

PALATINE CODE OF ORDINANCES - CHAPTER 5 - ANIMALS

Chapter 5 ANIMALS*

***Cross reference(s)**--For provisions regarding powers and duties of board of health in relation to Animal Control see □ 2-346.

State law reference(s)— Animal Control Act, 510ILCS5/1. Illinois Dangerous Animals Act 720 ILCS 585 Humane Care for Animals Act 510ILCS 70

County law reference—Cook County Code of Ordinances –Animals –Chapter 10

Editor's Note: Ordinance No. 0-8-11, passed on February 7, 2011, replaced Chapter 5 in its entirety.
Editor's Note: Ordinance No.O-16-23, passed on February 20, 2023, replaced Chapter 5 in its entirety.

- Art. I. In General, □□ §§5-1--5-19**
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ARTICLE I. IN GENERAL

Purpose:

- Protecting citizens from rabies by specifying such preventive and control measures as may be necessary;
- Protecting animals from abuse, neglect, inhumane treatment and health hazards, particularly rabies; Providing security to residents from annoyance, intimidation, and injury from cats, dogs, and other animals;
- Encouraging responsible pet ownership;
- Providing for the assessment of penalties for violators and for the enforcement and administration of this Ordinance.

Sec. 5-1. Definitions.

For the purposes of this chapter the following words shall have the meanings indicated unless their context clearly requires otherwise:

Abandoned means a domesticated animal that an owner has forsaken entirely or neglected or refused to provide care and support.

Adequate shelter means a structurally sound, properly ventilated, sanitary and weatherproof shelter

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suitable for the species, condition and age of the animal, which provides access to shade from direct sunlight and regress from exposure to inclement weather conditions. The size of the shelter should allow adequate freedom of movement and normal postural adjustments. The condition of the shelter should be such as to not exacerbate existing weather conditions, e.g., a metal doghouse in the hot sun.

Bite means seizure of a person or domestic animal with the jaws or teeth of any cat, dog or other animal capable of transmitting rabies so that the person so seized has been wounded or pierced and further includes contact of the saliva of cat, dog or other animal with any break or abrasion of the skin.

Cat shall mean all members of the feline family.

Cat of vaccination age shall mean any cat which has attained the age of four (4) months.

Chicken shall mean the common domestic fowl (*Gallus gallus domesticus*) or its' young.

Confined means the restriction of the cat, dog or other animal at all times by the owner in a manner that will isolate the cat, dog or other animal from the public and other cats, dogs or other animals.

Control means any owned animal that is either secured by a leash or lead, or within the premises of its owner, or confined within a crate or cage, or confined within a vehicle, or within the premises of an electric fence, or within the premises of another person with the consent of that person.

Dangerous dog means any individual dog when unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal.

Dog shall mean all members of the canine family.

Dog of vaccination age shall mean any dog which has attained the age of four (4) months.

Domestic animal shall mean any dog, cat, or other animal that is permitted to remain on or about the premises of any residence or business, or is cared for or provided food by an owner on a regular basis. (Ord. No. 0-44-03, §1, 2/10/03)

Dangerous animal means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf or coyote, or any venomous or life-threatening reptile. (720 ILCS 585)

Enclosure means a fence or structure of at least six feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine an animal in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the animal, within the enclosure. The enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, the door must be locked.

Ferret means all members of the classification, *Mustela putorius furo*.

Feral Cat means a cat that:

- (1) Is born in the wild or is the offspring of an owned or feral cat and is not socialized;
- (2) Is a formerly owned cat that has been abandoned and is no longer socialized; or

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(3) Lives on a farm.

Feral Cat Caretaker means any person other than an owner who provides food, water or shelter to, or otherwise cares for, a feral cat.

Feral Cat Colony means a group of cats that congregate, more or less, together as a unit. Although not every cat in a Colony may be feral, any nonferal cats that congregate with a colony shall be deemed to be a part of it.

Feral Cat Colony Caretaker means any Feral Cat Caretaker who is approved by a Sponsor to care for a Feral Cat Colony.

Guard dog means a dog used in a commercial business or by a municipal or police department for the purposes of patrol and protection.

