

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2023-25

"AN ORDINANCE TO REGULATE AND CONTROL THE KEEPING OF ANIMALS
WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF HAMMOND"

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
13th DAY OF December, 2023

Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt
County, Illinois, this 13th day of December, 2023

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Be it ordained, by the President and the Board of Trustees of the Village of Hammond, Piatt County, Illinois:

1. The Board finds that the running at large of animals, including cats, present health problems and constitutes a nuisance within the Village and hereby declares it unlawful to permit any animal to run at large in the Village of Hammond at any time.
2. It shall be unlawful for anyone to keep or maintain within the Village limits any animal, except typical household pets such as cats, dogs, caged birds, turtles, and the like, and it shall be unlawful for anyone to keep or maintain any species of fowl or any livestock within the corporate limits of the Village.
3. It shall be unlawful for anyone within the Village limits to own a vicious, dangerous, or fierce animal.
4. It shall be unlawful for anyone within the Village limits to own more than five (5) dogs at any given time.
5. Running at large - shall be defined as the presence of an animal beyond the limits of the property owned or occupied by the person keeping or maintaining such animal unless the animal is securely restrained by a leash or lead and controlled by a responsible person.
6. Inoculations - it shall be the duty of the owner of any dog or cat kept in the Village of Hammond to have the animal inoculated against rabies at least once a year. The owner shall obtain as proof of compliance either a county rabies tag or the certificate of a registered veterinarian documenting that such inoculation was given.
7. Muzzles - whenever the President of the Village of Hammond by proclamation shall declare that the danger from rabies is great, it shall be unlawful to permit any animal to be in any public place unless such animal is securely muzzled.
8. Identification tag - every person owning, keeping, or maintaining a dog or cat shall keep and maintain a collar around the neck of the animal with both an identification tag showing the name and address of the owner and a tag verifying the rabies inoculation.
9. Disturbing the peace - no person owning or having custody of any dog, cat, or other animal shall permit such animal to disturb the peace and quiet of the neighborhood by barking or making other loud or unusual noises for more than a 10 (ten) minute period of time, or by running through or across property other than that of the owner or custodian.

10. Habitat and/or disease - no person shall keep a dog, cat, or other animal within the Village of Hammond unless that animal shall be provided with sufficient food, potable water, and secure shelter enclosed from the elements. No person shall keep an animal affiliated with a contagious or infectious disease, nor shall such diseased animal be shipped or removed from the premises of the owner thereof except under the supervision of the Village Animal Control Officer and/or the Village Dog Catcher. It is the duty of the owner of any diseased animal and such treatment affected premises as to prevent the communication or spread of contagion or infection except in cases where the State Veterinarian is empowered to act.

11. Cruelty to animals - whoever is guilty of cruelty to any animal by overloading, overriding, overworking, cruelly beating, mutilating, or cruelly killing any animal, or causing or knowingly allowing such acts to be done; or cruelly working any old, maimed, infirm, sick, or disabled animal, or causing or knowingly allowing such acts to be done; or by unnecessarily abandoning any old, maimed, infirm, sick, or disabled animal, or by driving or by causing to be driven, or kept any animal in an unnecessarily or cruel manner shall be guilty of an offense punishable by a fine as provided by this Ordinance.

12. Litigation - in any action at law, whether civil or criminal, brought under the Ordinance, the fact that an animal has been found on premises not owned or occupied by the owner or keeper of the animal shall be prima facta evidence of a violation of this Ordinance even if the owner of such animal lacked actual knowledge that the animal was running at large.

13. Impoundment - it shall be the duty of the Village's Animal Control Officer and/or Dog Catcher, or another designated person to capture and confine any animal found running at large within the Village of Hammond. Upon capture of such animal, the Officer shall cause the animal to be confined, pursuant to a contract with the Village of Hammond, in a facility operated by Douglas County Animal Control that is suitable for the secure keeping of such an animal for at least seven (7) days. Upon impoundment, the Officer shall, within two (2) days notify, by US Mail, the owner of the animal, if the same can be identified, of the place at which the animal is confined. Animals not redeemed from impoundment within seven (7) days shall become the property of Douglas County Animal Control.

13A. Redemption of animals from impoundment - animals shall be released from impoundment if within seven (7) days of the date of impoundment, upon presentation of sufficient evidence of ownership of the animal and payment of a \$115.00 fine to the Village of Hammond. Upon receipt of proof of ownership and payment of the fine, the Village shall issue a receipt authorizing Douglas County Animal Control to release the animal. Evidence of ownership may be presented and fines paid at the Village Hall of the Village of Hammond during normal business hours.

14. Penalties: Any person, firm, or corporation violating any provisions of this Ordinance shall be notified as follows:

1. Place phone call to homeowner notifying them of the violation on their property and giving them 10 days in which to fix the violation.
2. If compliance is not met in the 10 days, a non-certified letter will be sent reiterating the violation that needs to be corrected. Allow another 10 days.
3. If compliance is still not met, a certified violation letter is mailed to the homeowner. The first fine will be charged at this time for non-compliance and due within 10 days. The fine structure is as follows:

- 1st Offense: \$180.00
- 2nd Offense-committed within 12 months of any prior offense: \$330.00
- 3rd Offense-committed within 12 months of any prior offense: \$580.00

A separate offense shall be deemed committed each day the violation continues. Fines for release of an animal from impoundment as set forth in Section 13A hereof are in addition to any other fines for violation of this Ordinance.

Notice shall be deemed to be properly served by:

- Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- Personal service; or
- Posting of notice upon property.

14. Failure to recover - if an animal confined under this Ordinance shall not have been recovered by its owner or keeper within seven (7) days shall be placed for adoption.

15. Enforcement - the Village Board may take whatever action it deems appropriate in conformance with the laws of the State of Illinois to enforce this Ordinance and to abate nuisances defined herein. Said action, includes, but is not limited to, the filing of an action in the Circuit Court of Piatt County.

16. Separability - should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this Ordinance which will remain in full force and effect.

17. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law. Any and all prior Ordinances not conforming herewith are hereby revoked and declared to be null and void.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 13th day of December, 2023, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 2

Brenda Sebens
Village Clerk, Village of Hammond
Piatt County, Illinois

Marsha Burgener
President, Board of Trustees
Village of Hammond, Piatt County, Illinois

State of Illinois)
) ss.
 County of Piatt)
 Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on December 13, 2023, the Corporate Authorities of such municipality passed and approved Ordinance #2023-25, entitled "An Ordinance to Regulate and Control the Keeping of Animals Within the Corporate Limits of the Village of Hammond", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2023-25, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on December 14, 2023 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 13th day of December, 2023.

(SEAL)

Brenda Sebens
 Municipal Clerk