

ORDINANCE NO. 9394-25

AN ORDINANCE AMENDING CHAPTER 4, "ANIMALS AND FOWL"
OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS
PROHIBITING CERTAIN ANIMAL NOISES

WHEREAS, Section 4-5 of the Code of Ordinances prohibits the keeping of "any chickens, geese or other poultry or any animal" which disturbs the peace and quiet of the neighborhood;

WHEREAS, Section 4-20 prohibits the keeping of any "dog" which disturbs the peace and quiet of the neighborhood;

WHEREAS, neither section requires the giving of notice before the filing of a complaint;

WHEREAS, there is no reason to refer to chickens, geese or other poultry in Section 4-5 since the phrase "any animal" includes all animals nor to have a separate section 4-20 dealing with dog noises, since dogs are also included in the phrase "any animal";

WHEREAS, it is in the best interest of the City of Urbana to amend Section 4-5 by deleting any reference to specific types of animals and by requiring a warning prior to the filing of a complaint and to repeal Section 4-20;

WHEREAS, it is the intention of the Council that the phrase "any animal" as used in the amended Section 4-5 shall include all animals, including but not limited to dogs, chickens, geese, or other poultry.

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL as follows:

Section 1. That Section 4-5 of Chapter 4, "Animals and Fowl", of the Code of Ordinances, City of Urbana, Illinois, is hereby amended to read as follows:

Sec. 4-5 Disturbing the peace.

(A) If a warning in substantially the manner required in subsection (B) is first provided, then it shall be unlawful for any person to own, possess or keep any animal which howls, whines, honks, squeals, barks, or makes other noises with such frequency or for an extended period of time as to disturb the peace and quiet of the neighborhood.

(B) A warning shall mean to make known to the person(s) responsible that one or more person(s) is annoyed or disturbed by the sound being created. A verbal or written warning shall be given to any person(s) whom the person issuing the warning reasonably believes to be the owner, possessor, or keeper of the animal. Such warning may be given by either a police officer or a private citizen and shall be given not greater than ninety (90) days prior to the continuation or reoccurrence of the noise which results in the violation charged.

Section 2. That Section 4-20 of Chapter 4, "Animals and Fowl", of the Code of Ordinances, City of Urbana, Illinois, is hereby repealed.

Section 3. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 7th day of September, 1993.

Phyllis D. Clark
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 16th day of September, 1993.

Tod Satterthwaite
Tod Satterthwaite, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 7th day of September, 1993, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9394-25, entitled AN ORDINANCE AMENDING CHAPTER 4, "ANIMALS AND FOWL" OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS PROHIBITING CERTAIN ANIMAL NOISES which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9394-25 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 16th day of September, 1993, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this 29th day of September, 1993



Phyllis D. Clark
CITY CLERK