

CHAPTER 9

ANIMALS

**ARTICLE I
GENERAL**

SECTION 9-0: APPLICABILITY

The contents of this chapter are applicable to all animals within the geographical boundary of the Village of Lena, present and future, and those persons who have or may have possession, ownership, control, or any other manner of charge of any type of said animal, domestic or otherwise.

SECTION 9-1: DEFINITIONS

Unless the context otherwise requires, the following terms as used in this ordinance shall be construed according to the definitions given below:

“DOMESTIC AND/OR FARM ANIMALS” Horses (including miniature horses), cows, cattle, swine (including all pot-bellied pigs), sheep, goats, donkeys, mules, burros, asses, rabbits, ferrets, mink or any animal raised and/or kept for the purpose of work, meat, milk, or pelt or skin.

“DOMESTIC AND/OR FARM FOWLS” Chickens (large or bantam), ducks, geese, turkeys, guineas, or any fowls raised and/or kept for the purpose of meat, eggs, or plumage.

“STABLES, PENS, STIES, AND HUTCHES” Herein defined as any place, enclosure, or premises, where domestic or farm animals are housed or kept.

“COOPS, LOFTS, PENS, OR RUNWAYS” Herein defined as any place, enclosure, or premises, where domestic or farm fowl are housed or kept.

“KENNELS” Any establishment, or premises wherein or whereon, dogs are kept for the purpose of breeding, boarding, sale, exchange, or sporting.

“CATTERIES” Any establishment, or premises wherein or whereon, cats are kept for the purpose of breeding, boarding, sale, exchange, or sporting.

“PETS” Dogs, cats, small mammals, or any small fish or reptiles owned or kept as a family or household pet. (Amended 2/13/06)

SECTION 9-2 through 9-8. RESERVED

**ARTICLE II
ANIMALS**

SECTION 9-9: PROHIBITIONS

(A) It shall be unlawful to maintain any DOMESTIC AND/OR FARM ANIMALS AND/OR DOMESTIC AND/OR FARM FOUL, except rabbits, or ferrets, which the Village limits. (Amended 12/12/22)

(B) It shall be unlawful for any animal owner or person to allow, take, or otherwise control his/her animal(s) on any public property or street, or private property belonging to others, within the Village and

not clean up all solid waste (manure) deposited by said animal(s).

(C) It shall be unlawful to kill, or attempt to kill or wound, by the use of firearms, all types of air guns, all types of bow and arrow, pelting with stone or otherwise, or by the use of a sling-shot, any bird, fish or animal within the Village. Police officers in the performance of their duties are exempt from this statute.

(D) It shall be unlawful for any person to be guilty of cruelty to any animal by overloading, over-driving, overworking, beating, torturing, tormenting, mutilating, failing to provide animal on his/her charge or custody as the owner or otherwise, with proper food, drink, and shelter, abandon any animal of any age or condition, or causing or knowingly allow the same to be done.

(E) It shall unlawful for any person to keep, harbor, or maintain a stable, pen, sty, hutch, coop, loft or runway within the Village. This provision shall not apply to the keeping of pets. Pet enclosures shall be maintained in a sanitary state at all times and shall not present an offensive condition.

(F) It shall be unlawful for any person, persons, associations, or corporations to keep more than four (4) dogs or cats over four months of age of either sex in any home, trailer, pen, yard, or building within the Village.

SECTION 9-10: REMOVAL OF DEAD ANIMALS

Any person having a dead animal, or an animal past recovery which is not killed for meat, or is improper to use as meat, or in an offensive condition, or sick with an infectious or contagious disease on his/her premises within the Village, and every person whose animal or any animal in his/her charge or under his/her control in any street or place may die or become, or be in a condition past recovery, shall at once remove or cause the removal of such animal. Small animal "road kill" within the Village may be reported to the Village Hall.

SECTION 9-11: WILD ANIMALS

Any person encountering or having contact with any wild animal that they believe presents a threat or danger to any person, household, or business in the Village should contact the Stephenson County dispatcher and report the incident.

SECTION 9-12 through 9-19. RESERVED

ARTICLE III PETS

SECTION 9-20: DOGS - AT LARGE

(A) No dog shall be permitted to run at large within the Village, unless said animal is secured on the owner's premises in an area enclosed by secure fence or by leash.

(B) Any dogs found running at large shall be declared to be a public nuisance. (Amended 06/10/19)

(C) If any owner or possessor of a dog shall permit the same to run at large at any time within the Village, he/she shall be subject to the penalties ascribed in Section 9.99.

SECTION 9-21: REGISTRATION AND FEE REQUIRED

Every person within the Village owning, keeping, or harboring any dog or dogs within the Village, shall register same dog or dogs with the Stephenson County Animal Control Department. It shall be the further duty of such same person to pay the required annual registration fee and maintain a current and valid rabies tag for said dog or dogs.

SECTION 9-22: IDENTIFICATION REQUIRED

Every person keeping or harboring any dog or dogs registered under the provisions of this Chapter shall keep and maintain a collar around the neck of each same dog with the registration/rabies tag issued by the County fastened thereto. Every dog found in the Village without such tag shall, for the purpose of this Chapter, be deemed an unregistered dog.

SECTION 9-23: STRAY PETS

If a stray pet is observed by a Village resident, said resident shall call the County dispatch (non-emergency) number and report the stray. If the owner of a stray pet is located, the stray will be returned. If the owner is not located, the animal will be picked up by the Stephenson County Animal Control. (Amended 06/10/19)

SECTION 9-24: KENNELS

No person or corporation shall operate a kennel or kennels for the purpose of breeding or boarding cats or dogs or any other animals within the Village.

SECTION 9-25: DANGEROUS/VICIOUS DOGS (Passed 06/10/19)

(A) A dangerous/vicious dog is defined as any dog which attacks any person or domesticated animal off the property of the owner or keeper of the dog. If a dog has been found dangerous/vicious by another agency, administrative official, circuit court or a court of competent jurisdiction, it is prohibited from being kept within the Village.

(B) It shall be unlawful for any person to keep or maintain any dog in the Village which has been found to be a dangerous/vicious dog pursuant to this chapter and such keeping shall constitute a nuisance.

(C) If the existence of a nuisance is established, an order may be entered restraining the owner from maintaining such nuisance and ordering that the dog be humanely euthanized. If another agency, administrative official, circuit court or a court of competent jurisdiction, declares the dog to be dangerous/vicious, the animal shall not be euthanized until the time has passed for an appeal of such ruling.

SECTION 9-26 through 9-98. RESERVED

**ARTICLE IV
PENALTY**

SECTION 9-99: PENALTY

Any person found to be in violation of any provision of this Chapter, shall be fined \$100.00 - \$500.00.

Each day a continuing violation exists may be deemed a separate offense.