

ORDINANCE NUMBER 03 - 18

**ORDINANCE AMENDING CHAPTER 92,
ANIMALS, BY ADDING A NEW SECTION 92.04
AND A NEW SECTION 92.05**

WHEREAS, the Village of East Dundee as a non-home rule unit has been granted such statutory powers pursuant to the Illinois Constitution either expressly or as may be impliedly necessary to the accomplishment of the intent of the duties expressly conferred on it by law; and

WHEREAS, WHEREAS, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Chapter 92, **Animals**, be amended.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That Chapter 92, **Animals**, is hereby amended by renumbering Sections 92.04 through and including Section 92.14 as Sections 92.06 through and including Section 92.16.

Section Two: That the following be added as new Sections 92.04 and 92.05 as follows:

Section 92.04 **VICIOUS ANIMALS**

(1) Vicious animal means:

- (a) Any individual dog or other animal that when unprovoked bites or attacks a human being or other animal either on public or private property.
- (b) Any individual dog or other animal that has a trait or characteristic and a generally known reputation for viciousness, dangerousness, or unprovoked attacks upon human beings or other animals, unless handled in a particular manner with special equipment.
- (c) Any individual dog or other animal which attacks a human being or domestic animal without provocation.

No dog shall be deemed "vicious" if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it or is a professionally trained dog for law enforcement or guard duties. Vicious dogs shall not be classified in a manner that is specific to breed.

If a dog or other animal is found to be a vicious animal, the dog or other animal shall be subject to enclosure.

Section 92.05 **DANGEROUS DOGS**

No dog shall be deemed "dangerous" if it bites, attacks, or menaces a trespasser on the property of its owner or harms or menaces anyone who has tormented or abused it or is a professionally trained dog for law enforcement or guard duties. Vicious dogs shall not be classified in a manner that is specific to breed.

If a dog is found to be a dangerous dog, the dog shall be subject to enclosure.

Section Three. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity

or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Four. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Five. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

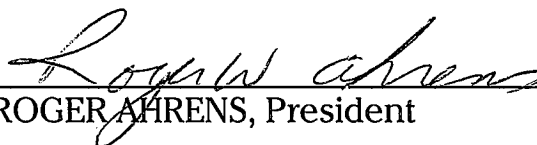
Adopted this 6th day of October, 2003, pursuant to a roll call vote as follows:

AYES: Zaeske, Ruffalo, Bartels, Schock, Van Ostenbridge, Scarpelli

NAYES: None

ABSENT: None

Approved by me this 6th day of October, 2003.



ROGER AHRENS, President

Published in pamphlet form this 14th day of October, 2003, under the authority of the President and Board of Trustees.

ATTEST:



JANE THEIS, Village Clerk

Recorded in the Village Records on October 14th, 2003.