

## CHAPTER 94: ANIMALS

### Section

- 94.01 Definitions
- 94.02 Control
- 94.03 Harboring of animals
- 94.04 Impoundment; redemption fees
- 94.05 Adoption; destruction
- 94.06 Animal waste
- 94.07 Number of animals per household
- 94.08 Excessive noise
- 94.09 Cruelty
  
- 94.99 Penalty

### § 94.01 DEFINITIONS.

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

**DOMESTIC ANIMALS.** Includes dogs, cats, ferrets, rabbits, pigs, ponies, any breed of rodent, any breed of fowl and any breed of reptile which are owned by an individual.

**HARBOR.** To give shelter, food or care to any animal other than the owner's.

**OWNER.** Any person having a right of property in any domestic animal or who harbors, feeds, cares for, acts as a custodian for or knowingly permits any animal to remain on or about any premises occupied by him or her.

**RUNNING AT LARGE.** An animal will be deemed to be running at large when it is located anywhere within the village other than on the premises of its owner and not under control as defined in this section.

**UNDER CONTROL.** An animal will be deemed to be properly under control where the animal is confined within a home, building, cage or fenced yard where the fence is of sufficient height and



construction to prevent exit by the animal. An animal shall also be deemed properly **UNDER CONTROL** when restrained by means of a leash, cord or rope of not more than ten feet in length and of sufficient strength that it cannot be broken by the animal.

(Ord. 1998-2, passed 2-2-98)

#### **§ 94.02 CONTROL.**

It shall be unlawful for any person to permit any domestic animal owned or kept by him or her to go upon any public street, alley, sidewalk, public place or way or upon the private premises of any other person unless the animal is properly under control.

(Ord. 1998-2, passed 2-2-98) Penalty, see § 94.99

#### **§ 94.03 HARBORING OF ANIMALS.**

It shall be unlawful for any person to harbor or otherwise provide food or care to any domestic animal within the village no matter where it is located unless such action is done at the request of or with the consent of the owner of the domestic animal or animals in question.

(Ord. 1998-2, passed 2-2-98) Penalty, see § 94.99

#### **§ 94.04 IMPOUNDMENT; REDEMPTION FEES.**

(A) Any animal found within the village in violation of the this chapter shall be impounded by any police officer or such person as may be designated by the Village Board. Any animal so impounded shall be transported and placed with the Village Pound, if and when one is built, any licensed veterinarian within or without the village with whom the village may at such time have entered into a contractual arrangement for the housing of impounded animals or such other facility, including the Winnebago County Animal Control Department, as designated from time to time by the Village Board.

(B) After impoundment, if the owner of the animal is known or their identity is discoverable through reasonable investigation, every reasonable attempt shall be made to notify the owner of the impoundment. Notice may be by telephone, mail or in person. If notice is given by telephone rather than in person, notice by mail shall also be sent to the last known address of the owner of the impounded animal. Failure to actually notify the owner of the impoundment of their animal shall not serve as a defense to any violation of this chapter, nor shall it serve to extend the specified redemption period.

(C) The Office of the Village Clerk shall maintain timely information regarding the location where

[www.rocktonvillage.com](http://www.rocktonvillage.com)  
impounded animals shall be housed.

(D) No animal so impounded shall be released unless and until the owner shall pay to the village the sum of \$20 as an impoundment fee as well as any housing fees to the facility in which the animal is housed.

(E) No animal so impounded shall be released by any facility where housed, including the Winnebago County Animal Control Department shelter, unless presented with a receipt from the Village Clerk as proof of payment by the owner of the designated impoundment fee.

(Ord. 1998-2, passed 2-2-98)

**§ 94.05 ADOPTION; DESTRUCTION.**

(A) Any animal impounded pursuant to this chapter may be redeemed as above by its owner within seven days from the date of impoundment.

(B) Any animal not redeemed within the seven-day time period may be put up for adoption or disposed of in accordance with the laws of the State of Illinois.

(C) It shall be lawful for the Chief of Police or any other village police officer to kill any animal found running at large within the limits of the village if, in their opinion, the animal poses an immediate threat to the safety of the officer or other person and it cannot be safely captured for impoundment or otherwise safely detained until County Animal Control can be called to impound the animal.

(Ord. 1998-2, passed 2-2-98)

**§ 94.06 ANIMAL WASTE.**

(A) No person, being the owner of or having charge of any animal, shall permit it to defecate anywhere within the village limits except upon the owner's premises.

(B) It shall be a defense to a violation of division (A) of this section that the person, who is the owner of or in charge of any animal, did immediately remove any animal feces so deposited.

(C) Every owner shall be responsible for the cleanup of waste caused by any animal in his or her care and control and shall not permit waste to accumulate upon their property so as to become a health hazard or otherwise to become a public nuisance.

(Ord. 1998-2, passed 2-2-98)

[www.rocktonvillage.com](http://www.rocktonvillage.com)

**§ 94.07 NUMBER OF ANIMALS PER HOUSEHOLD.**

(A) No person within the village unless otherwise licensed by the State of Illinois for such purposes, shall own, harbor or otherwise, keep and care for more than five domestic animals within one residence.