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Title 6

POLICE AND PUBLIC SAFETY REGULATIONS

CHAPTER 1

POLICE DEPARTMENT

6-1-1 CREATION; MEMBERSHIP

There is hereby created a police department of the Village which shall consist of a chief of police, one (1) deputy chief of police and such other members as the board of trustees may from time to time prescribe.

6-1-2 APPOINTMENT OF MEMBERS

Board of Fire and Police Commissioners shall appoint all officers and members of the police department in accordance with the Board of Fire and Police Commissioners Act, except for the chief of police of this village. The chief of police shall be appointed by the mayor with the advice and consent of the board of trustees and shall serve at the discretion of the mayor and board of trustees. Pursuant to 65 ILCS 5/10-2.1-4, the deputy chief of police shall be appointed by and serve at the discretion of the chief of police. In addition, and notwithstanding the powers of appointment in the board of fire and police commissioners, the mayor, with the advice and consent of the board of trustees, may appoint community service officers, police crossing guards, radio operators, desk attendants and other clerical and police support personnel, who shall be considered employees of the Village and not police officers, regardless of whether they wear a badge or uniform in the performance of their duties. With respect to these nonsworn civilian personnel, the chief of police will make recommendations to the mayor and board of trustees for the hiring and termination of these employees. All police personnel other than officers appointed by the board of fire and police commissioners shall not be subject to the rules and regulations of the board of fire and police commissioners, and shall be subject only to the rules, regulations, ordinances and procedures that may be established by the mayor and board of trustees of the Village.

6-1-3 COMPENSATION AND SALARIES

Compensation and salaries shall be paid to the officers in accordance with the salary schedules set up by the mayor and board of trustees. Increases or decreases in compensation and salaries, as well as the terms, hours and conditions of employment shall be as provided for by the mayor and the board of trustees of the Village except where state or federal law mandates otherwise.

6-1-4 CHIEF OF POLICE, POWERS AND DUTIES

- A. Duties: The chief of police shall be keeper of the village jail, and shall have custody of all persons incarcerated therein. The chief of police shall keep such records and make such reports concerning the activities of his department as may be required by statute or ordinance. The chief shall be responsible for the performance by the police department of all its functions, and all persons who are members of the department shall serve subject to the orders of the chief of police. The chief of police shall report to the mayor and the board of trustees as directed and shall obey and follow the ordinances, resolutions, policies, directives and orders of the mayor and board of trustees, as well as being responsible for all persons who are members of the department obeying such ordinances, resolutions, policies, directives and orders.

- B. Stolen Property, Custody of: The chief of police shall be custodian of all lost, abandoned or stolen property in the Village.
- C. Serving Process: The chief of police shall be authorized to serve writs, summonses and other processes, but no police officer shall serve any such summonses or processes except on the order of the chief of police or the mayor.
- D. Promulgate Rules And Regulations: The chief of police may make or describe such rules and regulations for the guidance of the members of the police department as fitting; with prior notification to the board of fire and police commission.

6-1-5 POLICE OFFICERS, POWERS AND DUTIES

- A. Generally: It shall be the duty of the members of the police department to see to the enforcement of all ordinances of the Village, and of all statutes effective in the Village, to preserve order and prevent infractions of the law and to arrest violators thereof. Every member of the police department is hereby declared to be a conservator of the peace, subject to certification as required by state statute.
- B. Conduct: It shall be the duty of every member of the police department to conduct himself in a proper and law abiding manner, and to avoid the use of unnecessary force.

6-1-6 WITNESS FEES

Every member of the police department shall appear as a witness whenever this is necessary in the prosecution for a violation of a village ordinance or of a state or federal law. But no such member shall receive any witness fee for such services in any action or suit to which the Village is a party. All fees due for such services shall, if paid, be turned over to the village treasurer.

6-1-7 POLICE TRAINING PROGRAM

- A. Participation: The Village hereby elects to participate in the Illinois Local Government Law Enforcement Training Program as set forth in 50 ILCS 705/1 et seq.
- B. Police Officer Certification: All police officers of this village hereafter commencing employment shall be certified by the Illinois Local Government Law Enforcement Training Board as having successfully completed an approved training course prior to commencing regular employment as a police officer in the Village; except that such basic training may be completed within six (6) months from the date of initial employment.
- C. Police Officer Training Reimbursement and Pre-Employment Agreement: Upon separation of the employment from the Village and subject to the terms of this subsection, it shall be the contractual obligations and duty of every Village police officer ("Officer") to reimburse the Village for various expenses including the following
 - (a) Administrative of written and physical agility examination;
 - (b) Interviews;
 - (c) Background investigation;
 - (d) Medical, psychiatric, drug-screening and other employment related examinations
 - (e) Uniforms and equipment issued by the Village;
 - (f) Basic Law Enforcement Academy Training facility; and

- (g) Salary paid during field training sessions and Basic Law Enforcement Academy training

Should an Officer separate from employment of the Village prior to the expiration of eighteen (18) months from the date of hire, reimbursement shall be 100 percent. If separation from employment occurs between eighteen (18) and twenty four (24) months from the date of hire, reimbursement shall be 25 percent. No reimbursement will be due twenty-four months from date of hire.

