

CONTROL OF DOGS

§ 90.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DOG. All animals of the canine species, both male and female.

KENNEL. A place of business whereat dogs are sold, bred, raised, kept or boarded for the purpose of resale, training or teaching and which business is done commercially and for profit, as a hobby; provided, however, this subchapter shall not apply to a **KENNEL** whereat not more than two dogs and their litters are kept during any licensing year.

LEASH. Includes a leather strap or metal type chain attached to a leather or chain type collar located around the upper neck or chest area of a dog. The **LEASH** shall not be longer than ten feet in length and must be controlled by the owner or his or her designate.

OWNER. Any person, partnership or corporation owning, keeping or harboring dogs.

(1983 Code, § 5-2-1)

§ 90.02 RUNNING AT LARGE RESTRICTED.

(A) No dog shall be suffered to run at large within the corporate limits of the village.

(B) Any dog running at large shall be impounded by the Police Chief or his or her representative and the DeKalb County Animal Control Officer will be contacted for removal. Any person making claim to the dog shall be liable for all board fees, pickup fees, license fees and rabies vaccination and registration as may be required by law.

(1983 Code, § 5-2-2) Penalty, see § [90.99](#)

§ 90.03 MUZZLING REQUIRED.

No dog shall be suffered to run at large within the corporate limits of the village unless securely muzzled when danger of hydrophobia shall be declared to exist by the proclamation of the Village President.

(1983 Code, § 5-2-3) Penalty, see § [90.99](#)

§ 90.04 DOG DISTURBING THE PEACE.

(A) It shall be unlawful for the owner or person in charge or control of any dog or for any person who has the authority or power to prevent the same, to suffer or permit any dog by

barking, howling, crying or other distracting or loud or unusual noise to disturb the peace or quiet of any place or neighborhood or family or person in the village.

(B) The disturbing of the peace or quiet of any such place or neighborhood or family or persons by any dog is hereby declared to be a nuisance, and it shall be unlawful for any person to suffer or permit any such nuisance to exist.

(1983 Code, § 5-2-4) Penalty, see § [90.99](#)

§ 90.05 RESTRICTIONS ON NUMBER OF DOGS.

(A) Not more than two dogs or two cats shall be allowed in the residence or apartment of the owner who has custody of a dog or cat. Any residence may contain both two dogs and two cats.

(B) The owner or person who has custody of a dog or cat may retain the puppies or kittens, born of the dog or cat exceeding the permissible numbers set forth in division (A) above for 12 weeks after the birth of the animals. If after that time, there are more than two dogs and two cats in any one residence or apartment, the owner or person in custody of the dogs or cats will be in violation of this subchapter.

(C) Any person who lawfully owned more than two dogs or two cats prior to the enactment of this subchapter may retain his or her animals, provided he or she retains a special permit from the Chief of Police. The special permit shall be for a term of one year and no renewal shall be issued without subsequent inspection. If for any reason an animal is lost, sold, given away or dies and there still remains in the residence or apartment two or more dogs or two or more cats there can be no replacement of the lost, sold, given or deceased animal. A special permit shall be issued if after an inspection it is determined by the Chief of Police or his or her representative that:

- (1) The animals in the owner's possession are not creating a nuisance;
- (2) There is adequate waste disposal; and
- (3) There is no hazard to public safety, health and welfare.

(1983 Code, § 5-2-5) Penalty, see § [90.99](#)

§ 90.06 KENNELS.

(A) It shall be unlawful for any person, firm or corporation to operate a dog kennel commercially or for profit, or as a hobby within the village, unless the person, firm or corporation shall have first obtained from the Village Clerk a license therefore as hereinafter provided.

(B) The fee for a license to operate a dog kennel as herein defined shall be the sum of \$50 per year for a maximum of five dogs and \$5 per year for each additional dog, but no license fee shall be charged for any dog less than three months of age. All licenses expire on January 1 of each year, and licenses shall be issued by the Village Clerk, upon presentation of a certificate of immunization that the dogs have been immunized against rabies for the current year and a certificate signed by the Chief of Police stating that the regulations set out in § [90.05](#) have been complied with.

(C) (1) Any individual who obtains a license to operate a kennel for business or profit is exempt from the requirements of § [90.05](#). The license shall be obtained from the Chief of Police after an inspection and approval by the Chief of Police and determination that:

(a) The interior walls, ceilings, floor, partitions and appurtenances of all such structures shall be painted annually or more often if the Chief of Police finds that more frequent painting is necessary;

(b) The kennel is not a health hazard or nuisance; and

(c) The kennel complies with the public health, safety or general welfare.

(2) The Chief of Police upon the complaint of any individual shall inspect the kennel and issue any such order as may be necessary to carry out the provisions of this section.

(D) Any license issued hereunder may be revoked by the Board of Trustees whenever it may be determined that any licensee is operating and maintaining a dog kennel in violation of any of the terms and provisions of this subchapter.

(E) No kennel shall be located closer than 100 feet to the boundary of the nearest adjacent residential lot.

(1983 Code, § 5-2-6) Penalty, see § [90.99](#)

§ 90.07 INTERFERE WITH OFFICER.

No person shall in any way or manner prevent, or try to prevent, any officer from performing his or her duty as required by this subchapter.

(1983 Code, § 5-2-7) Penalty, see § [90.99](#)