Hospital shall mean any establishment under the supervision of a licensed veterinarian where animals are taken for treatment of disease, boarding, surgery, shots, treatment of injury, cremations, baths, grooming, haircuts, pedicure or training.

Impounded means taken into the custody of the public animal control facility in the city, town, or county where animal is found.

Kennel shall mean and include any establishment or premises where more than three (3) dogs or three (3) cats or any combination thereof over four (4) months of age are boarded or kept for any purpose whatsoever, with the exception of regularly established veterinary hospitals, pet shops, pounds or shelters. Kennels should only be allowed when in conformance with the Palatine Zoning Ordinance.

Muzzle means a fastening or covering for the mouth of an animal used to prevent biting and eating.

Other animals shall mean any male or female domesticated or wild animal other than dogs or cats.

Owner shall mean any person having a right of property in a dog, cat, or other animal or who keeps or harbors a dog, cat, or other animal or has it in his care or acts as its custodian or who knowingly permits a dog, cat, or other animal to remain on or about any premises occupied by him.

Pet shop shall mean any room or group of rooms, cage or pen, not part of a kennel, pound, shelter or veterinary hospital wherein dogs, cats or other animals are kept or displayed for sale.

Pet shop operator shall mean any person who sells, offers to sell, exchange or offer for adoption, with or without charge or donation, dogs, cats or other animals, provided that a person who sells only dogs or cats that he/she has produced or raised shall not be considered a pet shop operator hereunder, and further provided that a person who sells only dogs or cats that he/she has owned for a period of ninety (90) days or longer shall not be considered a pet shop operator hereunder.

Physical injury means the impairment of physical condition.

Rooster means a male adult chicken.

Scratch means a wound, usually superficial, inflicted by nails, claws, or something pointed pulled across the skin, etc.

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Serious physical injury means a physical injury that creates a substantial risk of death or that causes death, serious disfigurement, serious impairment of health, impairment of the function of any bodily organ, or injury requiring plastic surgery, or injury or injuries that when viewed by a reasonable person are considered significant and substantial.

Police animal means an animal owned or used by a law enforcement department or agency in the course of the department's or agency's work.

Pound shall mean an enclosure established for the confinement of dogs, cats or other animals under the provisions of this chapter, a facility licensed by the Illinois Department of Agriculture.

Rabies is a virus transmitted by the inoculation of infectious saliva through the skin as in, bite wounds, open cuts or mucous membranes. It attacks the central nervous system and is present primarily in the saliva, brain tissue and spinal fluid of a rabid animal.

Service animal means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

Stray animal means any owned animal that is not controlled. The stray animal owner is responsible for all costs relating in the apprehension and impoundment of the animal found not under control.

Tethering means to restrain a dog by tying the dog to any object or structure, including without limitation a house, tree, fence, post, garage, shed, clothes line by any means, including without limitation a chain, rope, cord, leash or running line.

TNR means Trap, Neuter and Return.

TNR Program means a program pursuant to which feral and stray cats are trapped, neutered or spayed, microchipped, vaccinated against rabies, and returned to the location where they congregate, in accordance with the Cook County ordinance.

Shelter shall mean any establishment where dogs, cats or other animals are received, housed, and distributed with or without charge.

Stray animals shall mean those animals which are running at large in the public way or on private property other than that of the owners or keepers of such animals.

Vaccination shall mean the injection subcutaneously or otherwise as approved by the Illinois Department of Agriculture of anti-rabies vaccine approved by the Illinois Department of Agriculture for the prevention of rabies.

Vicious animal means an animal that, without justification, attacks a person or domestic animal, and causes physical injury, serious physical injury or death or any individual animal that has been found to be a "dangerous dog" upon three separate occasions. (Code 1961, §16.101)

(Ord. No. O-16-23, 02/20/23)

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Sec. 5-2. Cruelty/Neglect of Animals

It shall be unlawful for any person willfully and cruelly to injure or kill any animal by any mode or means causing it unnecessary fright or pain, and it shall further be unlawful for any person, by neglect or otherwise, to cause or allow any animal to endure pain, suffering, or injury, or to fail or neglect to aid or attempt alleviation of any pain, suffering or injury so caused to any animal. (Code 1961, §16.102)

