

Title 4

Community Protection

ARTICLE 1
DOGS AND CATS

SECTION 1. DEFINITIONS.

“Cat” shall mean any feline regardless of sex or age.

“Dog” shall mean any canine regardless of sex or age.

“Stray cat or dog” shall mean any cat or dog that is not controlled; furthermore, if the cat or dog is owned, a stray cat or dog shall mean a cat or dog that is not residing on the owner’s real property.

“Owner” shall mean any person (a) having the right of property in an animal, (b) who keeps or harbors a cat or dog, (c) who has a cat or dog in his or her care, (d) acts as custodian for the cat or dog, or (e) who knowingly permits a cat or dog to remain on or about the premises occupied by him or her.

SECTION 2. NUISANCE. It is hereby prohibited and is deemed to be a public nuisance for any owner to cause, or allow, their cat or dog:

- a. To disturb the peace and quiet of the neighborhood by the making of loud and unusual noises.
- b. To run across any cultivated garden or yard.
- c. To damage any property, other than the owners.
- d. To chase, molest, attack, bite, interfere with or physically intimidate any person on or off the owner’s premises.
- e. To chase, molest, attack, bite, interfere with or physically intimidate any other animal off the owner's premises.

Additionally, it is hereby prohibited and deemed to be a public nuisance for the owner of any cat or dog to allow any cat or dog to be kept in unsanitary, dangerous or unreasonably offensive conditions or allow the creation of obnoxious odors by keeping the of any cat or dog.

SECTION 3. LIMIT ON NUMBER OF CATS AND DOGS. No household shall keep more than two (2) cats, excluding cats under four months old, and two (2) dogs, excluding dogs under four months old, within the Village of Alpha, except in Veterinarian hospitals, pet shops, or kennels approved by the appropriate regulatory agency of the State of Illinois. The payment of a license on cats or dogs shall not be construed as permission to the keeping

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of more than the number of cats or dogs as herein provided.

SECTION 4. IMPOUNDING OF CATS AND DOGS. Whenever any police officer, Animal Control Officer or their agent, shall find any stray cat or dog, or any cat or dog creating a nuisance as defined by this Article, he or she shall, if possible, pick up and impound such animal in such places as the Chief of Police, Animal Control Officer or their agent may direct.

Whenever any impounded cat or dog shall bear an identification mark, such as a collar with the owners Identification or rabies tag or license tag, the owner shall be notified forthwith, and the cat or dog returned to said owner. Any cat or dog impounded without such identification, or where the owner cannot be identified or contacted, shall be impounded for a minimum of three (3) days. Within twenty-four (24) hours the Chief of Police, the Animal Control Officer or their agent shall place a notice of impoundment at the Alpha Village Hall and the Alpha Post Office for three (3) business days. At the end of said three (3) business day period, the cat or dog may be disposed of by the Chief of Police, the Animal Control Officer or their agent. There shall be no required holding period before returning any impounded cat or dog to its owner, unless said cat or dog is suspected of having rabies, in which case the impounded cat or dog shall be held for ten (10) days. At the end of ten (10) days, the cat or dog shall be disposed of unless the owner thereof shall reclaim such cat or dog and pay at the police department the reasonable cost of keeping such cat or dog of ten dollars (\$10.00) per day and provide to the Chief of Police, the Animal Control Officer or their agent, a written statement, from a veterinarian licensed for practice in the State of Illinois, that said cat or dog is free of rabies.

When it is deemed necessary for the protection of any person or property, any cat or dog that cannot be safely taken up and impounded may be slain by any Police Officer, Animal Control Officer or their agent; provided that if any cat or dog so slain has bitten any person or caused an abrasion of the skin of any person, it shall be the duty of the Police Officer, Animal Control Officer or their agent slaying said cat or dog to immediately deliver the carcass of said cat or dog to the State of Illinois Department of Public Health, or their designee, for a determination of rabies.

