

## CHAPTER 205: ANIMALS

*Editor's Note—Ord. no. 302 §1, adopted October 7, 2009, repealed ch. 205 and enacted new provisions set out herein. Former ch. 205 derived from ord. no. 65-2 §§I—II, IV—XIII, XV, XVII—XIX, XXI—XXII, 2-5-64; ord. no. 92-10 §§1—2, 6-17-92; ord. no. 95-2 §§1—3, 1-18-95; ord. no. 99-12 §1(A—I, K, M—O, Q—T), 3-17-99; ord. no. 99-35 §1, 12-1-99.*

### ARTICLE I. DEFINITIONS

#### SECTION 205.010: DEFINITIONS

For the purposes of this Chapter, certain terms and words are hereby defined. Words used in the present tense include the future; the singular number includes the plural and the plural, the singular; reference to the male gender includes the female, and reference to any person or animal without specifying gender includes both male and female; the word "*shall*" is mandatory and not directory.

*AT LARGE*: Any dog or other animal shall be deemed to be at large when it is off the premises of its owner's real property and not restrained by a competent person.

*CAT*: All domestic species or varieties of the genus felis, male or female, four (4) months of age or older.

*CERTIFICATE*: A certificate issued at the time of the vaccination of a dog or cat and bearing thereon the signature of the vaccinator, the registration number, the name, color, breed and sex of the animal, the name and address of the owner, the date of the vaccination and type of vaccine administered.

*CHICKEN EMBRYO, ORIGIN VACCINE*: Vaccine which is manufactured using the embryo of the chicken as a growth medium and also known as Flury Strain vaccine.

*COMPETENT PERSON*: A human being that is capable of controlling and governing the animal in question and to whose commands the animal is obedient.

*CONSTRUCTOR*: A type of snake that when wrapped around any person or animal could cause bodily injury or even death.

*DOG*: All domesticated members of the canis familiaris, male or female, four (4) months of age or older.

*EUTHANIZE*: To put to death in a humane manner.

*EXPOSED TO RABIES*: Any dog or cat, whether it has been registered or vaccinated for rabies or not, or other animal which has been bitten, been fighting with or has consorted with an animal known or suspected to have rabies or showing objective symptoms of rabies.

*FIERCE*: See the definition of "*VICIOUS*".

*HEALTH DEPARTMENT*: The Health Department of the Village of Twin Oaks and any person, persons, departments or agencies authorized by the Village of Twin Oaks to enforce this Chapter or that otherwise possesses lawful jurisdiction over diseased animals.

*HOUSEHOLD*: Those members of a family including servants and attendants living in the same dwelling unit.

**IMPOUND:** The apprehending, catching, trapping, netting, tranquilizing, confining or, if necessary, the destruction of any animal by the Health Department.

**IMPOUNDING FACILITIES:** Any premises designated by the Village of Twin Oaks or its contractor for the purpose of impounding and caring of all animals found in violation of this Chapter.

**KENNEL:** Any place or tract of land, whether indoors or outdoors, whether enclosed or not, in, at or upon which dogs or cats are kept, housed, bred, raised, fed, displayed or sold. The owner of more than three (3) dogs or three (3) cats or a combination of more than three (3) cats and dogs in a combined total, whether owned for pleasure or profit, breeding or exhibiting, shall be deemed to be the operator of a kennel.

**KITTEN:** All domestic species or varieties of the genus felis, male or female, under the age of four (4) months.

**NERVE TISSUE ORIGIN:** Vaccine which is manufactured, using tissue of the nervous system as a growth medium.

**OWNER:** Includes any person who, or firm or corporation which owns, harbors, shelters, keeps, controls, manages, possesses, or has part interest in any animal.

The occupant of any premises on which a dog, cat or other animal remains for a period of seven (7) days or to which it customarily returns daily for a period of ten (10) days is presumed to be harboring, sheltering or keeping the aforementioned dog, cat or animal within this definition. Under no circumstances are the normal and ordinarily accepted definitions of the terms harboring, sheltering or keeping to be limited to the words of the aforementioned presumption. If a minor owns a dog, puppy or other animal subject to the provisions of this Chapter, the head of the household of which such minor owner is a member shall be deemed to be the owner of such dog, puppy or animal for the purpose of this Chapter and under this Chapter shall be responsible as the owner, whether or not such household head is himself/herself a minor. If not a member of a household, such minor owner shall himself/herself be directly subject to the provisions of this Chapter.

