6.12 – Regulations

Sections

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6.12.010 – Restraint of animals required

Each owner of any animal shall keep such animal exclusively on such owner's premises, except that any such animal may be off the premises if restrained by a substantial leash or chain or other appropriate instrument or physical device and under the direct supervision and immediate control of a competent person. Any person violating this section shall be fined fifty dollars ($50.00) for the first offense and in accordance with section 6.08.100 for each subsequent offense.

(2008-M-45 : § 1; 1977-M-11 : (part); Prior code : § 20.23)

6.12.015 – Canine unit exemption from restraint requirement

Trained police dogs utilized by an official law enforcement agency and assigned to a sworn peace officer as part of a canine team/unit shall be exempt from all provisions of Section 6.12.010, "Restraint of animals required".

(1994-M-49 : § 1)

6.12.020 – Impoundment of unrestrained animals authorized

It shall be the duty of the animal control officer to take up, if possible and impound any animal not under restraint as prescribed in Section 6.12.010. Any animal so taken up and impounded shall be considered as a stray on records of the city.

(1977-M-11 : (part); Prior code : § 20.24)

6.12.030 – Staking out unattended animals

No owner shall stake out unattended, or leave unrestrained outside and unattended, any bitch in season, i.e., while she is in heat, or to stake out any animal, male or female, in such manner that said animal may be or go beyond the owner's lot or land.

(1977-M-11 : (part); Prior code : § 20.25)
6.12.040 – Use of poisonous substances for disposal of animals

No person shall place, leave or expose in any place accessible to domestic or wild animals, with the intent to kill or harm such animals, any poisonous substance or ingredient or any edible or other ingredient which has been treated with any poisonous substance or ingredient unless same has been approved by the city sanitarian as proper for pest control and safe for all animals other than the pest(s) to be controlled, or unless the same shall be utilized for the humane disposal of animals by owners or their agents.

(1978-M-33 : § 1; 1977-M-11 : (part); Prior code : § 20.36)

6.12.050 – Removal of excreta - Owner's responsibility

No owner shall fail to remove excrement deposited by his pet upon the public ways or within the public places of the city or upon the premises of any person other than the owner's without that person's consent. This section shall not apply to a blind person while walking his or her guide dog.

(1977-M-11 : (part); Prior code : § 20.37)

6.12.060 – Nuisances

An animal shall be classed as a nuisance, and its owner held in violation of this title, when such animal shall commit and repeat any of the following acts:

A. Molesting persons or moving vehicles by chasing or barking or otherwise encumbering them;
B. Attacking other animals that are being maintained in a lawful and otherwise proper way on the premises of their owner(s) or that are in the ordinance-prescribed control of their owners away from their home premises;
C.Damaging property other than that of the owner;
D. Barking, whining, howling or otherwise emitting loud noises excessively for an extended and uninterrupted period while on the property of the owner or within the confines of the owner's residence or other enclosed building on the owner's property;
E. Creating noxious or offensive odors.

(1979-M-48 : § 1; 1977-M-11 : (part); Prior code : § 20.38)

6.12.070 – Dead animals deemed nuisances when

It also shall be classed as a nuisance for any person to leave in or throw into any public way, public place or public water or to bury within the city the body or any part thereof of any dead or fatally sick or injured animal, or to display the unpreserved body or any unpreserved part of the dead animal in a place where it may be dangerous to the life or detrimental to the health of any animal or person.

(1977-M-11 : (part); Prior code : § 20.39)

6.12.080 – Animals prohibited in the city

It is unlawful to keep any pigs, swine, sheep, cattle, goats, or similar animals, or any naturally wild animals other than birds and fish within the city unless allowed by the zoning ordinance of the city, unless same shall be properly and safely confined in zoological parks, performing animal exhibitions, educational institutions, veterinary hospitals, or animal shelters licensed under the Animal Welfare Act of the State.

(1977-M-11 : (part); Prior code : § 20.40)
6.12.085 – Beekeeping

"Apiary" shall mean a place where bee colonies are kept.