SECTION 5. HUMANE CARE OF CAT OR DOG. No owner shall fail to provide his or her cat or dog with sufficient food, water, clean and proper environment, protection from weather and sufficient veterinary care to maintain the cat or dog's health and prevent suffering. Additionally, no owner shall be permitted to keep a cat or dog in violation of the "Illinois Humane Care for Animals Act" or the "Illinois Animal Welfare Act."

SECTION 6. ABANDONMENT PROHIBITED. No person shall abandon any cat or dog within the boundaries of Alpha, Illinois.

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- SECTION 7. IDENTIFICATION.** It is hereby prohibited to allow any cat or dog within the Village of Alpha to be without proper identification. Proper identification shall consist of (a) a rabies tag; (b) a plate with the owner's name; or (c) a license tag. The means of identification must be able to allow the Chief of Police, the Animal Control Officer or their agent, to readily identify the name and address of the owner of the cat or dog. Said identification must be securely attached to a collar or harness and must be worn at all times by the cat or dog.
- SECTION 8. RABIES INOCULATION.** Each calendar year, every owner of a cat or dog four (4) months of age or greater within the Village of Alpha shall cause such cat or dog to be inoculated against Rabies by a veterinarian licensed to practice in the State of Illinois. Said veterinarian shall provide to the owner of the cat or dog a certificate of inoculation and apply to receive a rabies identification tag. Said tag is to be attached to the harness or collar of the cat or dog inoculated and shall be worn by the cat or dog at all times.
- SECTION 9. INTERFERENCE WITH CHIEF OF POLICE, THE ANIMAL CONTROL OFFICER OR THEIR AGENT.** It shall be unlawful for any person to obstruct, impede or interfere with the Chief of Police, the Animal Control Officer, or their agent in their performance of their duties in regard to this Ordinance or to prevent or attempt to prevent the Chief of Police, the Animal Control Officer or their agent, from capturing or impounding any stray cat or dog; or, any cat or dog creating a nuisance.

ARTICLE 2

ANIMALS OTHER THAN DOGS AND CATS

SECTION 1. CHICKENS A person may keep or maintain mature chickens within the corporate limits of the Village in accordance with the following provisions:

- (a) A maximum of six (6) chickens shall be permitted on any property. Roosters shall be prohibited.
- (b) Chickens shall be kept in an enclosure and fenced area at all times.
- (c) No pen, coop, building or other enclosure used for the purpose of housing chickens shall be erected or maintained within ten feet (10') of a property line or within twenty feet (20') of any occupied residence other than that of the owner.
- (d) Every person maintaining a pen, coop, building, yard or enclosure for chickens shall keep such area clean and sanitary at all times. Any dirt or refuse resulting from the chickens shall be disposed of in a clean and sanitary fashion.
- (e) All feed for chickens shall be kept in containers that are rodent proof until put out for consumption.
- (f) All chickens shall be kept in the rear yard.
- (g) Property must be zoned "A" Residential by the Village

SECTION 2. RABBITS A person may keep or maintain rabbits within the corporate limits of the village in accordance with the following provisions:

- (a) A maximum of six (6) mature rabbits six (6) months of age or older shall be permitted on any property.
- (b) Rabbits shall be kept in an enclosure and fenced area at all times.
- (c) No pen, building or other enclosure used for the purpose of housing rabbits shall be erected maintained within ten feet (10') of a property line or within twenty feet (20') of any occupied residence other than that of the owner.
- (d) Every person maintaining a pen, building, yard or enclosure for rabbits shall keep such area clean and sanitary at all times. Any dirt or refuse resulting from the rabbits shall be disposed of in a clean and sanitary fashion.
- (e) All feed for rabbits shall be kept in containers that are rodent proof until put out for consumption.
- (f) All rabbits shall be kept in the rear yard.
- (g) Property must be zoned "A" Residential by the Village

SECTION 3. PROHIBITED ANIMALS: No person shall keep any cattle, sheep, goats, horses, mules, swine including potbellied pigs, pigeons, domestic fowl of the species of geese, ducks, turkeys, guinea hens or exotic animals of any breed at any place or upon any premises in the Village, nor shall any such animals be permitted to run at large within the Village.