- (a) No owner shall fail to provide his or her animals with sufficient wholesome food and water, adequate shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.
- (b) No person shall beat, torment, overload, overwork or otherwise abuse an animal.
- (c) No person shall own, keep, harbor, or otherwise maintain within the village, any breeds of fowl that are or will be used in the pursuit of and staging of cockfighting on any premises.
- (d) No person shall promote, stage, hold, manage, conduct, or carry on any animal fight or any other type of contest, game or fight of a similar nature, nor any simulated version of same that involves baiting or inciting an animal toward intent to fight.
- (e) No person shall be permitted to keep animals in violation of the Humane Care for Animal Act (510 ILCS 70/1 et seq.) or the Animal Welfare Act (225 ILCS 605/1 et seq.).
- (f) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
- (g) No person shall kill or wound, attempt to kill or wound, or take the nest or eggs or young of any bird that is protected by Federal or State law
- (h) No person shall keep or permit to be kept or display for exhibition purposes any wild animal contrary to Federal, State and local laws or regulations.
- (i) No person shall leave any animal unattended in a motor vehicle or enclosed trailer when the outside temperature shall exceed 30 degrees Celsius (86 degrees Fahrenheit) or contain any animal in such manner that the animal does not have proper air circulation while confined in a motor vehicle, trailer, kennel, dog house, or any type of container or structure in which an animal may be confined.
- (j) Any person who, as the operator of a motor vehicle, strikes an animal shall stop at once and render such assistance as may be possible; or shall immediately report such injury to the animal owner, if known; or the appropriate law enforcement agency; or to the local humane society.

State law reference(s) --Power of municipality to prohibit cruelty to animals, 510 ILCS 70

Sec. 5-3. Leaving or exposing poison to animals unlawful.

It shall be unlawful for any person to lay out or expose any kind of poison or to leave exposed any poison, poisoned food or poisoned drink for animal or fowl on the premises of another, or in any unenclosed place, or to aid or abet any person in so doing. (Code 1961, □§16.103)

Sec. 5-3.1. Feeding of wildlife.

It shall be unlawful for any person or property owner to feed or allow the feeding of wildlife by placing or leaving any food, feed or seed at the exterior of any public or private property, with the exception of the use of elevated bird feeders. Elevated bird feeders are allowed for use as long as all food, feed or seed is placed in a feeder designed for the specific purpose of feeding birds. Any accumulation of food, feed or seed spilled onto the ground or surfaces from elevated bird feeders shall be removed by the person or property owner to prevent an attractant to wildlife. (Ord. No. O-42-21, 4/19/2021)

Sec. 5-4. Killing when dangerous.

The members of the police department, health department or other authorized person may kill any animal of any kind when it is necessary for the immediate protection of any person or property. All such animals shall have entire brain submitted to recognized laboratory for rabies examination. (Code 1961, §16.104)

Sec. 5-5. Diseased.

No domestic or wild animal afflicted with a contagious or infectious disease shall be allowed to be shipped or removed from the premises of the owner thereof, except under the supervision of the health department. It is hereby made the duty of the health department to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection except as otherwise provided by law. (Code 1961, □§16.105)

Sec. 5-6. Control of animals.

Unless authorized, it shall be unlawful:

- (1) To permit any dog or other animal, whether registered or not, to run at large within the village. A dog or other animal shall be deemed to be running at large when off the premises of its owner, and not on a leash, (including retractable leash) tether, chain, rope or the like, held by its owner or other person able to control such dog or other animal. (Ord. No. 0-85-74, □§1, 10/14/74)
 - a) Tethered dogs must have access at all times to water, adequate shelter and dry ground. Multiple dogs should not be tethered together and must have their own water and adequate shelter.
 - b) Tethers must be at least 10 ft. long and in a manner to prevent injury or strangulation. It must be attached to a properly fitting collar/harness with a rotating toggle attachment. Pinch, prong or choke collars should not be used. The tether should not wrap directly around the dog's neck.

