

DOGS

Chapter 6

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(History: Adopted, Hilton Village Board, 2-6-67)

6-1 Title

The title of this ordinance shall be "Dog Leash Ordinance of the Village of Hilton."

6-2 Definitions

OWNER - Any person who is a licensed owner of a dog and any person, who keeps, feeds or harbors a dog for over one (1) week. The owner need not be a resident of the Village of Hilton; but, for a violation to occur, the dog must be in the village limits of the Village of Hilton.

KEEPER OF THE PUBLIC POUND - One of the person or persons authorized by the Village Board from time to time, by resolution, to enforce the provisions of this ordinance. He shall be authorized to draw information and obtain supporting affidavits for submission to any authorized judicial court. He is hereinafter referred to as the Keeper.

6-3 Control of dogs

Any dog which is within the village limits of the Village of Hilton, shall be kept confined or on a leash no longer than eight (8) feet, except when on the owner's property or on the private property of another person (or persons) with the knowledge and consent of such person (or persons).

6-4 Restrictions

The owner of a dog shall not permit his dog by reason of barking, chewing, crying, acts of viciousness or playfulness, or to run at large or to defecate in such a way as to cause annoyance to the residents of the Village of Hilton or damage to their property. Nor shall the owner of a dog permit his dog to tip over ash cans or other devices used to contain refuse. No owner shall permit the premises or enclosures in which the dog is kept to be unsanitary or unclean.

6-5 Females in heat

The owner of a female dog in heat shall not permit the said female dog to be unleashed off the owner's property.

6-6 Enforcement

The ordinance shall be enforced by the Keeper or by the Police Department of any municipal subdivision or any other law enforcement agencies.

6-7 Seizure and impounding of dogs; notice to owner

Any dog which violated 6-3, 6-4, or 6-5 or does not have a license, shall be impounded and taken to such place as may be designated by the Board of Trustees as a place of detention and shall there be properly fed and cared for at the expense of the Village until disposition thereof shall have been made, and in accordance with the provisions of this ordinance.

(a) In the event that the dog seized bears a license tag, the person seizing the dog shall, within three (3) days thereafter, ascertain the name of the owner or, if the dog is unlicensed but its owner is known, give the owner immediate notice by serving upon him an instrument in writing stating that the dog has been seized, where, when, and why, and

(1) Stating that the dog will be destroyed or sold unless redeemed or unless a trial is demanded within twelve (12) days after the impounding of the dog;

(b) In the event the dog seized does not bear a license tag and the owner is unknown, the Keeper or other law enforcement agency is authorized to destroy the dog within seven (7) days after impounding or to dispose of the dog by such other means as he is authorized unless the owner redeems the dog, if permitted, or unless a trial is demanded by the owner within seven (7) days.

6-8 Redemption of impounded dogs

If the dog is to be redeemed, the owner shall pay to the Village Clerk or to the person whom he designates, the sum of ten dollars (\$10.00), plus the charge for the care of the dog while impounded.

6-9 Trial

In the event that the owner of the dog desires a trial, he shall post a bail bond of twenty-five dollars (\$25.00), or such other sum as may be determined, pay for the care of the dog while impounded and demand in writing a trial. The Keeper or other applicable law enforcement agents shall immediately proceed to arrange for information so that the matter will appear on the Justice of the Peace docket of the appropriate court as soon as possible. The usual rules of procedure and as to proof which are applicable in all cases shall apply.

6-10 Sale of unclaimed dogs; records; disposition of moneys

If any dog is impounded and is not redeemed or a trial demanded within the time hereinbefore set forth, the owner shall forfeit title to the dog and it may thereafter be sold or destroyed by the appropriate official as hereinafter provided.

6-10 Sale of unclaimed dogs; records; disposition of moneys

(a) When the Keeper or other agency is authorized to sell any dog impounded, he shall determine a fair price, sell the dog, and the money shall be deposited in the general fund of the Village. The Village shall keep a record of all sales and such records shall be a public record opened to inspection during office hours by interested parties. These records shall be kept for only one (1) year.

6-11 Destruction of dogs; records

In the event it becomes necessary to destroy a dog, the Keeper or other law enforcers shall so state in writing and through a veterinarian arrange for the destruction of the dog, cause the carcass to be disposed of and make a report in writing of such destruction to the Village Clerk. The Village Clerk shall keep a record of the destruction for one (1) year.

6-12 Complaints

In the event there is a violation of 6-4, the complaint shall be investigated and, if necessary, appropriate affidavit and information shall be drawn to place the matter on the Justice of the Peace docket for disposition in accordance with applicable rules and procedures.

6-13 Violations and penalties

In addition to other penalties for violation of this ordinance, upon conviction the owner may be punishable for permitting the violation by a fine of not more than twenty-five dollars (\$25.00). In addition to the penalty above provided, each and every violation thereof shall constitute disorderly conduct and the person permitting the violation shall be a disorderly person. In addition thereto, the dog may also be destroyed.

6-14 Validity

If any section of this ordinance shall be adjudged invalid, then the remainder of this ordinance shall be deemed valid and effective.

6-15 Recovery claims

The owner, possessor, or harbinger of any dog destroyed under the provisions of this ordinance shall not be entitled to any compensation, and no action shall be maintainable thereafter to recover the value of the dog.