**PUP OR PUPPY:** All domesticated members of the canis familiaris, male or female, under four (4) months of age.

**REGISTRAR:** Any veterinarian, or any other person acting under the direction or control of a veterinarian, who performs the services of vaccination-registration.

**RESTRAINT:** A dog, cat or other animal, off the premises of its owner's real property, is under restraint within the meaning of this Chapter:

1. If it is controlled by a line or leash not more than ten (10) feet in length, when said line or leash is held by a competent person; or
2. When within a vehicle being driven, parked or stopped.

**RURAL:** Idle land or land which is used for agricultural purposes and through a lack of streets, lots utilities and improvements is unsuited for Village uses whether located within the limits of a municipality or not.

**TAG:** Any object, regardless of the shape and material, which bears a registration number and the

words: "Rabies Vaccination-Registration", which has been issued by authority of the Health Department.

*UNDOMESTICATED*: Any animal or reptile generally known as wild such as lions, tigers, wolves, bears, jaguars wildcats, poisonous or constrictor snakes and other of this general class and description.

*VACCINATE*: The injection, by a veterinarian or his/her authorized agent, of a specified dose of anti-rabies vaccine into the body of an animal, such vaccine having the U.S. Government license number approval stamped on the label of the vaccine container and having been approved by the Health Department. Vaccine used for vaccination of specific animal shall be stored and kept under conditions proper for the vaccine and shall show no signs of spoilage or otherwise be unfit for producing immunity against rabies.

*VACCINATION-REGISTRATION*: The procedure of vaccinating for rabies and issuing an identification number and an appropriate certificate. The above words shall be interchangeable.

*VETERINARIAN*: Any veterinarian holding a current Missouri license and operating on a participating basis with the Health Department as required by this Chapter.

*VICIOUS*: Any animal, whether or not running at large and whether or not unrestrained, that without provocation has bitten or has attempted to bite any person, not a trespasser, causing serious physical injury to that person or placed any person in apprehension of immediate serious physical injury or has killed or injured another animal without provocation.

*WILD*: See the definition of "*UNDOMESTICATED*". (Ord. No. 302 §§1—2, 10-7-09)

## ARTICLE II. PROHIBITIONS

### SECTION 205.020: RAISING OR KEEPING CERTAIN ANIMALS PROHIBITED

- A. It shall be unlawful for any person within the Village to own, keep or harbor on their premises any horse, cattle, cow, swine or any similar animal.
- B. It shall be unlawful for any person within the Village to own, keep or harbor on their premises any chickens, ducks, turkeys, pigeons or other domestic fowl.
- C. It shall be unlawful for any person within the Village to own, keep or harbor on their premises any wild or undomesticated animal or reptile of any kind. (Ord. No. 302 §§1—2, 10-7-09)

### SECTION 205.030: COMMERCIAL RAISING OF ANIMALS, FOWL AND REPTILES PROHIBITED

No person shall be permitted to engage in the raising of animals, fowl or reptiles for commercial purposes in the Village. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.040: CATCHING OR KILLING BIRDS PROHIBITED**

No person may catch, kill or injure, or attempt to catch, kill or injure, in or upon the streets, avenues, alleys, highways or other public places, or in or upon the private premises of another, any wild or insectivorous bird nor keep any cat or other fowl or animal in such a manner as to permit it to kill such birds. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.050: RUNNING AT LARGE PROHIBITED—IMPOUNDMENT OF ANIMALS  
RUNNING AT LARGE**

It shall be the duty of every person who owns, controls, manages, harbors or possesses in whole or in part any dog or other animal or who has custody of or who permits any dog or other animal to remain in or about his/her home, place of business or other premises owned or controlled by such person in the Village to wholly confine the dog or animal upon his/her premises or to secure or restrain the animal on a leash in the hands of a competent person, and any such animal not confined upon the premises of the owner or keeper or person in custody thereof, or securely restrained on a leash in the hands of a competent person, and found running at large contrary to the provisions of this Section shall be taken up and impounded. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.060: ANIMALS RUNNING AT LARGE DECLARED PUBLIC NUISANCES—  
IMPOUNDMENT GENERALLY**

All animals enumerated in Section 205.050 found running at large or tied, staked or pastured in, on or along the streets, railroad right-of-way, thoroughfares or other public places in the Village are hereby declared to be a public nuisance and shall forthwith be taken up by the Health Department and placed by him/her in some secure facility to be provided by the Health Department for that purpose. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.070: ANIMAL WASTE**