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- c) No dog may be tethered in cases of extreme weather conditions.
 - d) No dog shall be tethered within 200 yards of a school.
 - e) No person shall permit a tethered dog to bark, whine, howl or make excess noises so as to cause a nuisance. To permit any animal, whether registered or not, to enter any public body of water, pond, fountain, or stream.
 - f) Persons who utilize “invisible fencing” to contain any animal must set back the invisible fence from the public right of way a minimum of five (5) feet.
- (3) To permit any animal to enter any place where food is stored, prepared, served or sold to the public, or any other public building or hall, provided, however, that this section shall not apply to any disabled person with a support dog to veterinary offices or hospitals, or to animal shows or exhibitions where at least twenty-four (24) hours advance notice has been given to the health department.
 - (4) To permit any animal to enter or remain on private or public property without the consent of the property owners.
 - (5) To permit any dog to chase, run after or jump at vehicles using the public thoroughfares.
 - (6) To permit any dog to habitually snap, growl, snarl, jump upon or otherwise threaten persons lawfully using any common thoroughfare, sidewalk, passageway, bypath, play area, park, or any place where people congregate or walk.
 - (7) To keep, harbor, or maintain any dangerous dog, vicious animal or an animal with vicious propensities within the Village, except as provided by this code.
 - (8) To own, harbor, keep, or be in charge of any dog, cat, or other animal, which has been declared a dangerous dog or vicious by the local health or police authorities or under the laws or ordinances of any other jurisdiction.
 - (9) To permit any dog, cat, or other animal to howl, yelp, whine, or meow or bark or make noise in such a manner as to disturb any person or neighborhood.
 - (10) To allow any place where any animal is or may be kept to become unclean or unsanitary.
 - (11) To harbor, keep or raise any live cattle, swine (including pot-bellied pigs), sheep, goat or other fowl anywhere in the village.
 - (12) To harbor or be in charge of any dog, cat, or other animal, or cause, suffer, or allow such dog, cat, or other animal to soil, defile, defecate on or commit any nuisance on any common thoroughfare, sidewalk, passageway, bypath, play area, or any place where people congregate or walk, or upon any public property whatsoever, or upon any private property without the permission of the owner of said property unless:
 - (a) The person who so curbs such dog, cat, or other animal, shall immediately remove all feces deposited by such dog, cat, or other animal by any sanitary method approved by the health department.

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- (b) The feces removed shall be disposed of by the person owning, harboring, keeping, or in charge of any dog, cat, or other animal curbed in accordance with the provisions of this ordinance, in a sanitary manner approved by the health department.
- (13) To fail to report animal bite.
 - (a) To fail to report an animal bite, whether to a human or another domestic animal within twenty-four (24) hours. This includes bites of a family pet to a family member
 - (b) Fail to comply with the mandated rabies observation period. All biting animals must be observed by a licensed veterinarian within 24 hours of the bite.
 - (c) It shall be unlawful for the owner of a biting animal to euthanize, sell, give away or otherwise dispose of, or have inoculated against rabies the biting animal until it has been released from the rabies observation confinement by the veterinarian.
- (14) Up to three (3) rabbits may be kept on any single-family residential lot within a residential district as defined in Appendix A, Zoning Ordinance, of this Code. Rabbits must be kept in hutches or cages that are available for inspection by the health department. No cage or hutch shall be located within fifteen (15) feet of any lot line.
Code 1961, □§16.301; Ord. No. O-73-77, □□§1, §2, 7/11/77)
- (15) To permit any dog, cat, or other animal to bite, scratch, or in any other manner, break the skin of any person within the Village of Palatine. (Ord. 0-44-03, §2, 2/10/03)
- (16) To permit any dog, cat, or other animal to bite, scratch, or in any other manner, break the skin of any other domestic animal within the Village of Palatine. (Ord. 0-44-03, §2, 2/10/03)
- (17) No person shall have a right of property in, keep, harbor, care for, act as custodian of or maintain in his/her possession any dangerous animal except at a properly maintained zoological park, federally licensed exhibit, circus, scientific or educational institution, research laboratory, veterinary hospital, hound running area, or animal refuge in an escape-proof enclosure. "Dangerous animal" means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, bear, hyena, wolf or coyote, or any venomous or life-threatening reptile. (720 ILCS 585/1)

