

## TITLE 4: SAFETY

### CHAPTER 4 - ANIMALS - REGULATIONS OF DOGS, CATS, AND OTHER ANIMALS

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#### SECTION 4-4-1 DEFINITIONS

The following words, terms, and phrases, when used in this Title, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- “**Animal**” shall mean every nonhuman species of animal, both domestic and wild.
- “**At large**” shall mean any animal when it is off the premises of its owner’s real property and not restrained by a competent person.
- “**Cat**” shall mean all domestic members of the feline family Felis Catus.
- “**City**” shall mean the City of West Peoria, Illinois.
- “**Competent person**” shall mean a person eleven (11) years of age or older capable of physically controlling the animal in question and to whose command the animal is obedient.

- “**Confine**” shall mean the physical restraint of an animal by a fence, structure, chain, rope, or other means of a sufficient strength or construction to restrain the animal in question.
- “**County**” shall mean the County of Peoria, Illinois.
- “**Dog**” shall mean all domestic members of the canine family *Canis Familiaris*.
- “**Domestic animal**” shall mean the following:
  - Dogs (not including hybrids of dogs).
  - Cats (not including hybrids of cats).
  - Domestic rodents (guinea pigs, hamsters, white rats, white mice, and gerbils).
  - Farm animals (any member of the swine (with the exception of pot-bellied pigs), ovine, caprine, bovine, or equine families, poultry, or rabbit)
  - Non-life-threatening, nonpoisonous reptiles or amphibians.
  - Nonpoisonous, non-life-threatening fish.
  - All birds, except those protected as wild birds by State or Federal Statutes.
- “**Dwelling unit**” shall mean a single unit providing complete, independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- “**Exotic animal**” shall mean any nondomestic animal not native to the State.
- “**Multiple-pet owner**” shall mean any person who harbors more than four (4) dogs or cats, or any combination thereof, over four (4) months of age in a dwelling unit.
- “**Owner**” shall mean any person seventeen (17) years of age or older, or parent or guardian of any person under the age of seventeen (17) years, or parent or guardian of an incapacitated person having a right of property in an animal, or who acts as custodian, cares for, keeps, feeds, or knowingly permits an animal to remain on or about any premises occupied by such person, or a person who registers an inoculation certificate for an animal with the County.
- “**Poultry**” shall mean domesticated birds raised for show, eggs, or meat.
- “**Restraint**” shall mean any animal that is not found on the property of its owner when it is:
  - Controlled by a line or leash not more than six (6) feet in length when such line or leash is held by a competent person.
  - Controlled by a leash of fifty (50) feet or less during a training session conducted by a competent person.
  - Confined within a motor vehicle.
  - Confined in a cage or other animal carrier.
- “**Secure enclosure**” shall mean a structure of sufficient height and construction that does not allow contact between the animal confined and other animals or persons.
- “**State**” shall mean the State of Illinois.
- “**Wild animal**” shall mean any living member of the animal kingdom (including exotic animals) other than a domestic animal.

SOURCE 98-15

#### SECTION 4-4-2 ANIMALS RUNNING AT LARGE PROHIBITED

The owner of any animal shall keep such animal confined or under restraint at all times when it is off the premises of the owner’s real property and shall not permit such animal to be at large. Dogs trained for law enforcement under the control of a peace officer in the performance of duty shall not be required to be confined or under restraint.

SOURCE 98-15

#### SECTION 4-4-3 KEEPING WILD ANIMALS PROHIBITED

No person shall keep, harbor, possess, act as custodian, or have a right of property in a wild animal except zoos, veterinary hospitals, animal shelters, pet shops, or individuals, all of which must be legally licensed by Federal and/or State statutes. Individuals owning or fostering animals trained or to be trained for service to persons with disabilities are excepted. Any individual keeping a service animal must provide documentation of fostering and training from a certified training organization.

SOURCE 98-15

#### SECTION 4-4-4 FARM ANIMALS PROHIBITED

Except as provided in Section 4-4-5, all farm animals, including, but not limited to, members of the swine, ovine, bovine, caprine, or equine families, poultry, and rabbits, shall be prohibited.