It shall be unlawful for any person owning or in the control of any animal within the Village to allow or permit such animal to deposit its waste upon any private or public property other than such person's own premises, unless such person shall remove and dispose of such waste within one (1) minute of the deposit. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.080: LOUD AND OBNOXIOUS ANIMAL NOISES—PROHIBITED**

- A. It shall be considered unlawful and declared a public nuisance for any animal to continually screech, bark, meow, howl, yelp or chase vehicles or otherwise annoy a neighbor or neighborhood and any owner of such animal, upon being notified to do so by any officer of the Village or the Police Department of the Village, shall take such action as may be necessary to prevent the animal from continuing the acts constituting the nuisance or shall dispose of such animal.
- B. Five (5) days after such notice, as provided for in Subsection (A) hereof, is given by the Village or a representative thereof to the owner or possessor of such animal, or the person occupying the premises where such animal is located, of a violation of Subsection (A), the failure to control or prevent a continuation of the acts complained of shall be prima facie evidence of the causing,

allowing or creation by such owner or possessor, so notified, of a public nuisance. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.090: DAMAGING OR DEFACING PROPERTY OR STRUCTURES**

If any dog, cat or other animal running at large shall commit a nuisance upon the premises of someone other than the owner by damaging or defacing the property or improvements on the property or by depositing excrement or other matter, solid or liquid, on the property, the owner of such dog or cat, upon being notified to do so by any officer of the Village, shall take such action as may be necessary to prevent the dog or cat from continuing the acts constituting the nuisance or shall dispose of the dog or cat and failure to do so shall constitute a violation of this Article. (Ord. No. 302 §§1—2, 10-7-09)

### **ARTICLE III. DOGS AND CATS**

#### **SECTION 205.100: VACCINATION—REGISTRATION OF DOGS AND CATS REQUIRED—EXCEPTION—TAGS**

- A. An owner of any dog or cat that is kept anytime during the year within the Village of Twin Oaks shall have such dog or cat vaccinated against rabies and registered. Such dogs or cats must be vaccinated at least once each year if a nerve tissue origin vaccine is used, unless a chicken embryo or other three (3) year type vaccine approved by the Health Department is administered, in which case the dogs or cats shall be inoculated at least once every three (3) years, or if other vaccine approved by the Health Department is administered, then at the frequency approved by the Health Department.
- B. Puppies and kittens shall be confined to their owner's premises.
- C. Every dog or cat, which has been vaccinated in accordance with the provisions of this Chapter, shall at all times wear the registration tag issued.
- D. It shall be unlawful for any person to own any dog or cat unless such dog or cat has been vaccinated against rabies and wears a current, unexpired registration tag, and the owner possesses a certificate issued in accordance with the provisions of this Chapter. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.110: REGISTRATION TAGS, INCLUDING UNLAWFUL POSSESSION, COUNTERFEITING, ALTERATION AND/OR OBLITERATION**

- A. Registration tags shall not be transferred from dog to dog or cat to cat, and no person shall affix a registration tag to a dog or puppy or cat or kitten other than the animal for which the tag was issued at the time of its rabies vaccination-registration, nor shall any person affix a registration tag to a dog or cat that has not been vaccinated against rabies, nor shall any person counterfeit, alter, obliterate or attempt to counterfeit, alter or obliterate any rabies-registration tags.
- B. *Female Dogs, Confinement.* All female dogs or cats shall be kept securely confined in an enclosed place while in heat.

C. *Animals Impounded, When—Where Kept.*

1. The Health Department or other persons designated by it shall have the power to catch, confine and impound dogs, cats and other animals as follows:
  - a. Dogs or cats not wearing valid, unexpired vaccination-registration tag;
  - b. All female dogs or cats registered or unregistered, not securely confined in an enclosed place, while in heat;
  - c. All dogs and puppies which are at large;
  - d. All animals infected or suspected of being infected with rabies including animals known to have been bitten by a rabid animal, whether the animal to be impounded is running at large or on a leash or whether it is confined to its owner's premises;
  - e. All unconfined or unleashed animals with fierce or dangerous propensities;
  - f. Dogs or cats not vaccinated for rabies within the previous twelve (12) months with nerve tissue vaccine, nor within the preceding thirty-six (36) months with chicken embryo or Flury Strain vaccine, nor if another vaccine approved by the Health Department was used, within the proceeding time period, approved by the Health Department as the duration of effective protection against rabies which that vaccine gives;
  - g. Dogs or other animals which have bitten a person or animal or which have been bitten by a dog or animal suspected of having rabies, or which are suspected of having rabies or have been exposed to rabies.
2. Dogs or other animals impounded in accordance with this Section shall be impounded under the supervision of and in a manner satisfactory to the Health Department.
3. All dogs or cats shall be vaccinated and registered before being released to the owner at the owner's cost. Dogs or cats that have been vaccinated and registered before becoming impounded shall be released to their owners within five (5) days after capture provided the Health Department is of the opinion that such release will not impair the safety of the public. Every animal impounded under provisions of this regulation, which is found upon arrival at the pound to be diseased or injured, and whose owner is unknown or relinquishes ownership in writing, shall be immediately euthanized. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.120: HEALTH DEPARTMENT—AUTHORITY TO CONTRACT FOR DOG IMPOUNDING TERMS**

