

ORDINANCE NUMBER: 2016-36

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR
THE VILLAGE OF CHERRY VALLEY, ILLINOIS
CHAPTER 18, ANIMALS, ARTICLE II, DOGS AND CATS, SECTION 18-43, DOGS TO
BE SECURED IN FENCED AREA OR BY LEASH**

WHEREAS, residents of the Village of Cherry Valley, Illinois, have inquired about whether electronic dog fences comply with the Village of Cherry Valley's ordinances requiring dogs to be secured within a fenced area; and

WHEREAS, the Ordinance Committee for the Village of Cherry Valley, Illinois, has been reviewing Chapter 18, Animals, Article II, Dogs and Cats, Division 1, Generally, Section 18-43, entitled "Dogs to be secured in fenced area or by leash" of the Code of Ordinances in response to the above inquiries; and

WHEREAS, as part of its review of Section 18-43, the Ordinance Committee for the Village of Cherry Valley, Illinois, has determined that the current ordinance does not provide that electronic dog fences are permitted as means of securing a dog within a fenced area; and

WHEREAS, the Ordinance Committee for the Village of Cherry Valley, Illinois, has suggested amending Section 18-43 to provide for electronic dog fences as an acceptable means of securing a dog within a fenced area; and

WHEREAS, in order to modify Section 18-43 of the Code of Ordinances for the Village of Cherry Valley, Illinois, it is necessary to enact this ordinance.

NOW, WHEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS, AS FOLLOWS:

SECTION 1: The above-recitals are incorporated herein and made a part hereof.

SECTION 2: Section 10-43 of the Code of Ordinances for the Village of Cherry Valley, Illinois, entitled "Dogs to be secured in fenced area or by leash", shall and hereby is amended to read as follows:

All dogs shall be adequately secured either in a fenced area of the owner's premises or by means of a leash. For purposes of this Section only, the term "fenced area" shall include an electronic dog fence commonly known as an "invisible fence", provided that all maintenance requirements to keep the "invisible fence" in good working condition are met and that all owners, keepers, or harborers of dogs who use an electronic fence shall post clear signage on their property to indicate to the public that a dog is confined to the property by an electronic fence or electronic collar.

SECTION 3: Except as modified in Section 10-43 above, the Code Sections as they previously existed and were printed shall remain in full force and effect.

SECTION 4: This Ordinance shall become in full force and effect from and after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 4th DAY OF OCTOBER, 2016

AS FOLLOWS:

VOTING "AYE": STEPHEN APPELL, NANCY BELT, JEFF FUSTIN,
SALLY HOLLEMBEAK, GARY MAITLAND, DAVID SCHROEDER

VOTING "NAY": NONE

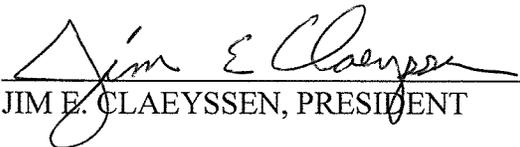
ABSENT, ABSTAIN, OTHER: NONE

APPROVED OCTOBER 4, 2016

ATTEST:



KATHY TRIMBLE, DEPUTY CLERK



JIM E. CLAEYSSEN, PRESIDENT