It is no defense to a violation that the person violating such has attempted to domesticate the dangerous animal. If there appears to be imminent danger to the public, any dangerous animal found not in compliance with the provisions of this Act shall be subject to seizure and may immediately be placed in an approved facility. Upon the conviction of a person for a violation of such, the animal with regard to which the conviction was obtained shall be confiscated and placed in an approved facility, with the owner thereof to be responsible for all costs connected with the seizure and confiscation of such animal. Approved facilities include, but are not limited to, a zoological park, federally licensed exhibit, humane society, veterinary hospital or animal refuge. (720 ILCS 585/2)

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- (18) To keep chickens, unless there is full compliance with the minimum criteria as outlined in 5-6 (18) and said compliance has been verified by the Village Manager or his/her designee and further has been granted approval by the Village Council.
- (a) License required. No person may keep any Chicken(s) prior to receipt of a residential Backyard Chicken Keeping License as issued and conditioned by the Village Manager
 - (b) The owner of property on which chickens are kept must obtain a Livestock Premises Registration from the Illinois Department of Agriculture, and must retain proof of registration the on the property.
 - (c) Licenses will only be issued to single family residences zoned R-1, R-1A, R-1B. R-1C, R-2 or otherwise meets the standards of those zoning standards
 - (d) The property on which chickens are kept must be an owner-occupied parcel and is occupied as single-family residential home.
 - (e) Chickens must be kept to a chicken run or chicken coop, as approved pursuant to any special use, at all times. Chickens are not permitted to run at-large in the Village. Chickens must be kept within a permitted coop with an attached run to protect the chickens from predators and to prevent chickens from encroaching onto neighboring properties.
 - (f) Chicken coops, runs or other structures may be located only in rear yards.
 - (g) Residential lots granted a chicken-keeping permit must provide solid fencing at six (6) feet height in the rear yard.
 - (h) Chicken coops shall be fifteen feet from an interior and rear lot line and shall not be located within ten feet of any primary structure.
 - (i) No chicken coop may be erected or constructed except upon receipt of and in compliance with all applicable building permits pursuant to Chapter 6 and 10.
 - (j) Chicken coops are subject to the maintenance standards of accessory structures.
 - (k) No chicken coop may exceed eight (8) feet in height.
 - (l) Chicken coops and runs must provide not less than four square feet for each Chicken kept on the property.
 - (m) The keeping or harboring of any Rooster is prohibited.
 - (n) No person shall keep more than six Chickens on any licensed premises.

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- (o) Slaughtering of Chickens on any residential lot is prohibited.
- (p) All chicken feed shall be kept in rodent proof containers until utilized for consumption by the permitted Chickens.
- (q) Coops and enclosures shall be maintained in clean and sanitary condition at all times.
- (r) All properties for which a Backyard Chicken Keeping License has been issued pursuant to this Section 5-6 (18) are subject to inspection by Village representatives upon initial installation of any chicken coop or chicken run, and in the discretion of the Village to investigate any complaint concerning Chickens kept on such property.
- (s) Written support and consent of abutting property owners is required (any exception must be granted by the Village Manager or his/her designee).

(Ord. No. O-16-23, 02/20/23)

Sec. 5-7. Animal bites.

Whenever any dog, cat, or other animal bites a person, or another domestic animal the owner of said dog, cat, or other animal shall immediately notify the police department and the health department who shall order the dog, cat, or other animal to be held on the owner's premises, if vaccinated, or shall have it confined and observed in a veterinary hospital, if not vaccinated, for a period of ten (10) days. The dog, cat, or other animal shall be examined immediately after it has bitten anyone and at the end of the ten (10) day period. If at the end of the ten (10) day period of observation a veterinarian is convinced that the dog, cat, or other animal is free from rabies, he/she shall order the dog, cat, or other animal released from quarantine. The owner of said dog, cat, or other animal shall be responsible for all fees and charges incurred to meet the requirements of this section. (Code 1961, §16.302)

Owners of caged rabbits, guinea pigs, gerbils, rats and mice owned over thirty (30) days are not required to submit it for a vet exam when it bites someone. They must report the animal's health status to the Cook County Department of Rabies and Animal Control on the first and tenth day after the bite. State law reference(s)--Similar provisions, 510ILCS5/13.

- a) Animal attacks or injuries. If a dog or other animal, without provocation, attacks, attempts to attack, or injures any person who is peaceably conducting himself or herself in any place where he or she may lawfully be, the owner of such dog or other animal is liable in civil damages to such person for the full amount of the injury proximately caused thereby. This shall include injury to a person's domestic animal. (510 ILCS 5/16)

Sec. 5-8. Public nuisance--Declared.