SOURCE 98-15

#### SECTION 4-4-5 RABBITS RESTRICTED

- (A) Possession of rabbits within the City is a violation of the law except under the following conditions:
1. The owner shall provide a cage of at least eight (8) cubic feet, with no dimension less than one (1) foot for each animal.
  2. Each cage or structure shall be placed at least ten (10) feet from all property lines.
  3. The total number of rabbits shall be no more than five (5).
- (B) For the purpose of this Section, any rabbit over six (6) weeks old shall be counted.

SOURCE 98-15

#### SECTION 4-4-6 HUMANE CARE OF ANIMALS

No owner shall fail to provide his animal with sufficient food, water, clean proper shelter, protection from the weather, and sufficient veterinary care when needed to prevent suffering and/or maintain health.

SOURCE 98-15

#### SECTION 4-4-7 ABANDONMENT PROHIBITED

It shall be unlawful for any person to abandon any animal within the City.

SOURCE 98-15

#### SECTION 4-4-8 ACTS OF CRUELTY TO ANIMALS PROHIBITED

No person shall:

1. Kill, wound, or attempt to kill or wound any domestic animal.
2. Put to death any domestic animal except by euthanasia under the supervision of a licensed veterinarian of the State.
3. Beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse a domestic animal.
4. Cause, instigate, permit, or attend any dogfight, cockfight, bullfight, or other combat between animals and between animals and humans.
5. Crop an animal's ears, dock an animal's tail, or perform similar surgeries, except a licensed veterinarian of the State.
6. Allow any animal to remain unattended by a competent person in a motor vehicle when the animal's life, health, or safety is threatened.

SOURCE 98-15

#### SECTION 4-4-9 IMPOUNDMENT OF VICTIMIZED ANIMALS

In the event that the city or its authorized agent finds a domestic animal to be a victim of cruelty, neglect, or abandonment as defined by Sections Eight, Nine, and Ten of this Title, the City or its authorized agent shall have the right to forthwith remove or cause to have removed any such animal to a safe place for care or to euthanize such animal when necessary to prevent further suffering, all at the owner's expense. Return to the owner may be denied or withheld until the owner shall have made full payment for all expenses incurred. Treatment of an animal by any method specified in this Section does not relieve the owner of liability for violations and for any accrued charges.

SOURCE 98-15

#### SECTION 4-4-10 DISEASED AND INJURED ANIMALS

- (A) No diseased or sickly horse, cow, hog, dog, cat, or other animal, nor any that has been exposed to any disease that is contagious among such animals, shall be brought into the City unless under veterinary care.
- (B) Any animal, being in any street or public place within the City, appearing, in the estimation of the City or its authorized agent or any inspector of the County health Department within one (1) hour after being found or left in such condition, may be deprived of life by the City or its authorized agent or such inspector of the County Health Department or as directed by same.
- (C) No person, other than personnel of the City or its authorized agent, inspectors or officers of the County Health Department, law enforcement officers, or persons authorized by contract or otherwise, shall in any way interfere with the removal of such dead, sick, or injured animal in such street or public place. No person shall skin or wound such animal in any street or public place, unless to terminate its life as herein authorized; except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a law enforcement officer, an inspector of the county health Department, or personnel of the city or its authorized agent.

SOURCE 98-15

#### SECTION 4-4-11 DEAD ANIMALS PROHIBITED

- (A) No person shall:
  - 1. Allow the body, or any part thereof, of any dead animal to decompose and putrefy by remaining on his property.
  - 2. Skin, dismember, butcher, dress, or exhibit any dead animals in view of the public in residentially used areas of the City.

SOURCE 98-15

#### SECTION 4-4-12 REQUIRED REPORTING OF ANIMAL BITES

Persons having knowledge of someone being bitten by an animal must report such information to the City or its authorized agent or the Peoria County Sheriff's Department within twenty-four (24) hours.

SOURCE 98-15

#### SECTION 4-4-13 DISPOSAL OF WILD ANIMALS WHICH HAVE BITTEN PERSONS

Every wild animal which has bitten a person shall be humanely destroyed immediately and a necropsy performed.