SECTION 4. PENALTIES

- (a) Persons having chickens/rabbits as of this effective date shall have Thirty (60) days to bring their property into compliance with the Ordinance.
- (b) Any Police Officer, Zoning Officer or other officers or employees or persons as the Village President may designate, may access the rear yard of the residents for the purpose of verifying compliance with this Code on a periodic basis.
- (c) Failure to allow an inspection in accordance with (b) of this Section shall constitute a violation of the Village Code and shall be punishable by fine of no more than \$100 plus court cost. Each day a violation continues shall be considered a separate offense.
- (d) Violation of any standard in Section 1,2 or 3 above shall be punishable by a fine not to exceed \$100 plus court cost. Each day a violation continues shall be considered a separate offense.
- (e) Three violations of this Ordinance on a property within any 12-month period shall result in loss of permission to keep chickens/rabbits on the property. Keeping chickens/rabbits after permission has been revoked shall be punishable by a fine not to exceed \$750 plus court cost. Each day a violation continues shall be considered a separate offense.

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ARTICLE 3

DANGEROUS ANIMALS

SECTION 1. DEFINITIONS.

As used in this Ordinance, the following terms shall have, unless the context indicates otherwise, the meaning ascribed to them.

- a. "Animal" shall mean any animals, poultry, bird, reptile, or any other dumb creature but shall not include any human being.
- b. "Dangerous Animals" shall mean any animal, as defined above, of any species considered to be ferocious, mischievous, or intractable at common law, including lions, tigers, other jungle, desert or mountain cats, bears, elephants, wolves, foxes, raccoons, monkeys, apes, poisonous or constrictor snakes or lizards, and shall also mean any animal of any other species known to its owner to be dangerous or any animal which and given its owner or possessor reasons to know that it is dangerous.

SECTION 2. BEEKEEPING WITHIN VILLAGE PROHIBITED.

It shall be unlawful for any person to keep or maintain any bees, beehives, or apiaries within the Village, unless the property occupied by them within the Village shall be a minimum of ten (10) acres.

SECTION 3. DANGEROUS ANIMALS GENERALLY; DECLARED TO BE NUISANCES.

- a. No person shall permit any dangerous animals to run at large nor shall any person lead such an animal with a chain or rope or other applicants, whether the animals are muzzled or unmuzzled, in any street, avenue, lane or highway or public place or building, or private house, building or vacant lot, within the Village, except for a public exhibition authorized by the Chief of Police.
- b. In addition to any other remedies, and except as expressly authorized in the Village by the Village Board of Trustees, dangerous animals are hereby declared to be nuisances.

SECTION 4. DANGEROUS ANIMALS UNSAFE TO BE IMPOUNDED MAY BE SLAIN; DISPOSITION.

If any dangerous, fierce or vicious animals cannot be safely taken up and impounded, the animal may be slain by any police officer of the Village; however, in all cases where any animal so slain has bitten any person or caused an abrasion of the skin of a person, it shall be the duty of the police officer slaying the animal to immediately deliver the carcass and the head of the animal to the appropriate state or county official. Police officers shall not shoot a rabies suspect in the head.

ARTICLE 1

CURFEW

- SECTION 1. HOURS; AGES.** It is hereby declared to be unlawful for any minor person less than seventeen (17) years of age to be or remain in or upon any of the streets, alleys, or public places in the Village at night after the hour of eleven o'clock (11:00 P.M.), Monday through Friday, and midnight to 6 A.M. Saturday and Sunday, unless the minor is:
- a. accompanied by a parent, guardian, or other person having the legal custody of such minor;
 - b. is in the performance of an errand or duty directed by such parent, guardian, or other person having the care and custody of such minor;
 - c. has employment making it necessary to be upon said streets, alleys, or public places during the nighttime and after said specified hour;
 - d. in an orderly manner actually on his way to or from the homes of friends, school or church entertainments, or legitimate public amusement places; provided, however, this exception shall not apply when the person under such age shall be playing or unnecessarily loitering upon any such street, alley or public place whether alone or accompanied by a parent, guardian or any other person or persons whomsoever.
- SECTION 2. PARENTS' RESPONSIBILITY.** It is hereby made unlawful for any parent, guardian or any other person having the legal care or custody of a minor person less than seventeen (17) years of age to allow or permit such minor while in their legal custody to go or be upon any of the streets, alleys, or other public places in the Village within the time prohibited in Section 1 hereof unless there exists a reasonable necessary therefor and unless said minor's being upon the streets, alleys, and public places would be within the exceptions set forth in Section 1 hereof.
- SECTION 3. VIOLATIONS; ARRESTS.** Each member of the police force while on duty is hereby authorized to arrest without warrant any person willfully violating the provisions of this Article, and to retain such persons for a reasonable time in which complaint can be made and a warrant issued and served. Said police officer shall have the right to demand proper identification of age of said minor, and if said minor is unable to produce proper identification of his age, he shall be compelled to obey the instructions of the police officer.