To enforce the terms of this subsection, prior to and as a condition precedent to an Officer commencing employment with the Village, the Officer shall sign an Expense Pre-employment Reimbursement Agreement with the Village, the form and substance of which follows:

**Island Lake Police Department Expense
Pre-employment Reimbursement Agreement**

This Agreement is entered into on _____ between _____ (“Applicant”) and the Village of Island Lake, Illinois (“Village”)

WHEREAS, Applicant has expressed an interest in becoming a police officer in the Island Lake Police Department;

WHEREAS, Applicant understands that, should applicant be hired as a police officer in the Island Lake Police Department, the Village will incur various expenses, including but not limited to the following:

- (a) Administration of written and physical agility examinations;
- (b) Interviews;
- (c) Background investigation
- (d) Medical, psychiatric, drug-screening and other employment-related examinations;
- (e) Uniforms and equipment issued by the Village;
- (f) Basic Law Enforcement Academy Training Facility; and
- (g) Salary paid during field training sessions and Basic Law Enforcement Academy training.

(collectively, “Village Incurred Expenses”);

WHEREAS, the Village is willing to assume the Village Incurred Expenses but only if and provided that the Village receives a commitment from the Applicant that the Applicant will be expected to remain in the employment of the Village for a minimum period of twenty-four (24) months; and

WHEREAS; Applicant understands and acknowledges that, should applicant be hired as a police officer for the Island Lake Police Department, Applicant will be expected to remain in the employment of the Village for a minimum of twenty-four (24) months or else reimburse the Village for Village Incurred Expenses.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein below, the parties agree as follows:

1. *The Village agrees to consider the Applicant for employment as a Village police officer; however, Applicant acknowledges that execution of this agreement in no way constitutes a guarantee of employment with the Island Lake Police Department. The Village also agreed to pay for various Village Incurred Expenses if Applicant is hired as an Officer of the Village.*

2. *Applicant agrees that should the Applicant be hired as a Village police officer, Applicant will remain in the employment of the Village as Officer for a minimum of twenty-four (24) months from the date of hire. If Applicant does not remain in the employment of the Village as a police officer for a minimum of Twenty-four (24) from the date of hire, Applicant hereby agrees to reimburse the Village for any and all Village Incurred Expenses at the following rate, regardless of the reason for the separation from employment; 100 per cent, if separation from employment occurs before expiration of eighteen(18) months from date of hire; and twenty-five (25) percent , if separation from employment occurs between eighteen (18) and twenty-four (24) from date of hire. No reimbursement will be due twenty-four (24) months after the date of hire.*
3. *The Village shall, subject to the reimbursement obligation of the Applicant herein, pay the Village Incurred Expenses.*
4. *Applicant further agrees that, should it become necessary for the Village to file suit in order to collect the Village Incurred Expenses, Applicant shall be obligated to pay all costs of said suit, including reasonable attorney's fees incurred by the Village.*
5. *Applicant acknowledges that Applicant has examined this Agreement, read and understands this Agreement, and that Applicant has the right and opportunity to consult an attorney prior to signing it.*
6. *This agreement is severable, and the invalidity of any portion of this Agreement will not and shall not affect the validity of any other provision. On the event that any provision of this agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed in full force and effect as if they had been executed by both parties subsequent to the removal of the invalid provision.*

Applicant

_____ *Date* _____

Village

_____ *Date* _____

CHAPTER 2

PART-TIME POLICE MEMBERSHIP

6-2-1 PART-TIME POLICE OFFICER MEMBERSHIP

Section 6-1-1 of the Village Code, providing for membership in the Village Police Department, is hereby supplemented to provide for part-time police officer membership, not to exceed fifteen (15) in number, whose employment shall be at-will. All part-time police officers shall be selected and recommended by the chief of police, appointed by the mayor, subject to the advice and consent of the Board of Trustees.