- A. The Health Department is authorized and directed to make and enter into a contract on behalf of the Village of Twin Oaks for the confinement, impounding, care, release and disposing of dogs and other animals acquired pursuant to the provisions of this Chapter as follows:
  1. The authority contained in Subsection (A) hereof shall be exercised after due notice inviting proposals and receipt thereof from any and all interested persons, firms, associations and corporations, public or private.

2. St. Louis County facilities may be utilized without inviting proposals. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.130: NON-RABID ANIMALS—CLAIMING**

Any animal captured or impounded by the Health Department, as authorized herein, and determined not to be infected with rabies, by the Health Department, may be redeemed by the owner or other person having the right of possession of such animal upon the presentation of a proper vaccination-registration certificate. If the animal is not claimed in the manner provided herein within five (5) days after its capture, such animal shall be disposed of by euthanasia or sale as directed by the Health Department. Before release by such sale, the buyer shall have the dog vaccinated and registered. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.140: RABID ANIMALS—DISPOSAL**

The Health Department or person designated by it shall dispose of any animal infected with rabies and it shall have the power to examine and impound any animal bitten by or exposed to any other animal infected with rabies. It shall have the power to require the owners of such animal to take necessary measures to prevent further spread of rabies and to dispose of any exposed animal, if such necessary measures are not taken by the owners. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.150: DESTRUCTION OF ANIMAL REPORT**

Any person destroying an animal infected with rabies or suspected of being infected with rabies shall immediately notify the Health Department and shall surrender the carcass of such animal upon demand. The owner or custodian of any such destroyed animal shall immediately provide the Health Department with full particulars thereof, including the time, date, location, the names and addresses of any person bitten by said animal, and also the name and address of the owner or person having custody of any animal exposed to the animal destroyed. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.160: RABIES—SUSPECTED OF, EXPOSED TO**

Any dog, cat or other animal which exhibits objective symptoms suggestive of rabies may, after written certification by the Health Department to the owner, be impounded on or off the property of the owner. This animal shall be held for ten (10) days at the impounding facilities for clinical observation and, if alive at the termination of this period, shall be returned to the owner. As an alternative procedure, the owner, at his/her own expense, may designate any veterinary hospital in the County for a similar ten (10) day period. If such animal shall die during the observation period, regardless of the location, the head shall be removed and submitted to a qualified laboratory for examination.

1. Any dog, cat or other animal, which has been exposed to rabies, shall be immediately destroyed, unless the owner, at his/her expense, desires, chooses, elects, specifies or picks one (1) of the following alternative methods:
  - a. Strict isolation in a kennel or animal hospital for six (6) months;
  - b. If no previous vaccination has been given to an animal within a period of three (3) years

with chicken embryo (Flury Strain) vaccine, or within one (1) year, using vaccine of nerve tissue origin, or if other vaccine approved by the Health Department was used and if the effective protection limit of the last such vaccination has passed, then such animal shall be placed on a schedule of immunizations approved by the Health Department.

- c. If an animal has been vaccinated previously with another vaccine approved by the Health Department within the duration of the vaccine's effective protection as approved by the Health Department, the animal shall be revaccinated and restrained by a leash or confined at home for thirty (30) days.
2. All animals under clinical observation for rabies must fulfill all conditions of this Chapter prior to release. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.170: RABIES—TO BE REPORTED**

Any person within the Village of Twin Oaks, Missouri, having information or knowledge of any animal that:

1. Exhibits clinical symptoms suggestive of rabies;
2. Has been exposed to rabies, or
3. Is suspected of having rabies,

shall report such knowledge or information to the Health Department. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.180: QUARANTINE**