Any dog, cat, or other animal doing any of the acts prohibited in section 5-6 , or kept in violation of any provision of section 5-6, is hereby declared to be a public nuisance and such animal may be seized and impounded as provided herein. (Code 1961, §16.401) (Ord. No. O-16-23, 02/20/23)

Sec. 5-9. Same--Abatement.

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- (1) Any dangerous dog, vicious animal, or other animal constituting a public nuisance as provided in this chapter may be referred to the Animal Safety Commission (Article II of this Chapter) for public hearing and disposition upon receipt by the Commission of certified copies of the judgment and sentence showing one (1) citation and conviction of an owner (convictions to include unpaid tickets, with proof of service, sent for collection) for violations of section 5-6 and no finding was entered by the court showing that the owner will be able to provide restraints to protect the public.
- (2) In all instances in which an owner of a dog, cat or other animal is convicted of one violation of section 5-6 of this Code and such conviction involves a case in which the animal has bitten or attacked a person, the matter may be referred to the Animal Safety Commission (Article II of this Chapter) for public hearing and disposition. The chairman of the commission, in his/her sole discretion, may also convene the commission to conduct public hearings as a result of one or more written complaints filed with him concerning an animal housed within the Village.

(Ord. 0-44-03, §4, 2/10/03)

Sec. 5-10. Impoundment.

The police department and health department are authorized to enforce the provisions of section 5-8 by impounding any animals found in violation thereof. After such animal is impounded, the police department or health department shall ascertain whether they are registered, and if so, shall within a reasonable time notify by letter or telephone the person to whom the registration was issued that said animal has been impounded and may be redeemed. Any animal impounded pursuant to this section shall be held for the owner up to seven (7) days. In case any animal is not redeemed, it shall be humanely destroyed or otherwise disposed of, provided that none of said animals shall be used for experimental purposes. Any animal may be impounded by the Chief of Police for a period of time deemed by the Chief of Police necessary to protect the public health. (Code 1961, §16.402)

Sec. 5-11. Same--Notice.

(a) In the event that any dog or cat seized for running at large wears a collar or harness having inscribed thereon and attached thereto the name and address of any person, or a registration identifying the owner or person keeping or harboring said cat or dog or any other animal, the police department or health department shall forthwith serve on the person whose name or address is given on the collar or is determined from the dog or cat registration records of the village, a citation in writing stating that the dog, cat or other animal has been seized and will be liable to be disposed of or destroyed if not claimed within seven (7) days after service of the citation.

(b) A citation under this section may be served either by delivering it to the person on whom it is to be served or by leaving it at the person's usual or last known place of abode or at the address given on the collar of the animal impounded or by forwarding it by certified letter addressed to that person at his usual or last known place of abode or to the address given on the collar. (Code 1961, §§16.501, 16.502)

Sec. 5-12. Same--Wild animals.

In the event of an animal bite from wildlife, every attempt will be made to capture and humanely euthanize it. The brain shall be preserved and sent to a recognized laboratory for rabies examination. (Code 1961, §16.406)

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Sec. 5-13. Redemption.

Any dog, cat or other animal impounded pursuant to the provisions of this article may be redeemed upon payment of the redemption fee as provided herein. The redemption fee for dogs, cats and other animals shall be as set out in the Fee Schedule Supplement to the Palatine Code of Ordinances for each dog, cat or other animal, plus the total boarding fee incurred during the time which such dog, cat or other animal is retained by the village. (Code 1961, □ §16.405; Ord. No. O-47-80, §1; 5-27-80 Ord. No. 0-5-94 □ §5, 2-14-94)

Sec. 5-14. Interference with authorized officer.

No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty required by this chapter. (Code 1961, □ §16.403)

Sec. 5-15. Enforcing authorities saved from liability.

In carrying out the enforcement provisions of this chapter, no member of the police department or health department or other authorized person shall be held responsible for any accident or disease that may happen to any dog, cat or other animal. (Code 1961, □ §16.505)

Sec. 5-16. Penalties.