SOURCE 98-15

#### SECTION 4-4-14 HARBORING STRAY ANIMAL RESTRICTED

No person shall harbor, keep, care for, feed, or allow to remain on their property any stray domestic animal without notifying the City or its authorized agent within forty-eight (48) hours.

SOURCE 98-15

#### SECTION 4-4-15 LIBERATION OF OWNED ANIMALS PROHIBITED

No person shall remove from restraint or release from confinement any animal belonging to another person, unless in an emergency or with the consent of the owner.

SOURCE 98-15

#### SECTION 4-4-16 LIBERATION OF IMPOUNDED OR CAPTURED ANIMALS PROHIBITED

It shall be unlawful for any person to liberate or to attempt to liberate any animal impounded under the provisions of this Title from a place of confinement or from within a vehicle used for confinement and conveyance.

SOURCE 98-15

#### SECTION 4-4-17 INTERFERENCE WITH PERSONNEL

It shall be unlawful for any person to obstruct, impede, or interfere with the personnel of the City or its authorized agent or the Peoria County Sheriff's Department in the performance of their duties, or to prevent or attempt to prevent the personnel of the City or its authorized agent or the Peoria County Sheriff's Department from capturing or impounding any animal within the City.

SOURCE 98-15

#### SECTION 4-4-18 TRAPPING PROHIBITED

No person shall set any trap to catch any animal, permit any trap owned by him or in his control to be set to catch any animal, or allow a trap to be set to catch an animal in his property, unless approved by the City or its authorized agent. The indoor trapping of rats and mice is permitted. Live traps, which do not injure any animal, will be permitted, unless there is a designated trapping season which prevents them.

SOURCE 98-15

#### SECTION 4-4-19 PROVOKING ANIMALS PROHIBITED

It shall be unlawful for any person to intentionally provoke any animal so as to create a nuisance to the neighborhood or cause a violation of any provisions of this Title.

SOURCE 98-15

#### SECTION 4-4-20 REMOVAL OF WASTE

The owner of any animal shall promptly remove an accumulation of such animal's waste wherever it may exist in the City.

SOURCE 98-15

#### SECTION 4-4-21 ANIMAL CONSIDERED A NUISANCE

(A) No person owning, possessing, or harboring any animal within the city shall permit such animal to become a nuisance, except a person whose such animal has been provoked under Section Twenty-one of this Title. An animal, other than a dog trained for law enforcement in the performance of its duty, shall be considered a nuisance if such animal:

1. Substantially damages property other than the owner's.
  2. Causes unsanitary, dangerous, or unreasonably offensive conditions.
  3. Causes a disturbance by excessive barking, caterwauling, or other noisemaking.
  4. Chases vehicles.
  5. Chases, molests, attacks, bites, or interferes with any person while on or off the premises of the owner.
  6. Chases, molests, attacks, bites, or interferes with other animals while off the premises of the owner.
- (B) The City or its authorized agent, upon reasonable grounds, shall impound any animal creating a nuisance by being in violation of Subsection (A)(5) of this Section and not restrained by a competent person.

SOURCE 98-15

#### SECTION 4-4-22 DANGEROUS ANIMALS

- (A) Any dog, cat, or other animal running at large within the City which endangers the safety of any person or animal may be slain by the City or its authorized agent or a law enforcement officer.
- (B) The City or its authorized agent may impound any cat, dog, or other animal found within the City limits upon determining that the City or its authorized agent has probably cause through reliable information or reports that it is a dangerous animal.
- (C) It shall be unlawful for any person to own, act as a custodian for, care for, or keep a dangerous animal for another.
- (D) It shall be unlawful for any person to knowingly sell, trade, give away, or otherwise dispose of a dangerous animal except by humane destruction by a licensed veterinarian or at an animal shelter.
- (E) A dog trained for law enforcement while in the performance of its duty shall be exempt from the requirements of this Section.
- (F) Before any animal is disposed of under paragraph (D) above, an administrative hearing to determine if the animal is dangerous should be held. The notice of the administrative hearing to determine if the animal is dangerous shall be in writing and inform the owner of the nature of the charge. Service of this notice shall be made upon the alleged dangerous animal's owner by certified mail delivered to the address of the owner of the animal, or hand-delivered to the address of the animal shelter manager or delegate personally, at least three days prior to the hearing date. The hearing officer shall not proceed to an administrative hearing to determine whether the animal is a dangerous animal, unless the hearing officer determines that proper notice was given, or that the owner is avoiding service despite good-faith efforts to serve the notice by the animal shelter manager or delegate.

