

**CHAPTER 14
ANIMAL SERVICES**

**PART 1
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SECTION 14-101. DEFINITIONS.

At Large: Any dog shall be deemed at large when he is off the property of his owner and not under the control of a responsible person.

Department Of Agriculture: The Department of Agriculture means the Department of Agriculture of the State of Illinois.

Dog: "Dog," whenever used in this Code, shall include a female as well as a male dog.

Inoculation Against Rabies: Inoculation means the injection subcutaneously or otherwise, as approved by the Department of Agriculture of the State of Illinois of canine anti-rabic vaccine, approved by the Department of Agriculture.

Owner: For the purpose of this Code, the word "owner" means a person having a right of property in a dog or who keeps or harbors a dog, or who has a dog in his care, or who acts as its custodian, or who knowingly permits a dog to remain on or about any premises occupied by him.

Restraint: A dog is under restraint within the meaning of this Code if he is controlled by a leash; at "heel" beside a responsible person, or obedient to that person's commands, within a vehicle being driven or parked on the streets, or within the property limits of his owner or keeper.

SECTION 14-102. DOGS TO BE INOCULATED AND TO HAVE NAME TAGS AFFIXED TO COLLARS.

- (A) Each calendar year, or at such intervals as may hereafter be promulgated by the Department of Agriculture, every owner or keeper of a dog four (4) months or more of age, shall cause such dog to be inoculated against rabies. Such owner or keeper of such dog shall cause a serially numbered tag evidencing such inoculation to be attached to a collar or harness worn by the dog.
- (B) Every owner or keeper of a dog, regardless of age, shall cause said dog to wear a collar or harness and shall affix thereto a metallic or other suitable tag inscribed with the name, address and phone number, if any, of the owner or keeper of the dog.

SECTION 14-103. INOCULATION TO BE PERFORMED BY LICENSED VETERINARIAN; ISSUANCE OF CERTIFICATE.

The inoculation of dogs required by Section 14-102(A) shall be performed by a veterinarian duly licensed to practice his profession in this State. Upon performing such inoculation, such veterinarian shall issue to the owner or keeper a certificate, showing such fact and shall also deliver to such owner or keeper a metallic or other suitable tag to be attached to the collar or harness of such dog, which tag shall also certify to the fact of inoculation against rabies.

SECTION 14-104. DURATION OF INOCULATION.

The inoculation performed under the provisions of Section 14-103 of this Code shall be effective until the expiration of the calendar year in which the vaccination was performed or the expiration of such period of time as may be promulgated by the Department of Agriculture.

SECTION 14-105. SPECIFICATIONS FOR TAG.

The tag issued under the provisions of Section 14-103 of this Code shall be in such form as shall be determined by the Department of Agriculture.

SECTION 14-106. EXHIBITION OF CERTIFICATE UPON REQUEST.

At any reasonable time upon request of any member of the Police Department, the owner or keeper of any un-muzzled dog shall exhibit his certificate issued under the provisions of Section 14-103 of this Code, showing the inoculation against rabies of any dog owned or controlled by him.

SECTION 14-107. RESTRAINT OF DOGS.

(A) The owner or keeper of a dog shall keep the dog under restraint at all times and shall not permit such dog to be at large, off the premises of the property of the owner or keeper, unless the dog is under complete control as defined in Section 14-101 of this Code.

(B) The owner or keeper of a dog, who is in a public park or on a public trail, will be required to keep the dog on a leash. The leash shall not exceed more than 6 feet in length. A leash per this section (b) is defined as any rope, cord, chain or similar item which is capable of restraining a dog.
(Ord 1679, 06/17/2013)

SECTION 14-108. IMPOUNDMENT OF DOGS RUNNING AT LARGE OR UNLICENSED DOGS - CITATION OF OWNER OR KEEPER.

It shall be the duty of such employees and officers of the Police Department as shall be designated for that purpose by the Chief of Police to take up and impound in such place as may be designated and set apart for that purpose, any dog found running at large or unlicensed in the Village of Swansea, contrary to any of the provisions of this Code or other ordinances of the Village of Swansea.

SECTION 14-109. NOTICE AND CITATION TO OWNER OR KEEPER OF IMPOUNDMENT.

In case of impounding and where the owner or keeper of such dog is disclosed by any license tag worn by it, or is otherwise known to the officers impounding same, the Police Department shall, at once, give notice by mail to such owner or keeper, informing him of the impounding of his dog and shall cite the owner or keeper of such dog to answer charges of violation of this Code.

SECTION 14-110. REDEMPTION OF IMPOUNDED DOGS.

Any dog impounded under the provisions of this Code, except such as may have bitten any person, as specified in Section 14-112 of this Code shall, unless sooner redeemed, be held for the period of three (3) days if the identity of the owner is unknown, and for the period of seven (7) days if the identity of the owner is known, in order to afford opportunity to said owner or keeper thereof to redeem the same. Any such owner or keeper desiring to redeem his impounded dog shall pay the sum of twenty dollars (\$20.00) plus boarding fees.