- (1) Any person, firm, or corporation violating this chapter shall be fined according to the fees listed in the Village Fee Schedule.
- (2) Nothing in this ordinance shall limit the Animal Warden's discretion to require an administrative hearing or mandatory court appearance for any violation cited under this ordinance.

(Ord. No. O-87-75, □ §1, 12/8/75; Ord.No.0-5-98 □ §7, 1/26/98, Ord. 0-44-03, §5, 2/10/03; Ord. No. O-103-19, 12/2/19; Ord. No. O-16-23, 02/20/23)

Secs. 5-17--5-19. Reserved.

ARTICLE II. ANIMAL SAFETY COMMISSION*

*Editor's note--Ord. No. 0-62-75, □ §1, adopted Aug. 11, 1975, amended the 1961 Code by adding the provisions included herein as Art. II, □ □ 5-20--5-23.

Sec. 5-20. Creation; composition and chairman.

There is hereby created an Animal Safety Commission consisting of the following three (3) members: The chairman of the Administration, Technology and Community Health Committee of the Palatine Village Council, the Village Manager and the Community Development Director. Alternatively, the Administrative Hearing Officer may serve as the Animal Safety Commission if designated by the Village Manager. The chairman of the Administration, Technology and Community Health Committee shall act as chairman of the commission. (Ord. No. O-62-75, □ §1, 8-11-75, Ord. 0-44-03, § 6, 2/10/03) (Ord. No. O-16-23, 02/20/23)

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Sec. 5-21. Quorum.

Two (2) members of the commission shall constitute a quorum. A majority vote shall be required for all decisions of the commission. (Ord. No. O-62-75, □§1, 8/11/75)

Sec. 5-22. Duties.

The commission shall conduct public hearings and dispose of cases involving alleged vicious animals in accordance with the procedures hereinafter set forth. (Ord. No. O-62-75, □§1, 8/11/75)

Sec. 5-23. Procedures.

Hearings shall be held not less than five (5) nor more than thirty (30) days after the commission has received notification of a conviction, as described in Section 5-9, notification that an animal previously determined to be a vicious animal by another jurisdiction has located within the Village, or after receipt by the chairman of a written complaint or complaints upon which he/she bases his decision to convene a public hearing. The owner of the animal involved shall be given not less than five (5) days prior notice of said hearing, served upon such owner either personally or by certified or registered mail.

The purpose of the hearing shall be to determine whether the dog, cat or other animal is a dangerous dog, or vicious animal constituting a public nuisance which should be abated, destroyed or removed from the Village or whether another appropriate means of resolving the controversy exists. In the case of an animal alleged previously determined to be a dangerous dog or vicious in another jurisdiction, a hearing shall be conducted only if the owner asserts no previous determination was made.

All hearings shall be conducted in accordance with rules formulated and established by the commission.

At the conclusion of said hearing, the commission may enter such order as it determines appropriate to resolve the controversy, and in the event that it finds the dog, cat or other animal constitutes a public nuisance which should be abated, destroyed or removed from the village, it shall so order and it shall notify the owner of the animal of its findings and it shall serve a copy of said order upon the Palatine Health Department, provided that the commission shall not permit an animal found to be a dangerous dog or a vicious animal to remain in the Village.

Thereupon the Palatine Health Department shall direct the animal owner and assure that the owner of said dog, cat or other animal abates, destroys or removes the same from the village within ninety-six (96) hours from the date of the notice. If such dog, cat or other animal is found to be within the confines of the village after said ninety-six-hour period shall have elapsed, said dog, cat or other animal shall be destroyed or removed by the Palatine Health Department. Said owner shall be responsible for all expenses incurred as to the abatement, removal and/or euthanasia of the animal.

The procedures and remedies provided in this Article II shall be separate from and in addition to the penalties and abatement procedures elsewhere provided in this Chapter 5. (Ord. No. O-62-75, □§1, 8/11/75, 0-44-03, §7, 2/10/03; Ord. No. O-16-23, 02/20/23)

Secs. 5-24--5-25. Reserved.

ARTICLE III. DOGS AND CATS

DIVISION 1. GENERALLY

Secs. 5-26--5-35. Reserved.

DIVISION 2. REGISTRATION*

Sec. 5-36. Required.