SOURCE 98-15

#### SECTION 4-4-23 IMPOUNDMENT OF ANIMALS RUNNING AT LARGE

Every animal running at large or stray animal within the City may be impounded by the City or its authorized agent, the Peoria County Sheriff's Department, or private citizen.

SOURCE 98-15

#### SECTION 4-4-24 PENALTIES

Anyone convicted in a court of law of a violation of any act prohibited or declared to be unlawful by this Title shall be punished by a fine of not more than seven hundred fifty dollars (\$750.00) for each offense. Each day an offense is committed shall constitute a separate offense.

SOURCE 98-15

#### SECTION 4-4-25 LIABILITY OF ANIMAL OWNERS

Owners of animals shall be liable for any damage done by their animals to persons, other domestic animals, or other person's property.

SOURCE 98-15

#### SECTION 4-4-26 KEEPING CERTAIN ANIMALS IN DWELLING UNITS PROHIBITED

No person shall keep, harbor, possess, or act as custodian of any of the animals described below, within a dwelling unit, or within the yard or accessory structure of a dwelling unit: Any member of the family Felidae (except the species Felis Catus, domestic cat), all members of the family Ursidae, all members of the family Hyaenidae, any member of the family Canidae (except the species Canis Familiaris, domestic dog), all members of the Family Elephantidae, any non-human primate, or any hybrids thereof.

Individuals owning or fostering animals to be trained for service to persons with disabilities are excepted. Any individual keeping a service animal must provide documentation of fostering and training from a certified training organization.

SOURCE 98-15

#### SECTION 4-4-27 INOCULATION REQUIRED

- (A) No person shall own, possess, keep, maintain, or harbor any dog or cat over the age of four (4) months of age without causing such dog or cat to be inoculated against rabies as required by the Code of Peoria County. Such inoculation shall be required, regardless of whether the dog or cat is confined at all times to an enclosed area.
- (B) If an animal is not inoculated against rabies after its owner has been found to be in violation of this Section two (2) times within a twelve (12) month period, such animal shall be impounded by the City or its authorized agent.

SOURCE 98-15

#### SECTION 4-4-28 REGISTRATION REQUIRED

No person shall own, possess, keep, maintain, or harbor any dog or cat over the age of four (4) months without registering such certificate of the inoculation with the office of the administrator of the county rabies control program, as prescribed by the Code of Peoria County. The registration of the rabies vaccination certificate may be transferred from one owner to another, but not from one animal to another.

SOURCE 98-15

#### SECTION 4-4-29 COLLAR REQUIRED

No person shall own, possess, keep, maintain, or harbor any dog or cat over four (4) months of age within the city without providing such dog or cat with a collar to be worn when said animal is outside a secure enclosure. Collars for dogs shall be of sufficient strength to control and restrain the animal without injury to the animal. Animals restrained by rope or chains must have collars.

SOURCE 98-15

#### SECTION 4-4-30 ATTACHMENT OF REGISTRATION TAGS

The registration tag, issued pursuant to the code of Peoria County requiring inoculation by a licensed veterinarian, shall be attached to the collar as required by Section thirty-one of this Title.

SOURCE 98-15

#### SECTION 4-4-31 REMOVAL OF COLLAR OR TAGS RESTRICTED

No person shall, without the consent of the owner or keeper of any dog or cat, take away or otherwise remove the registration tag, identification tag, or collar from any dog or cat.

SOURCE 98-15

#### SECTION 4-4-32 DISPOSITION OF DOG OR CAT SUSPECTED OF HAVING RABIES

Any dog or cat suspected of being afflicted with rabies may be slain by the City or its authorized agent or a law enforcement officer if it is deemed essential to the safety of any person or necessary to prevent its escape. The head of such animal shall be preserved and delivered to the County veterinarian or delegate in order that a necropsy can be conducted to determine if such animal was rabid.