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ARTICLE 2

BURNING

SECTION 1. LOCATION. No person shall kindle or maintain any bonfire, cooking fires (wiener roasts) landscaped waste or leaf fire or authorize any such fire to be kindled or maintained on any street, sidewalk, or alley or authorize any such fires to be maintained on any private land unless the location is not less than (25) feet from any structure and adequate provision is made to prevent the fire from spreading to within twenty-five (25) feet of any structure.

SECTION 2. ATTENDANCE. Bonfires, cooking fires (wiener roasts), landscape waste fires, and leaf fires shall be constantly attended by a competent person until such fire is extinguished. This person shall have a garden hose connected to the water supply or other fire extinguishing equipment readily available for use. Bonfires, landscape waste fires, and leaf fires are allowed only between 7:00 a.m. and 7:00 p.m. Cooking fires (wiener roasts) must be extinguished by 11:00 p.m.

SECTION 3. VILLAGE PRESIDENT MAY PROHIBIT. The Village President may prohibit any or all bonfires and outdoor fires when atmospheric conditions or local circumstances make such fires hazardous, provided the Village President has been notified of said prohibition, at least twelve (12) hours in advance of said prohibition's taking effect all news media who have a request for notification of public meetings under the Open Meetings Act on file with the Village Clerk, or any time he declares an emergency exists he shall so prohibit Without such notification.

SECTION 4. RUBBISH FIRES. Rubbish fires including tire, roofing materials, rags, garbage, hay, straw or any material giving off an obnoxious odor are not allowed

CHAPTER 3—PARKS

ARTICLE 1

REGULATION OF PARKS

SECTION 1. All parks shall be operated and maintained under the supervision of Board of Trustees.

SECTION 2. The Chief of Police shall see to the operation of the Village parks and enforce all rules relating to the use of the park.

SECTION 3. No amusement for gain or for which a charge is maintained can be conducted in the park without the consent of the Village Board, and such amusement must be conducted in accordance with any Ordinance pertaining thereto.

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CHAPTER 2 —PUBLIC OFFENSES

SECTION 4. Any assembly or group of people desiring to use the park shall obtain permission from the Chief of Police prior to such park usage.

SECTION 5. The Chief of Police shall have the authority to grant or deny use of the park.

SECTION 6. Each person, firm or corporation using the park and grounds shall clean up all debris and leave the premises in good order and the facilities in a neat and sanitary condition, and shall not:

- a. Disturb the peace, or use any profane, obscene, or blasphemous language.
- b. Commit any assault, battery, or engage in fighting.
- c. Endanger the safety of any person by any conduct or act.
- d. Carry, possess, or drink any alcoholic liquor in any park.
- e. Violate any posted rules for the use of the park, made or approved by the Village Board of Trustees.

SECTION 7. GROUPS AND/OR INDIVIDUALS WITH PERMITS. The following rules will apply to all persons for use of the park:

- a. No loafing or loitering from dusk to dawn.
- b. No overnight parking without permission from the Chief of Police.
- c. No commercial ventures.

SECTION 8. The park may be declared closed to the public by the Board of Trustees at any time and for any intervals of time either temporary or at regular or stated intervals.