

Chapter 12
DOGS, CATS and OTHER ANIMALS

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12.01 ANIMALS AT LARGE

A. Prohibited: It is unlawful to permit any cattle, horse, swine, sheep, goats or poultry to run at large in the City. Any such animal running at large in any public place in the City shall be impounded as provided in Section 12.06 of this Chapter. It is further unlawful to picket or tie any such animal in any of the streets of the City for the purpose of grazing or feeding.

Nor shall any person keep, harbor, care for, act as custodian of or maintain in his possession, any dangerous animal.

For purposes of this section, "dangerous animal" means: any lion, tiger, leopard, jaguar, cheetah, mountain lion, lynx, bobcat, jaguar, bear, hyena, wolf or coyote, snake or life-threatening reptile.

B. Running at Large, Treatment:

1. No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the public health or safety may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the Chief of Police.
2. It shall be the duty of the Chief of Police to secure the disposition of any diseased animal, and such treatment of the affected premises as to prevent the communication and spread of infection, except in cases where the state veterinarian is empowered to act.

12.02 CRUELTY TO ANIMALS

No person shall cruelly treat any animal in the City in any way. Any person who inhumanely beats, underfeeds, overloads or abandons any animal is guilty of a violation of this section.

12.03 ANIMALS RUNNING AT LARGE

It is unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the City. The members of the Harvard Police Department or any other persons in the City are authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

12.04 DOGS & CATS --- BITING, RUNNING AT LARGE

A. Running at Large, Dangerous Animals: Except as provided in Section 12.04-G, no vicious, dangerous dog or cat liable to communicate rabies or other contagious or infectious disease shall be permitted to run at large within the City. (Ord 2010-119, §1)

B. Running at Large: Except as provided in Section 12.04-G, no dog or cat shall be permitted to run at large in the City. Dogs or cats, which are on any street, sidewalk, alley or other public place in the City without being held securely by a leash, shall be deemed to be running at large. (Ord 2010-119, §1; Ord. 2002-143,§3)

C. Disturbing Peace: No person owning any dog or cat shall permit such animal to disturb the peace and quiet of the neighborhood by barking or crying, or making other loud or unusual noises.

D. Animal Bites: Whenever any animal bites a person, the owner of the animal shall immediately notify the Chief of Police, who shall order the animal held on the owner's premises or shall have it impounded for a period of 10 days. The animal shall be examined immediately after it has bitten anyone and again at the end of the 10-day period. If, at the end of the 10 days, a veterinarian is convinced that the animal is then free from rabies, the animal shall be released from quarantine or from the pound, as the case may be.

E. Vicious Dogs: The City adopts as its own ordinance the provisions of 510 ILCS 5/15 et. seq. with reference to the definition, control and regulations of vicious dogs as defined by said statute. Each and every provision of said statute is hereby incorporated into and made a part of this Section 12.04-E.

F. Animal Waste: The owners of any dog or cat, or those in charge of, or responsible for the animals, shall, at all times, promptly remove any animal feces from the public streets, sidewalks, alleys, other public places or private property. Said individuals, while walking said animals, shall carry with them such material and equipment as may be necessary to dispose of such waste. (Ord. 2008-139,§2; Ord. 2002-143,§4)

G. Managed Feral Cat Colony: Managed feral cat colonies shall be subject to Article XVII, An Article Regulation Animal Control for McHenry County, which can be accessed at the McHenry County website at www.co.mchenry.il.us/departments/health/pdfDocs/AC/ArticleXVII.pdf.

12.05 HOUSING ANIMALS

A. Location Restrictions: The stabling, housing or keeping of any domestic animal of the species of horse, mule, cattle, sheep, goat, swine or poultry upon any lot, parcel or tract of land of an area of less than 10 acres, or in any building or fixture erected thereon within the corporate limits, is a public nuisance and a misdemeanor.

B. Veterinary Privilege: This section shall not apply to any licensed doctor of veterinary medicine who, in the ordinary course of his businesses, houses, stables or keeps any domestic animal of the species described in Section 12.04-A on his premises as an incident to the treatment of such animal.

12.06 IMPOUNDING ANIMALS

A. Cause, Procedure: Any animal found in the City either without a license or running at large under the conditions set forth in Sections 12.04 and 12.08, is declared a nuisance and shall be impounded as provided in this section and Section 12.04E.

B. Fees: A charge of \$20.00 per day shall be charged for taking up, impounding and keeping such animals.

C. Redemption: The owner or owners of any animals impounded under this Chapter may redeem the same by paying all costs, charges and penalties assessed, if any, that have accrued up to the time of making the redemption, and when the same are paid, the owner shall be released from said pound and delivered to the owner thereof.

D. Owner Notification: It shall be the duty of the pound keeper to cause notice to be served upon the registered owner of any licensed animal impounded under the provisions of this chapter. Such notice shall be served at least seven days before such animal is otherwise disposed of.

12.07 LICENSING DOGS

No person shall permit a dog to be or remain in the City without being registered and licensed by McHenry County. The registration and licensing rules of McHenry County shall prevail. In no case shall a dog be allowed to be or remain in the City that does not been a current inoculation against rabies.

12.08 VIOLATIONS AND PENALTIES

A. Except for Sections 12.04-A and B, any person, firm or corporation violating any of the provisions of this Chapter 12 shall be fined not less than \$50.00 or more than \$100 for each offense. A separate offense shall be deemed committed on each day during or on which such violation occurs or continues. (Ord 2008-123,§5; Ord. 2002-143,§5,2002)

B. For the first offense of any person, firm or corporation violation either Section

12.04-A or 12.040-B, a written warning shall be issued. Upon the second offense, there shall be a fine of not less than \$50.00 or more than \$100.00. Upon the third offense, there shall be a fine of not less than \$50.00 or more than \$100.00 and a Notice to Appear shall be issued. Upon the fourth and subsequent offenses, there shall be a fine of not less than \$75.00 or more than \$500.00 and a Notice to Appear shall be issued. All fines shall include the City's cost of prosecution, including reasonable attorney fees. A separate offense shall be deemed committed on each day during or on which such violation occurs or continues. (Ord 2008-123,§5; Ord. 2002-143,§5)