- A. Whenever rabies becomes prevalent in the Village of Twin Oaks, the Health Department shall recommend a quarantine order. The Health Department, during the first (1st) week after a quarantine order is issued, shall take proper measures to inform the people of the Village of the existence of the quarantine order and of the penalties attached to the violation of the quarantine order. A quarantine order shall direct that all animals, whether vaccinated and registered according to the provisions of this Chapter or not, shall be confined in the home of the owner or tied up, placed on a leash or otherwise confined under the direct physical control of a competent person not less than fifteen (15) years of age. Any animal found otherwise, during such a quarantine, shall be impounded. Animals subject to rabies which are impossible to capture or impound, after the exercise of reasonable efforts and diligence, shall be destroyed, if the Health Department so designates.
- B. The quarantine may be terminated by the Health Department after the necessity therefore no longer exists. No quarantine shall remain effective for more than six (6) months from the date of the adoption of the quarantine order unless such quarantine order is specifically extended by order of the Health Department. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.190: ANIMAL BITE—PROCEDURE**

- A. The owner of any dog, cat or other animal which bites any person, regardless of the circumstances or irrespective of whether such animal is vaccinated and registered, shall be required to place such dog, cat or animal in the custody of the Health Department for confinement in a manner satisfactory

to the Health Department and in a manner that will prevent contact with people and other animals for a period of ten (10) days, following the evening of the day of the bite, for the purpose of clinical observation. All expenses shall be borne by the owner of the dog, cat or other animal. If such dog, cat or other animal develops clinical symptoms suggestive of rabies, it shall be allowed to die a natural death, or if for any reason such dog, cat or other animal should die while in confinement, its head shall be removed by the veterinarian and submitted to a qualified laboratory. If, at the end of such ten (10) day period, such dog, cat or other domestic animal is alive and healthy, it may be released to its owner.

- B. All dogs under clinical observation as the result of biting a person must fulfill all other conditions of the Chapter prior to release.
- C. It shall be the duty of any person bitten by any animal or the parent or guardian of any minor bitten by an animal to report the same to the Health Department immediately. Such report shall contain the name and address of the owner and of the animal, the day and time bitten, the location where bitten, and a general description of the animal.
- D. It shall be the duty of every physician to report immediately to the Health Department the full name, age and address of any person under his/her care or observation who has been bitten by an animal irrespective of whether infected with rabies or suspected of being infected with rabies or not so infected or so suspected and every veterinarian treating or having under observation any animal infected with rabies, or suspected of being rabid, or suspected of having been exposed to rabies, shall report to the Health Department the owner's name and address, and if the animal is a dog, the vaccination-registration number. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.200: RIGHT OF ENTRY**

It shall be unlawful for any person to conceal an animal or interfere with the Health Department or persons designated by it in the performance of its legal duties as provided in this Chapter. The Health Department or persons designated by it shall have the right of entry onto any unenclosed lots or lands for the purpose of collecting any dog, cat or other animal which is on such a lot or land, in violation of this Chapter and whose presence on such lot or land constitutes a violation of any of the provisions of this Chapter, or whose presence or existence is a violation of the provisions of this Chapter. The Health Department or its duly appointed representative shall have the right of entry to any property or premises within any quarantined area during the period of such quarantine for the purpose of examining or obtaining any dog, cat or any other animal suspected of having rabies, having been exposed to rabies, or having bitten a person or other animal. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.210: ABANDONMENT OF ANIMALS**

No owner of any animal subject to rabies shall abandon such animal in the Village of Twin Oaks. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.220: BAD DOG OR OTHER ANIMAL—NOTICE**

When any fierce or dangerous dog or any other animal that has previously attacked or bitten any person or domestic animal or possesses a propensity to attack or bite man or domestic animal or cause annoyance to persons using the public roads, streets and sidewalks or chase, worry or molest

other animals, dogs or children or cause any damage or injury, which propensity is known or ought reasonably to be known by the owner of such dog, it shall be the duty of such owner to confine such dog on a chain, tether or leash or confine to a yard completely enclosed by a fence of such height, strength and construction so as to prevent the dog confined therein from jumping over, through or crawling under such fence and to post a notice on the premises conspicuously visible to the public and reading in letters not less than two (2) inches high "Beware of Dog". Any fierce or dangerous dog found off the premises of its owner may be seized by any Police Officer or other agent authorized by the Health Department and the dog and owner may be brought to trial. Upon establishment by a preponderance of the evidence of the fierce or dangerous character of such dog by testimony, under oath (and reduced to writing), the court may order such dog to be euthanized, or the owner subjected to the penalties provided in Section 205.300 of this Chapter, or both euthanization and such penalties. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.230: DOGS RUNNING AT LARGE—PROHIBITED—EXCEPTION**