"Bee" shall mean any stage of the common domestic honey bee.

"Colony" shall mean a hive and its equipment and appurtenances, including bees, comb, honey, pollen, and brood.

"Hive" shall mean a structure intended for the housing of a bee colony.

Registration of Hives:

All Bee colonies must be registered with the state of Illinois Department of Agriculture.

All bee colonies must be kept in inspectable type hives with removable combs, which must be kept in sound and usable condition.

Signage:

Beekeepers shall conspicuously post a weatherproof sign at least ten (10) inches by one (1) foot on all lot lines facing abutting properties and on the Beehive or Apiary fence outside of the latched gate with the statement, "State Registered Beehive(s) on Property" or similar language that makes clear that bees are on the premises. The sign must be visible and easily read from outside the property.

Water:

Each beekeeper shall ensure that a convenient source of water within ten (10) feet of the Beehive is available at all times to the bees so that the bees will not congregate at swimming pools, bibcocks, pet water bowls, birdbaths or other water sources where they may cause human, bird, or domestic pet contact. The water shall be maintained so as not to become stagnant.

Maintenance:

Each beekeeper shall ensure that no bee comb or other materials that might encourage robbing are left upon the grounds of the apiary site. Upon their removal from the hive, all such materials shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

Prohibited:

The keeping by any person of bee colonies in the City not in compliance with this Section is prohibited. Any bee colony not residing in a hive structure intended for beekeeping, or any colony residing in a standard or homemade hive which, by virtue of its condition, has obviously been abandoned, neglected, or mismanaged by the beekeeper, is unlawful.

Size and Number of Hives:

Apiaries may consist of not more than two (2) hives on a property consisting of no more than six (6) boxes per hive.

Beehive Location:

Apiaries may only be located and maintained in residential districts with single family owner occupied residences occupied by the Beekeeper.

(a) Apiaries shall be located only in a rear yard.

(b) Apiaries shall be located at least twenty (20) feet from all side and rear property lines.

(c) Apiaries and Beehives shall not be permitted on rooftops or balconies.

(2017-M-12 : § 2)
6.12.090 – Selling rabbits or fowl as novelties prohibited

No person shall sell, offer for sale or give away as a pet any rabbit or fowl that has been dyed, colored or otherwise treated to impart an artificial color thereto. Baby chicks, ducklings, goslings and turtles shall not be sold, offered for sale, bartered or given away as pets or novelties.
(1977-M-11 : (part); Prior code : § 20.41)

6.12.095 – Residential chickens

A. Up to six (6) domestic chickens may be kept on properties zoned and occupied for single-family residential use only.
B. Roosters are prohibited within the corporate boundaries of the City of St. Charles.
C. Chickens shall be in an enclosure and/or fenced area at all times.
D. All chickens and enclosures shall be kept in the rear yard.
E. All areas where hens are kept shall be maintained in a neat and clean manner, free of undue accumulation of waste, such as to cause odors that are detectable on adjacent properties.
F. No person and/or property owner shall be allowed to violate Section 6.12.060 "Nuisance" of the St. Charles Municipal Code.
G. The enclosure and adjacent fenced area shall be set back:
   a. No closer than five (5) feet to any property line; and
   b. Screened with year round landscaping, walls and/or fencing so as not to be visible from any public street or adjoining lot when viewed from an observation height of five (5) feet above grade.
(2014-M-19 : § 1)

6.12.100 – Using animals for prizes or attracting trade prohibited

No person shall give away any animal, as defined in Section 6.04.020, as a prize or as an inducement to enter any competition or contest or place of amusement, or offer such as an incentive to any business agreement for the purpose of attracting trade.
(1977-M-11 : (part); Prior code : § 20.42)

6.12.110 – Cruelty

No person shall do any of the following:

A. Beat, torture, torment, bait or incite toward fighting, mutilate or cruelly kill any animal, or cause or knowingly allow the same to be done;
B. Unnecessarily fail to provide any animal in his charge or custody with proper food, water, air and sanitary shelter, such shelter to be sufficient to provide natural light or artificial illumination during reasonable hours, protection from drafts, reasonable safeguards against chilling and overheating caused by temperatures extremes, and space within that is sufficient for the animal to stand in an upright position and lie down stretched out so that no part of its body need touch the top or sides of the shelter structure;
C. Cruelly force any animal into undue physical exertion;
D. Carry, keep, drive, or cause to be carried, driven or kept, any animal in a cruel manner;
E. Leave for any length of time any animal unattended in a motor vehicle and/or trailer when the outside temperature is such that the animal may suffer from excessive heat, cold, or physical stress;
F. Have, keep or harbor any animal that is infected with any disease transmissible to other animals or human beings, or that is afflicted with any painful disease or injury, including severe parasitism, unless such animal shall be under the care of a licensed veterinarian;
G. Abandon any animal on any public way or in any place where it may suffer or become a public charge.
H. Use an electric prod or similar device on any animal at a rodeo once the animal is in the holding chute, unless necessary to protect the participants and spectators of the rodeo.
I. Conduct a rodeo without a licensed veterinarian being on call during the entirety of the rodeo.
(2001-M-29 : § 1; 1977-M-11 : (part); Prior code : § 20.43)
6.12.120 – Animals prohibited on school premises and city playgrounds

It is unlawful for any animal, even though on leash, to go or be upon any school premises or city maintained, park district maintained, or school maintained premises, or upon a path or sidewalk extending through or within any school premises or city maintained playground; except, that this provision shall not apply to dogs leading blind persons, to animal exhibits or demonstrations or to animal training classes staged as part of an officially sanctioned program of any school or playground, or to animals utilized by law enforcement agencies.

(1977-M-11 : (part); Prior code : § 20.45)

6.12.130 – Dangerous and vicious animals - Restraint required

A. No owner shall permit any dangerous or vicious animal to be in any public way or other public place within the city or upon the private premises of any person other than the owner of such animal, unless said animal is securely muzzled and closely restrained or caged.

B. Vicious animals on the premises of the owner shall be restrained so that they cannot attack persons lawfully on the premises, and the premises shall be so maintained that children cannot gain access thereto.

(1977-M-11 : (part); Prior code : § 20.46)

6.12.140 – Dangerous and vicious animal - Impoundment and disposal

A. Any animal found in violation of any of the provisions of Section 6.12.130 shall be impounded in the animal control center at its owner's expense and not released before its future maintenance is ruled upon by a court of law.

B. If any dangerous or vicious animal cannot be taken safely and impounded when necessary for the protection of any person or property, such animal may be slain, by the most humane method available at the site of trouble, by a police officer or other person authorized by the city; provided, however, that in all cases where an animal to be slain is known or suspected to have bitten any person, no injury shall be done to its head, and it shall be the duty of the person euthanizing it to deliver or cause to have delivered the carcass immediately to any place designated by the animal control section for the purpose of rabies examination as prescribed by law.

C. If any warmblooded animal bites a person and subsequently expires, the bite shall be reported and the carcass delivered immediately to the animal control section or to any place designated by the animal control section for the purpose of rabies examination as prescribed by law.

(1977-M-11 : (part); Prior code : § 20.47)

6.12.150 – Animals prohibited in public buildings and stores

It is unlawful for any animal, even though on a leash, to be in or enter any public building, food establishment, or any store except a store for the sale of animals, anywhere within the city during the time that any of said places are open for use by the public.

(1977-M-11 : (part); Prior code : § 20.51)

6.12.160 – Limit of number of dogs and cats per household

No person shall possess more than a total of three dogs and/or cats in any household, apartment or other dwelling unit within the city. Any dwelling unit containing more than a total of three dogs and/or cats is hereby deemed a nuisance, and any person who violates this ordinance shall be subject to the enforcement provisions under this title.

(1989-M-75 : § 1)