



ORDINANCE NO. 832

AN ORDINANCE OF THE VILLAGE OF MACKINAW,  
TAZEWELL COUNTY, ILLINOIS, AMENDING THE CODE OF  
ORDINANCES RELATING TO DANGEROUS ANIMALS AND  
VICIOUS ANIMALS.

Published in pamphlet form by authority of the Village President and  
Board of Trustees of the Village of Mackinaw

AUGUST 18, 2011

STATE OF ILLINOIS            )  
COUNTY OF TAZEWELL        ) SS  
VILLAGE OF MACKINAW        )

**CERTIFICATE OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly appointed, qualified and acting Village Clerk of the Village of Mackinaw, Tazewell County, Illinois (the "Issuer"), and as such official I am the keeper of the records and files of its President and Board of Trustees (the "Corporate Authorities").

I do further certify the foregoing constitutes a full, true and complete excerpt from the proceedings of the regular meeting of the Corporate Authorities held on the *8th day of August, 2011*, insofar as same relates to the adoption of *Ordinance No. 831*, entitled:

AN ORDINANCE OF THE VILLAGE OF MACKINAW, TAZEWELL COUNTY, ILLINOIS, AMENDING THE CODE OF ORDINANCES RELATING TO DANGEROUS ANIMALS AND VICIOUS ANIMALS.

A true, correct and complete copy of which ordinance (the "Preliminary Ordinance" or "Ordinance") as adopted at such meeting appears in the transcript of the minutes of such meeting. The Preliminary Ordinance was adopted and approved by the vote and on the date therein set forth.

I do further certify the deliberations of the Corporate Authorities on the adoption of such Preliminary Ordinance were taken openly and was on the agenda at least 48 hours before the meeting at which it was adopted, that the adoption of such ordinance was duly moved and seconded, that the vote on the adoption of such ordinance was taken openly and was preceded by a public recital of the nature of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place convenient to the public, that notice of such meeting was duly given to all of the news media requesting such notice, that such meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the applicable provisions of such Act and such Code and their procedural rules in the adoption of such ordinance.

The pamphlet form of *Ordinance No.832*, including the ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted for public inspection in the municipal building, the Mackinaw United States Post Office, and the Mackinaw Library commencing on *August 18, 2011* and continuing for at least ten days thereafter. The original ordinance was adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting, attended by six members of the Board, and approved by the President, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this *28th, August 2011*.



\_\_\_\_\_  
Village Clerk

ORDINANCE NO. 832

AN ORDINANCE AMENDING THE VILLAGE OF MACKINAW MUNICIPAL CODE  
SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF  
MACKINAW TO PROVIDE AMENDMENTS RELATING TO DANGEROUS ANIMALS  
AND VICIOUS ANIMALS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE  
OF MACKINAW:

SECTION 1: §90.01 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing definition for “dangerous animal or vicious animal.”

SECTION 2: §90.01 of the Village Code of the Village of Mackinaw is hereby amended by inserting a new definition for dangerous dog which shall be as follows:

***DANGEROUS DOG.***

(1) Any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal; or

(2) A dog that, without justification, bites a person and does not cause serious physical injury.

SECTION 3: §90.01 of the Village Code of the Village of Mackinaw is hereby amended by inserting a new definition for vicious dog which shall be as follows:

***VICIOUS DOG.***

(1) A dog that, without justification, attacks a person and causes serious physical injury or death; or

(2) Any individual dog that has been found to be a “dangerous dog” upon three separate occasions.

SECTION 4: Chapter 90 of the Village Code of the Village of Mackinaw is hereby amended by changing the definition of “owner or keeper” found in §90.01 of the Village Code of the Village of Mackinaw to “owner or custodian” and further by replacing the term “owner or keeper” anywhere it may appear in Chapter 90 with the term “owner or custodian”.

SECTION 5: Chapter 90 of the Village Code of the Village of Mackinaw is hereby amended by replacing the term “vicious or dangerous animal” any place it may appear in

Chapter 90 with “vicious dog or dangerous dog”.

SECTION 6: §90.07 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing subparagraph (E)(1) and inserting in its place a new subparagraph (E)(1) which shall be as follows:

(1) The definition of a vicious dog or dangerous dog as set forth in Section 90.01. Any such vicious dog or dangerous dog shall be immediately impounded.

SECTION 7: §90.34 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing subparagraph (B) and inserting in its place a new subparagraph (B) which shall be as follows:

(B) Any owner or keeper desiring to redeem an impounded animal shall pay an impoundment fee of \$50.00 per animal to the Village (and in addition, any charges imposed by the County pound for keeping such animal while impounded); however, one-half of the Village impoundment fee shall be waived the first time a dog of a particular owner is redeemed. For the purpose of this Section, the owner of an animal shall be entitled to the reduced impoundment fee once during every three-year period.

SECTION 8: §90.37 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing subparagraph (A) and inserting in its place a new subparagraph (A) which shall be as follows:

(A) Upon receipt of a citation alleging a violation of any section of this chapter, except for violations relating to vicious dogs or dangerous dogs, the violator may pay at the Village Municipal Building during normal office hours, the sum of \$75.00 within 14 working days of receipt of the citation for the first violation of any of the provisions of this chapter. The amount that must be paid for any second or any additional violation of any provision of this chapter shall be the sum of \$150.00. In addition to making the foregoing payment, the recipient must sign and file with the Village Clerk the portion of the complaint that admits the allegations of the citation.

SECTION 9: §90.99 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing subparagraphs (A) and (B) and inserting in their place new subparagraphs (A) and (B) which shall be as follows:

(A) For any violation involving any dangerous dog or vicious dog the minimum penalty shall be not less than \$250.00 and not more

than \$750.00 for the first violation and for any second or subsequent violation, the penalty shall be not less than \$500.00 and not more than \$750.00.

(B) For any violation of any section of this chapter not involving a dangerous dog or vicious dog for which a penalty is not provided, the penalty shall be not less than \$150.00 for the first offense and not more than \$750.00, and for any second or subsequent violation, the penalty shall be not less than \$250.00 and not more than \$750.00.

SECTION 10: §90.12 of the Village Code of the Village of Mackinaw is hereby amended by deleting the existing subparagraph (C) and inserting in its place a new subparagraph (C) which shall be as follows:

(C) Seriously injured animals which do not bear identification tags shall be impounded and euthanized forthwith by a doctor of veterinary medicine to avoid unnecessary suffering to the animal.


SECTION 11: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 12: This Ordinance shall take effect 10 days after publication thereof as provided by law.


SECTION 13: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 8<sup>th</sup> day of August, 2011.

APPROVED:

  
\_\_\_\_\_  
President of the Board of Trustees of  
The Village of Mackinaw

ATTEST:

  
\_\_\_\_\_  
Village Clerk

AYES:

NAYS:

ABSENT:

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