- A. It shall be unlawful for the owner of any dog, whether properly tagged and certified by vaccination-registration or not, to permit or allow such dog to run at large on land which is non-rural in character.
- B. The provisions of Subsection (A) of this Section shall not apply to dogs being used in hunting, field trails and dog shows while on public lands set aside for those purposes, while on the private property of others with the actual, implied, customary or constructive consent of the owner of such private premises, or while on Federal, State, Municipal or County roads or highways in a rural area while going to or coming from a hunting, field trial or dog show site. Nor shall the provisions or prohibitions in Subsection (A) of this Section apply to bloodhounds or other dogs used for tracking in conjunction with Police activities, nor to dogs of the Canine Corps of any Police Force of the City of St. Louis, St. Louis County, the Missouri State Highway Patrol, any Federal law enforcement agency or the Armed Forces of the United States, while being used to conduct official business or being used for official purposes. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.240: PRESUMPTION WITH REFERENCE TO DOGS RUNNING AT LARGE**

In any prosecution charging a violation of Section 205.230 hereunder, proof that:

1. The dog was running at large in violation of said Section.
2. The defendant named in the complaint was, at the time described in the complaint, the person who owned such dog,

shall constitute a rebuttable presumption that the owner permitted such dog to run at large. (Ord. No. 302 §§1—2, 10-7-09)

#### **SECTION 205.250: DESTRUCTION OF STRAY DOGS AND CATS**

The Health Department may order the destruction of any stray dog, cat or other animal running at large if such animal is unable to be captured after all reasonable efforts thereto have been made, and it shall be the duty of the Health Department or such person designated by him/her to execute such order. If any dog, cat or other animal impounded under this Article is not redeemed within one (1) week, the Health Department may cause the same to be destroyed in a quiet and painless manner or otherwise disposed of. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.260: RESTRAINING OF DANGEROUS OR VICIOUS DOGS AND CATS**

- A. When any dangerous or vicious dog, cat or other animal that has previously attacked or bitten any other person or any other animal which has previously attacked and bitten any other dog or cat or domestic animal in the Village is kept upon any premises in the Village, it shall be kept in such a place so that it cannot bite or molest tradesmen, postmen, meter readers or other persons whose lawful business requires them to enter upon the premises or so that it cannot attack persons or dogs or cats or domestic animals in the Village. Any such dog, cat or other animal found not so confined shall forthwith be taken up and impounded, and the owner or keeper or person having custody shall be charged with a violation of this Section and shall be brought before the Municipal Judge who shall hear and determine the complaint as provided by law.
- B. In such hearing before such Municipal Judge, evidence of the animal's previous history of attacks or bitings shall be admissible in evidence to determine its dangerous or vicious nature. In the event that any such animal is brought into custody, the Board of Trustees may, in their discretion, refuse to allow the owner or keeper of such animal to redeem until after such complaint has been heard and determined by the Municipal Judge as aforesaid, and until the Municipal Judge has determined the disposition to be made of such animal. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.270: DESTRUCTION OF DANGEROUS AND VICIOUS DOGS AND CATS**

Should any person violate Section 205.220, it may be part of the sentence, upon conviction, that such dangerous and vicious dog or cat be immediately killed, and such sentence shall be forthwith executed by the Health Department. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.280: DOG OR CAT KENNELS PROHIBITED**

No person shall be permitted to maintain a dog or cat kennel in the Village, and the maintenance of a dog or cat kennel in the Village, is hereby prohibited. (Ord. No. 302 §§1—2, 10-7-09)

**SECTION 205.290: REFUSAL TO DELIVER ANIMALS TO THE HEALTH DEPARTMENT—PROHIBITED**

No person shall refuse to deliver to the Health Department any dog, cat or other animal subject to rabies, which such person owns, when requested to do so under the provisions of this Chapter. (Ord. No. 302 §§1—2, 10-7-09)

**ARTICLE IV. PENALTIES****SECTION 205.300: VIOLATIONS AND PENALTIES**

The violation of, failure to comply with or the committing of any act prohibited in any provision of this Chapter shall constitute an unlawful act and upon the conviction of such unlawful act, unless a penalty has been otherwise specified within this Chapter, the person so convicted shall be fined no less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) and each day that such unlawful act continues to be committed shall constitute a separate offense. (Ord. No. 302 §§1—2, 10-7-09)