All dogs and cats harbored, kept or maintained in the Village shall be registered with the Village, provided, however, that dogs kept in pet shops, pounds, shelters, hospitals or kennels need not be registered while kept at such pet shop, pound, shelter, hospital or kennel while such establishment is duly licensed as provided in this chapter. Registration is valid for ten years. (Code 1961, §16.201) (Ord. No. O-16-23, 02/20/23)

Sec. 5-37. Registration Form.

Forms for dog and cat registration shall be on forms provided by the Village and shall include a statement of the owner's name, address and telephone number as well as information concerning the breed, sex, age, color and markings of the dog or cat for which the registration is sought and whether it is of a long or short-haired variety. (Code 1961, §16.202) The owner shall further disclose whether (1) the dog or cat for which a registration has been made has previously been determined to be a dangerous dog or a vicious animal in any jurisdiction, and (2) the owner has previously owned an animal within the last ten (10) years that was determined to be a dangerous or vicious animal in any jurisdiction. Such disclosures shall identify the jurisdiction making such determination and the date or dates of all determinations. No animal prohibited to be kept in the Village under this code shall be eligible for registration. The registration form shall contain information on the animal's microchip number and rabies number and expiration date.

Sec. 5-38--5-41. Reserved.

Sec. 5-42. Vaccination required.

All dogs or cats or ferrets (as per Cook County Ordinance Amendment) four (4) months of age and older shall be vaccinated against rabies with an approved rabies vaccine. Rabies vaccines shall be recognized for either a one (1) year or a three (3) year immunization period as follows:

- (1) *Three (3) year immunity:* Low egg passage chicken embryo origin modified live virus Flury strain rabies vaccines (safe for use on dogs only) will be recognized for three (3) years; provided the dog is at least one (1) year of age at the time of vaccination. If dogs under one (1) year of age are vaccinated with this type of vaccine, the immunity will be recognized for a period of one (1) year.

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- (2) *One (1) year immunity:* All other rabies vaccines currently licensed by the veterinary biologics program United States Department of Agriculture are recognized for a one (1) year immunization period.

Animals required to be inoculated against rabies as specified in this chapter shall be re-vaccinated within the time period specified for the particular vaccine used, except as provided above in regard to dogs under one (1) year of age.

If a licensed veterinarian determines in writing that a rabies inoculation would compromise an animal's health, then the animal shall be exempt from the rabies shot. A copy of such shall accompany the village animal license application. (510 ILCS 5/8)

Sec. 5-43. Guide dogs exempted.

All service dogs used for support by disabled individuals shall be registered as other dogs hereinabove provided. (Code 1961, §16.207)

Sec. 5-44. Guard Dogs

All guard dogs shall be registered with the Cook County Department of Animal Rabies and Control each and every year. They must have a current rabies vaccine and be microchipped for identification purposes.

Secs. 5-45--5-54. Reserved.

(Ord. No. O-16-23, 02/20/23)

ARTICLE IV. BEEKEEPING

Sec. 5-55. General restriction.

No person shall keep bees in the village unless such person has filed a copy of his or her State of Illinois beekeepers permit with the village clerk of the village. Copies of renewal licenses shall be filed with the village clerk promptly after the issuance thereof. (Ord. No. 0-105-78, §1, 11/27/78)

Sec. 5-56. Location of beehives.

No beehive shall be located less than twenty-five (25) feet from any property line. No beehive shall be mounted on a habitable structure, excepting a single-family residence occupied by the licensed beekeeper, provided such single-family residence is located at least twenty-five (25) feet from any other habitable building or structure. (Ord. No. 0-105-78, §1, 11/27/78)

Sec. 5-57. Fencing required.

All beehives in the village, whether ground positioned or elevated, shall be enclosed by a fence, all parts of which shall be at a distance of at least twenty (20) feet from the beehive. All fence openings or points of entry into the beehive shall be equipped with gates. The fence shall be no less than five (5) feet in height and shall be constructed of a minimum number nine (9) gauge woven wire mesh corrosion-resistant material or approved equivalent determined by the director of community development. All gates shall be equipped with self-closing and self-latching devices placed at least four (4) feet above ground level. All fence posts shall be decay- and corrosion-resistant and shall be set in concrete bases. (Ord. No. 0-105-78, §1, 11/27/78)