except upon determination by a licensed veterinarian. If a confined dog is so declared to be dangerous, fierce, or vicious, the owner or keeper of such dog shall immediately provide extraordinary precautions such as muzzles, chains, cages, and warning signs, as may be required by the Village. Any dog at large which appears dangerous, fierce, or vicious and cannot be safely taken up may be slain by the Village. The Village shall deliver the head of such dog to the State Department of Public Health. If at all possible, such dog will be properly restrained and/or tranquilized until owners can be notified; and/or as a last resort, may be slain by Village personnel.

**13.06 INJURY BY DOGS.** Any dog which bites a person or so injures any person as to cause an abrasion of the skin is hereby declared to be a nuisance; provided, however, that the injured person must substantiate the injury with a professional medical report. The owner or keeper of any dog, when notified that such dog has so injured any person, shall not sell or give away such dog or permit such dog to be taken beyond the limits of the Village without authorization from the Village. It shall be the duty of such owner or keeper, upon receiving notice of the character aforesaid, to place such dog in a licensed animal hospital within 24 hours of such notification. Such dog shall be so confined for a period of 10 days. The owner or keeper shall notify the Village of the name and location of such animal hospital. If any dog which has injured a person is not voluntarily impounded by the owner or keeper, such dog shall be taken up and impounded by the Village for a period of 10 days.

**13.07 RABIES.** Any dog suffering from rabies is hereby declared to be a nuisance. It shall be the duty of the owner or keeper to immediately impound or destroy such dog upon order of the Village. Any dog suffering from rabies which cannot safely be taken up and impounded shall be slain by the Village.

**13.08 INOCULATION AGAINST RABIES.** It shall be the duty of every owner who keeps, harbors, or otherwise maintains a dog more than 3 months of age in the Village, to have the same inoculated against rabies by a licensed veterinarian in accordance with the laws of the State of Illinois, in such cases made and provided. Any dog which is not inoculated against rabies as required herein is hereby declared to be a public nuisance and such dogs may be apprehended and impounded upon the order of the Chief of Police.

**13.09 SANITATION.** It shall be unlawful for any person to cause or permit a dog under his ownership or control to be on any property, public or private, not owned by such person, unless such person shall have in his possession a

device for the removal of any excrement which might be deposited by such dog. Any person who owns or controls a dog which deposits excrement upon any property, public or private, shall promptly remove such excrement to a proper receptacle located on public property or on property owned or possessed by such person. This provision shall not apply to urine. This provision shall not apply to blind or physically handicapped persons while walking with their guide dog.

**13.10 DOGS ON LEASH.** All dogs, while on any street, public way or private premises other than the premises of the owner, agent or keeper, shall be led by a chain or leash or otherwise properly restrained, in such a manner as to prevent such dog from biting or otherwise injuring any person or animal, except for all large dogs over 50 pounds plus, shall not be led by a chain or leash not over 6 feet in length or properly restrained. A person walking a dog on a leash must be at least double the weight of the dog. properly restrained shall include any leash, leader, fence or wireless restraint system capable of preventing the animal from roaming at large. Nothing in this chapter shall be interpreted to require the leashing of any dog while on the private premises of the owner, agent of the owner or keeper except as provided in Section 13.05.

**13.11 DOGS IN PUBLIC PLACES.** No dogs shall be permitted even though on leash or carried, to any of the following places or areas:

- (a) any restaurant, food establishment, office, store, market, or confectionary shop during the time such establishment is open for public business.
- (b) a public park, public recreation area, school ground, or church ground.
- (c) a public building or public grounds.
- (d) this provision shall not apply to blind or physically handicapped persons while walking with their guide dog nor to dogs used by law enforcement officers.

**13.12 LIVESTOCK AND POULTRY.** It shall be unlawful for any person to keep or raise any cattle, hogs, sheep, horses, chickens, ducks, geese, or other livestock or poultry within the corporate limits of the Village.

**13.13 CRUELTY TO ANIMALS.** No person shall cruelly treat any animal in the Village, in any way; and no person shall inhumanly beat, underfeed, overload, or abandon any animal.

**13.14 DANGEROUS ANIMALS.** No person shall permit any dangerous animal or any vicious animal to run at large within the Village.

**13.15 NOISY ANIMALS.** No person shall harbor or keep any animal which disturbs the peace by loud noises at any time of the day or night.

**13.18 LIMITATION ON NUMBER OF DOGS AND CATS KEPT.** The keeping of an unlimited number of dogs and cats in the Village 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. It shall be unlawful for any person or persons to keep more than THREE (3) DOGS and/or THREE (3) CATS within the Village, with the exception that a litter of pups, litter of kittens or a portion of a litter may be kept for a period of time not exceeding fine SIX (6) MONTHS from birth. The provisions of this section shall not apply to any establishment wherein dogs or cats are kept for breeding, sale, sporting purposes or boarding, (any such establishment must be fully licensed and in compliance with the State of Illinois and in compliance with all Village Ordinances).

This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted aye:

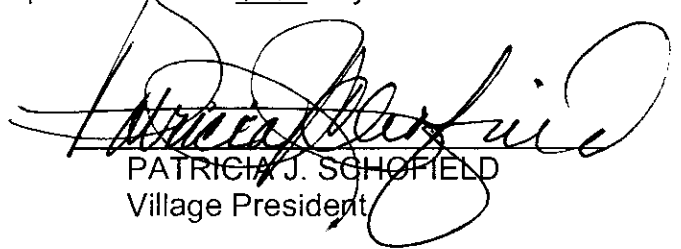
*HARRY Gene Porcell, Breta Dennison, LARRY Surrells, J D. Kimberlin, LARRY Miller.*

*J. R. Donlap was absent at vote.*

Upon roll call vote the following Trustees voted nay:

Passed, approved and published in pamphlet form this 1st day of

April, 2010.

  
PATRICIA J. SCHOFIELD  
Village President

ATTEST:

  
SHIRLEY ADAMS, Village Clerk