In case such dog has not been inoculated against rabies for the current year, such owner shall also advance the fee required to have such dog inoculated by a duly licensed veterinarian as he shall elect and the pound keeper shall forthwith cause the dog to be duly inoculated against rabies. No dog shall be released without having been inoculated for the current calendar year, or in accordance with the requirements of the Department of Agriculture. Upon payment of the required charges, the dog shall thereon be released to the owner or keeper.

SECTION 14-111. DESTRUCTION OF UNREDEEMED DOGS.

Any impounded dog which shall not be redeemed within three (3) days shall be humanely destroyed, or otherwise disposed of by the pound keeper.

SECTION 14-112. IMPOUNDMENT OF DOGS WHICH HAVE BITTEN PERSONS.

Any dog which shall have bitten or otherwise injured any person so as to cause an abrasion of the skin shall be immediately taken, impounded and kept separated from other dogs for ten (10) days. If, during that period, such dog develops symptoms of illness, a veterinarian shall be called to diagnose its condition. If the symptoms disclosed are such as to indicate the presence of rabies, such dog shall be destroyed, in such a manner, however, as to preserved intact the head, which shall thereupon be detached and immediately sent to the diagnostic laboratory of the Department of Agriculture. In case such dog cannot be safely taken up and impounded, it may be shot, care being taken to preserved the head intact, which shall thereupon be delivered to the diagnostic laboratory of the Department of Agriculture.

If, at the expiration of the period of fourteen (14) days, no symptoms of rabies have developed in such dog so impounded, the same may be redeemed by the owner upon payment of the redemption fees and charges specified by Section 14-110 of this Code; provided, however, that in case any dog so impounded for biting a person shall have previously bitten any person, such dog shall be humanely destroyed by the pound keeper. After having been notified that his dog has bitten or otherwise injured any person, the owner or keeper thereof shall not, under any circumstances, permit such animal to be at large unless securely muzzled.

SECTION 14-113. POUND DESIGNATED.

The St. Clair County Animal Services Department is hereby designated as the Village of Swansea pound.

SECTION 14-114. DISPOSITION OF DOGS DEEMED NUISANCES.

Any dog which may, in any manner, continually disturb the quiet of any person's or neighborhood's property, or shall destroy or in any manner injure any animal, plant, shrub, or other property not on the premises of its owner or keeper, is hereby declared to be a nuisance, and such dog shall be taken up and impounded and may be redeemed, or disposed of in the manner provided for under Section 14-111 of this Code.

SECTION 14-115. DUTIES OF CHIEF OF POLICE AND MANAGER OF ANIMAL SHELTER RELATIVE TO ARTICLE.

Except as to the regulations concerning inoculation against rabies, the Chief of Police is charged with the duty of enforcing the provisions of this Part.

SECTION 14-116. DUTIES OF VILLAGE CLERK.

It shall be the duty of the Village of Swansea Clerk to determine that all fees herein provided or otherwise provided by law to be paid are property accounted for to the Village Treasurer.

SECTION 4-117. ANIMAL SERVICES WARDEN.

The President, with the advice and consent of the Village of Swansea Board of Trustees, may appoint an Animal Services Warden, the salary of which shall be established in the annual municipal budget.

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**CHAPTER 14
ANIMAL SERVICES**

**PART 2
GENERAL REGULATIONS**

- SECTION 14-201. INJURY TO PROPERTY.**
- SECTION 14-202. MANNER OF KEEPING.**
- SECTION 14-203. KEEPING BARKING DOGS AND CRYING CATS.**
- SECTION 14-204. CRUELTY TO ANIMALS PROHIBITED.**
- SECTION 14-205. WILD OR VICIOUS ANIMALS.**
- SECTION 14-206. ANIMALS, ETC. IN VILLAGE.**
- SECTION 14-207. KEEPING OF NUMEROUS DOGS AND CATS IN THE VILLAGE.**

SECTION 14-201. INJURY TO PROPERTY.

It shall be unlawful for any person owning or possessing a dog, cat or other domestic animal to permit such animal to go upon any sidewalk, parkway, or private lands or premises without the permission of the owner of such premises, and break, bruise, tear up, crush or injure any lawn, flower bed, plants, shrub, tree or garden in any manner whatsoever, or to defecate thereon. Any cat or other domestic animal injuring property as described in this section, is hereby declared a nuisance and may be taken up and impounded in the same manner as provided by ordinance for dogs.

persons in the neighborhood or ordinary sensibilities. Such dogs and cats are hereby declared to be a public nuisance.

- (B) **Petitions Complaining of Vicious or Barking Dogs or Crying Cats.** Whenever any person shall complain to the police department that a dog which barks, howls or yelps or a cat which cries or howls is being kept by any person in the Village of Swansea, the Police Department shall notify the owner of said dog or cat that a complaint has been received and that the person should take whatever steps necessary to alleviate the howling, yelping or crying.

SECTION 14-202. MANNER OF KEEPING.

- (A) **Pens, Yards, or Runs.** All pens, yards or runs or other structures wherein any animal is kept shall be of such construction so as to be easily cleaned and kept in good repair.
- (B) **Fences.** Fences which are intended as enclosures for any animal shall be securely constructed, shall be adequate for the purpose, kept in good repair and shall not be allowed to become unsightly.