SOURCE 98-15

#### SECTION 4-4-33 CONFINEMENT OF FEMALE DOG OR CAT IN HEAT

The owner of any female dog or cat in heat shall confine such animal in a building or secure enclosure. The failure to do so is a violation of law and will allow the City or its authorized agent to impound such animal.

SOURCE 98-15

#### SECTION 4-4-34 DUTIES OF DRIVER OF MOTOR VEHICLE STRIKING ANIMAL

Any person whose motor vehicle strikes a dog or cat within the City shall promptly report such occurrence to the City or its authorized agent or Peoria County Sheriff's Department with a description of the animal struck, condition of the animal, and the location of the striking.

SOURCE 98-15

#### SECTION 4-4-35 MULTIPLE-PET LICENSE

Multiple-pet owners shall obtain an annual license from the City or its authorized agent upon payment of a fee of twenty-five dollars (\$25.00). Such license shall be obtained no later than thirty (30) days after assuming ownership of a fifth animal and must be renewed annually by January 1. The annual renewal fee shall be ten dollars (\$10.00) if the owner receives an inspection rating of excellent. Payment by a multiple-pet owner shall not exempt such licensee from payment of County registration fees for each dog or cat owned by him.

SOURCE 98-15

#### SECTION 4-4-36 MULTIPLE-PET OWNER LICENSEE REQUIREMENTS

An applicant for a multiple-pet license shall consent to the inspection of the premises where his animals are kept or maintained. Such inspection shall be performed before issuance of the license or upon receipt of a complaint. Annual inspections may be required for multiple-pet owners with marginally acceptable standards. Such inspection may be performed by the City or its authorized agent. Failure to comply with a request for inspection is a violation of this Title. Holders of multiple-pet owner licenses shall conform to the following requirements:

- (A) All dogs and/or cats over four (4) months of age must be inoculated against rabies and registered pursuant to this Title.
- (B) All dogs and/or cats must be provided with a continuous supply of fresh water, sufficient food to maintain acceptable body weight, proper shelter, protection from weather, and sufficient veterinary care to prevent suffering.
- (C) If dogs and/or cats are kept or maintained within a structure or building, such structure or building shall:



- i. Meet County and City health standards.
  - ii. Be kept clean, free of feces and urine.
  - iii. Not constitute a nuisance or danger to the health and welfare of its inhabitants nor surrounding residents.
- (D) If the dogs and/or cats are maintained outside a building during a substantial portion of the day and/or night:
- i. A shelter of sufficient height and width to permit such animal to stand up and turn around inside when fully grown shall be provided.
  - ii. The shelter provided shall provide shade from the sun and shall be located a distance equal to one and one-half (1 ½) times the width of the shelter from any residence located on lots or parcels of and contiguous to the property occupied by the shelter.
- (E) The dogs and/or cats shall be prevented from running at large.
- (F) The dogs and/or cats shall be prevented from causing a nuisance pursuant to Section Twenty-three of this Title.
- (G) The owner's property shall be kept free of all feces and urine to prevent its accumulation from constituting a health hazard or an odorous nuisance.

SOURCE 98-15

#### SECTION 4-4-37 REVOCATION OF MULTIPLE-PET LICENSE

- (A) Upon conviction of a second violation of the requirements pursuant to this Title, the City or its authorized agent shall revoke the multiple—pet license for a period of not less than three (3) months nor more than two (2) years, the length of such revocation period to be determined by the number and severity of the violations. After expiration of the revocation period, the license shall not automatically be reinstated. The former licensee must reapply for the license and show an ability to conform to the existing Titles before he may be issued a multiple-pet license.
- (B) During the revocation period, the owner shall either relinquish ownership of his animals to the City or its authorized agent or place his animals in the care of another person after that person's facility for such animals has been inspected and approved by the City or its authorized agent.

SOURCE 98-15

#### SECTION 4-4-38 IMPOUNDMENT OF MULTIPLE PETS

The City or its authorized agent may impound the dogs and cats of any multiple-pet owner if such owner does not hold a multiple-pet license.

SOURCE 98-15