

**VILLAGE OF TOLONO  
CHAMPAIGN COUNTY, ILLINOIS**

**ORDINANCE NO. 06 - 08**

**ANIMAL CONTROL ORDINANCE**

**PASSED BY THE  
BOARD OF TRUSTEES  
AND APPROVED BY THE  
PRESIDENT OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF TOLONO  
ON September 5, 2006**

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Published in pamphlet form by authority of the President and Board of Trustees of the Village of Tolono, Champaign County, Illinois this 5<sup>th</sup> day of September, 2006.

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CHAMPAIGN COUNTY, ILLINOIS**

**ORDINANCE NO. 06 - 08**

**September 5, 2006**

**ANIMAL CONTROL ORDINANCE**

**WHEREAS**, the Village of Tolono, Illinois (“Village”) has recently experienced occasions of domestic animals running loose within the Village; and

**WHEREAS**, the President and Board of Trustees believe that the following Animal Control Ordinance is in the best interest of the Village and its citizens and accordingly should be adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TOLONO, ILLINOIS, AS FOLLOWS:**

**1. Animal running at large prohibited.**

The running at large of any dog or cat within the Village is declared a public nuisance and is prohibited.

Any dog or cat shall be deemed at large when it is off the property of its owner, possessor, keeper or other authorized person, and is not under the control of its owner, possessor, keeper or other authorized person by leash, cord, chain, rope or other effective device. For the purpose of this ordinance, voice control shall not be considered as control.

A dog or cat is under restraint, and not at large, within the meaning of this ordinance if it is controlled by a leash, cord, chain, rope or other effective device by its owner, possessor, keeper or other authorized person, or is confined within a vehicle driven or parked on the streets, or is within the property limits of its owner, possessor, keeper or other authorized person.

**2. Liability of owner.**

A dog or cat is also deemed to be a public nuisance, and the owner, keeper, possessor, or other authorized person of such an animal shall be in violation of this ordinance if his or her dog or cat commits any of the following acts in the village:

- A. Causes damage to the property or possessions of any person other than the owner;
- B. Bites or scratches a person other than the owner;

C. Seriously or viciously frightens, annoys, nips, hisses at, growls at, barks at, or jumps at any person other than the owner;

D. Chases or barks at an automobile, bicycle, or any other vehicle upon the streets or alleys of the village;

E. Overturns garbage cans, trash bins, recyclable bins or incinerators; or

F. Does not have a current Champaign County, Illinois, tag indicating inoculation against rabies.

### **3. Barking or howling animals.**

It is unlawful for any person to own, possess or keep a dog or cat that howls, whines, wails, growls, or barks with such loudness and/or frequency or for such an extended period of time as to disturb the peace and quiet of the neighborhood.

### **4. Impoundment/fines for violations of Sections 1 through 3.**

Any dog or cat running at large in violation of Section 1, being a nuisance under Section 2, or barking or howling in violation of Section 3, is subject to impoundment.

Impounding of all animals will be handled by a designated Village agent or employee, or by a Champaign County Animal Control Officer.

Any owner, keeper, possessor or other authorized person upon claiming the animal is liable for all fees and fines as levied by the Village and Champaign County Humane Society shelter or other impoundment facility.

At the end of seven days, the animal will be put up for adoption or disposed of at the discretion of the impoundment facility, according to its rules and procedures.

Any owner, keeper, possessor or other authorized person who has permitted a dog or cat to run at large in violation of Section 1, to be a nuisance under Section 2, or to bark or howl in violation of section 3, is in violation of this ordinance. Such person shall be subject to a fine of \$75.00 for each offense together with reimbursement to the Village for all fees and costs assessed by the Champaign County Humane Society and/or any other holding facility utilized by the Village.

### **5. Rabies quarantine – Dogs.**

It shall be the duty of the owner, keeper, possessor or other authorized person having custody of any dog which bites any human being to keep such animal locked up in an enclosed facility, (recommendation of a facility will be made by the animal control officer) for ten (10) days following the time the dog has bitten the person. The dog must be examined by a licensed veterinarian at the commencement and termination of this ten (10) day period. If such dog during this period shall die or show definite signs of illness, it shall be the duty of such owner or person having custody of the dog to turn the dog over to the county animal control officer so that it can be determined whether or not the dog has rabies.

**6. Rabies quarantine – Cats.**

When a cat has bitten a person other than the owner, or is believed to be a source of rabies or other infectious diseases, or is otherwise diseased, or presents a hazard to public health, then such a cat is subject to being impounded.

Impounding of all cats will be handled by an appropriate kennel or veterinarian office, selected by the owner, or the village.

**7. Animal cruelty.**

Any person who shall be cruel to any animal by cruelly beating, mutilating, torturing or killing any animal; or any person who fails to provide quarters for animals that are protected from excessive heat or cold; or any person who fails to keep an animal in a clean, sanitary and healthy manner, shall be in violation of this ordinance.

Complaints will be referred directly to the Champaign County Humane Society or the Champaign County Animal Control Officer. If, after an investigation by the appropriate local, county, or state authority the person is found to be in violation of this ordinance, a fine of \$200.00 for each offense.

**8. Removal of dog excrement.**

A. No owner or person in control of a dog shall permit the dog to deposit fecal matter on any public right-of-way or property, or on any private property, other than that of the owner or person in control, without providing a means of disposing of the fecal matter.

B. The owner or person in control of a dog shall promptly remove any fecal matter deposited on any such property, other than property belonging to the owner or person in control of the dog.

C. This section shall not apply to support dogs, or guide dogs used by blind, visually handicapped, hearing impaired or otherwise physically disabled persons.

D. The offenses prohibited by this section shall be absolute liability offenses.

E. Any owner or person in control of a dog who violates the prohibitions of this section shall be fined an amount of \$25.00 for each offense.

**9. Wild animals.**

Animals native to this area such as raccoons, opossums, bats and skunks accidentally interact with the human residents. If such an animal is causing damage or is a threat to human beings, the resident should report the animal to the Champaign County Humane Society or the Champaign County Animal Control Officer for investigation and action.

**10. Fines – Injunction.**

Except as herein otherwise provided, any person violating the terms of this ordinance shall be subject to a fine not to exceed two hundred dollars (\$200.00) for each violation. The Village may impose an administrative fine in lieu of judicial action, but if the person charged elects not to pay such administrative fine, the Village attorney may prosecute such violation in the appropriate court for imposition of an appropriate fine by the court.

In addition to fines, the Village may, as it deems advisable, seek injunctive relief against continuing violations of this ordinance.

**11. Severability.**

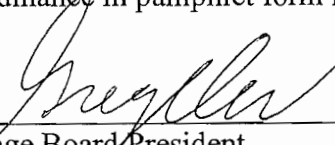
If any provision of this ordinance is determined to be invalid or unenforceable for any reason, then that determination shall not effect the validity or enforceability of the other provisions of this ordinance, unless the determination of invalidity so determines or requires.

**12. Effective Date.**

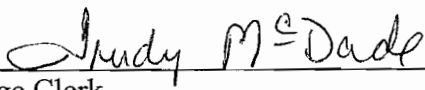
This ordinance shall be effective on and after its passage approval and publication in accordance with law.

**13. Publication.**

Village Clerk is directed to publish this ordinance in pamphlet form in accordance with law.

  
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Village Board President

ATTEST

  
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Village Clerk