SECTION 14-204. CRUELTY TO ANIMALS PROHIBITED.

SECTION 14-203. KEEPING BARKING DOGS AND CRYING CATS.

- (A) **Harboring.** It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood, or in such manner as to materially disturb or annoy

- (A) **Cruelty to Animals.** It shall be unlawful for any person to willfully or maliciously inflict unnecessary or needless cruelty, torture, abuse or cruelly beat, strike or abuse any animal, or by an act, omission or neglect cause or inflict any unnecessary or unjustifiable pain, suffering, injury or death to any animal whether such animal belongs to such person or to another, except that reasonable force may be employed to drive away vicious or trespassing animals. Any unwanted animals should be delivered to the St. Clair County Animal Control Facility for proper disposal.

- (B) **Food and Shelter.** 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 to hot, stormy, cold or inclement weather, or to carry

any such animal in or upon any vehicle in a cruel or inhumane manner.

(1) As used in this paragraph:

- (a) **Shade:** Shall mean protection from the direct rays of the sun during the months of June through September.
- (b) **Shelter:** As it applies to dogs, shall mean a moisture-proof structure of suitable size to accommodate the dog and allow retention of body heat, made of durable material with a solid floor raised at least two inches (2") from the ground with the entrance covered by a flexible, wind-proof material. Such structure shall be provided with a sufficient quantity of suitable bedding to provide insulation and protection against cold and dampness.
- (c) It shall be unlawful for any person to utilize a steel jawed trap, or any trap other than a cage or live trap, when attempting to snare game, fur bearing animals, or any other animal within the Village of Swansea, provided, however, that the Village may, by permit, allow the use of a waterset trap, upon application for same.

SECTION 14-205. WILD OR VICIOUS ANIMALS.

(A) Keeping of Wild and Vicious Animals.

- (1) It shall be unlawful for any person to keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.
- (2) It shall be unlawful for any person to keep or permit to be kept any wild animal as a pet, unless a permit is granted by the department of natural resources of the state.
- (3) It shall be unlawful for any person to harbor or keep a vicious animal within the City. Any animal which is found off the premises of its owner may be seized by any police officer or humane officer and upon establishment, to the satisfaction of any court of competent jurisdiction, or the vicious character of said animal, it may be killed by a police officer or humane officer; provided, however, that this section shall not apply to animals under the control of a law enforcement or military agency, nor to animals which are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the general public or with persons who enter the premises with the

actual or implied permission of the owner or occupant.

- (4) The State of Illinois Department of Agriculture may issue a temporary permit for the keeping, care and protection of any infant animal native to this area which has been deemed to be homeless.

(B) Definitions.

- (1) **Wild Animal:** Shall mean any live monkey or ape, raccoon, skunk, fox, snake, or other reptile, leopard, panther, tiger, lion, lynx or any other animal or any bird of prey which can normally be found in the wild state.
- (2) **Vicious Animal:** Shall mean any animal which has previously attacked or bitten any person or which has behaved in such a manner that the person who harbors said animal knows or should reasonably know that the animal is possessed of tendencies to attack or bite persons. But an animal is not deemed vicious if it bites, attacks, or menaces a trespasser on its owner's property, or harms or menaces anyone who abuses it or torments it or if it is a professionally trained dog for law enforcement or guard duties.

SECTION 14-206. ANIMALS IN VILLAGE.

- (A) **Certain Prohibitions.** Except as otherwise provided in this Chapter no person shall keep within the Village any cattle, cows, horses, sheep, swine, goats, chickens, ducks, turkeys, geese, or other livestock.
- (B) **Exceptions.** This code shall not apply in areas of the Village of Swansea that are zoned for agricultural purposes nor shall this code apply to livestock brought in to the Village of Swansea for the purpose of being shipped out of the Village of Swansea.
- (C) **Powers of Enforcement Officer.** The Enforcement Officer shall have the power to issue an order prohibiting the keeping of any animal, fowl, or bird which is deemed to pose a health hazard to the general public.

SECTION 14-207. KEEPING OF NUMEROUS DOGS AND CATS IN THE VILLAGE.

- (A) **Nuisance.** The keeping of an unlimited number of dogs and cats in the Village of Swansea for a considerable period of time detracts from and, in many instances, is detrimental to the healthful and comfortable life for which such areas were created. The keeping of an unlimited number of

dogs and cats is, therefore, declared to be a public nuisance.

- (1) **Dog:** Shall mean any canine, regardless of age or sex.
- (2) **Cat:** Shall mean any feline, regardless of age or sex.

(B) Number of Dogs and Cats Limited.

- (1) It shall be unlawful for any person or persons to keep more than five (5) dogs or five (5) cats within the Village of Swansea, with the exception that a litter of pups, or a litter of kittens, or a portion of a litter may be kept for a period of time not exceeding five (5) months from birth.
- (2) The provisions of this section shall not apply to any establishment wherein dogs or cats are kept for breeding, sale, sporting purposes or boarding.

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