

ORDINANCE NO. 09 - 07

AN ORDINANCE REGULATING DOGS AND CATS AND OTHER ANIMALS

I. THE VILLAGE BOARD OF TRUSTEES BELIEVES THAT:

- A. Controlling the dog and cat and other animal population would have a significant benefit to the public health and safety by among other things aiding the prevention of dog attacks, reducing the number of dog and cat bite cases involving children and decreasing the number of automobile accidents caused by stray dogs and cats.
- B. Increasing the number of rabies-vaccinated, owned pets will reduce potential threats to public health and safety from rabies.
- C. Controlling the dog and cat population will save taxpayers dollars by reducing the number of dogs and cats handled by the county animal control agency.

II. THE PURPOSE of this Ordinance is to promote harmonious relationships in the interaction between humans and animals by:

- A. Protecting animals from improper use, abuse, neglect, exploitation, inhumane treatment and health hazards.
- B. Delineating the animal owner's or harborer's responsibility for the acts and behavior of his animal at all times.
- C. Encouraging responsible pet ownership.

III. NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BUCKNER, ILLINOIS THAT:

A. DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of this Ordinance.

- 1. DOG - Whenever "dog" is used in the Ordinance it shall mean all members of the family Canidae.

B. It shall be unlawful for any person in charge of any animal to fail, refuse or neglect to provide such animal with food, potable water, shade, or shelter, or to cruelly or unnecessarily expose any such animal in hot, stormy, cold or inclement weather, or to carry any such animal in or upon any vehicle in a cruel or inhumane manner.

As used in this section "Shade" shall mean protection for the direct rays of the sun during the months of June thru September. "Shelter" as it applies to dogs shall mean a structure suitable to accommodate the dog and retain body heat.

## VI. LIVESTOCK IN THE VILLAGE

A. Except as otherwise provided in the Ordinance no person shall keep within the Village any cattle, sheep, goats, horses, swine or other livestock.

B. Livestock that is currently inside Village limits upon adoption of this Ordinance shall be registered at Village Hall and permitted to remain in Village limits until such animals die from natural causes, sold or moved outside Village limits.

C. Livestock permitted to stay within Village limits shall not be allowed to produce offspring excluding small animals such as chickens, rabbits, quail, etc. used for human consumption. No owner shall breed their animals. Any owner that violates any part of this Ordinance shall be ordered to move such animals outside of Village limits.

D. Horses within Village limits shall not be ridden on Village streets due to safety and sanitary issues. Horses may be ridden on side streets to reach rural areas for pleasure riding.

E. Franklin County Animal Control or Chief of Police shall have the power to issue an order prohibiting the keeping of any animal, foul, or bird that is deemed to pose a health hazard to the general public.

## VII. KENNELS

Any person wishing to establish a kennel in the Village limits would be required to submit to the Board of Trustees a written detailed plan and a ruling of acceptance or rejection would be entirely decided by a vote of the Village Board.

## VIII. RIGHT OF ENTRY - INSPECTIONS

For the purpose of carrying out the provisions of this Ordinance and making inspections hereunder, any officer of the law may enter upon private premises to apprehend a straying dog or other animal, a dangerous dog or animal or a dog or other animal thought to be infected with rabies. If, after request therefore, the owner of such dog or other animal shall refuse to deliver the dog or other animal to the officer, the owner shall be in violation.

## IX. SEVERABILITY

The provisions of this Ordinance are severable and if any sentence, section or other part of this Ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

## X. EFFECT

This Ordinance shall take effect upon its passage or publication as required by law.

This Ordinance shall remain in effect and should not be misconstrued as final pending board review on case to case basis and proper notice of any changes of this Ordinance.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BUCKNER, FRANKLIN COUNTY, ILLINOIS, THIS 18<sup>th</sup> DAY OF December 2015.

Background on this animal ordinance:

\*\*\*this ordinance was approved in 2009

\*\*\*board members were Eubanks, Hansen, Sneddon, Jacobs, Mand, Dudzinski

\*\*\*John Coder was Mayor and Renee Crews was City Clerk

\*\*\* Amendments that were made in the fall of 2011 are as follows:

1. Numbering and lettering of the various sections and headings were added to make it easier to write citations for offenses.
2. Section III, C was amended to read as follows: The owner of a dog or cat shall keep the dog or cat under restraint at all times and shall not permit such dog or cat to be at large or provide a presumed threat to any passerby. The size of the restraint should be appropriate to the size of the dog or cat.

Current amendments being recommended for vote:

\*\*\*Change section VI, A to read as follows: Except as otherwise provided in the Ordinance no person shall keep within the village any cattle, sheep, goats, horses, swine or other livestock.

\*\*\*Eliminate section VI, D and relabel E as D.

\*\*\*Section XI—change the Second Offense to read as follows: Franklin County Animal Control will be notified. If they impound your animal, you will be subject to impoundment fees.