6-2-2 QUALIFICATIONS AND REQUIREMENTS

- A. Any person employed as a part-time police officer must meet the following hiring standards:
 - 1. Be trained in accordance with the Illinois Police Training Act (50 ILCS 705/1 et seq.) and the rules and requirements of the Illinois Law Enforcement Training and Standards Board. The chief of police shall enter documents demonstrating completion of said training in the part time officer’s training records.
 - 2. Be at least twenty-one (21) years of age.
 - 3. Pass a medical examination.
 - 4. Possess a high school diploma or GED certificate.
 - 5. Possess a valid State of Illinois driver’s license.
 - 6. Possess no prior felony convictions.
 - 7. Any individual who has served in the U.S. military must have been honorably discharged

- B. Prior to appointment, all proposed part time police officers shall be fingerprinted and their fingerprints shall be checked with the FBI for any possible criminal record. No person who has been convicted of a felony or other crime involving moral turpitude shall be appointed as a part time officer. The appointment of any or all part time officers may be terminated by the mayor, subject to the advice and consent of the board of trustees. The chief of police, under emergency circumstances, will have the authority to suspend a part time officer prior to seeking approval by the corporate authorities. This authority includes the authority to secure any and all official credentials issued by the Village. This procedure allows for the chief of police to direct an adequate investigation concerning the facts and circumstances prior to seeking the action of the corporate authorities concerning the officer’s status. The chief of police will notify the corporate authorities that such action is pending within three (3) days of the part time officer’s suspension, and shall report to the corporate authorities concerning the status of the investigation no less frequently than every fourteen (14) days thereafter, until the investigation is concluded.

- C. Part time officers shall, at all times during the performance of their duties, be subject to the direction and control of the chief of police. The chief of police will establish internal rules & regulations governing the day to day operations of part time police officers.

6-2-3 POWERS AND DUTIES

- A. Part time police officers shall be members of the regular police department, except for pension purposes.
- B. Part time police officers shall not be assigned to supervise or direct full-time police officers.
- C. Part-time police officers shall not be used as permanent replacements for permanent full-time police officers.

6-2-4 COMPENSATION

Part time police officers shall be paid at the current wage scale, as set from time to time by the board of trustees.

CHAPTER 3

FIREWORKS

6-3-1 DEFINITIONS

As used in this chapter, the following words and terms shall have the following definitions and meanings:

1.3G FIREWORKS means those fireworks used for professional outdoor displays and classified as fireworks UN0333, UN0334, or UN0335 by the United States Department of Transportation under 49 C.F.R. 172.101.

CONSUMER FIREWORKS means those fireworks that must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Products Safety Commission, as set forth in 16 C.F.R. Parts 1500 and 1507, and classified as fireworks UN0336 or UN0337 by the United States Department of Transportation under 49 C.F.R.172.101

CONSUMER FIREWORKS shall not include snake or glow worm pellets; smoke devices; trick noisemakers known as "party poppers", "booby traps", "snappers", "trick matches", "cigarette loads", and "auto burglar alarms"; sparklers; toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty- five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper or plastic caps that contain less than twenty hundredths grains of explosive mixture; the sale and use of which shall be permitted at all time

CONSUMER FIREWORKS DISPLAY or **CONSUMER DISPLAY** means the detonation, ignition, or deflagration of consumer fireworks to produce a visual or audible effect.

CONSUMER RETAILER means any person who offers for sale, sells, or exchanges for consideration consumer fireworks in Illinois directly to any person with a consumer display permit

DISPLAY FIREWORKS means 1.3G or special effects fireworks or as further defined in the Pyrotechnic Distributor and Operator Licensing Act.

FLAME EFFECT means the detonation, ignition, or deflagration of flammable gases, liquids, or special materials to produce a thermal, physical, visual, or audible effect before the public, invitees, or licensees, regardless of whether admission is charged, in accordance with National Fire Protection Association 160 guidelines, and as may be further defined in the Pyrotechnic Distributor and Operator Licensing Act.

LEAD PYROTECHNIC OPERATOR means an individual who is responsible for the safety, setup, and discharge of the pyrotechnic display or pyrotechnic service and who is licensed pursuant to the Pyrotechnic Distributor and Operator Licensing Act.

PERSON means an individual, firm, corporation, association, partnership, company, consortium, joint venture, commercial entity, state, municipality, or political subdivision of a state or any agency, department, or instrumentality of the United States and any officer, agent, or employee of these entities.

PYROTECHNIC DISPLAY means the detonation, ignition, or deflagration of display fireworks or flame effects to produce visual or audible effects of a exhibitional nature

before the public, invitees, or licensees, regardless of whether admission is charged, and as may be further defined in the Pyrotechnic Distributor and Operator Licensing Act.

PYROTECHNIC DISTRIBUTOR means any person who distributes display fireworks for sale in the State of Illinois or provides them as part of a pyrotechnic display service in the State of Illinois or provides only pyrotechnic services and is licensed by the Office pursuant to the Pyrotechnic Distributor and Operator Licensing Act.

PYROTECHNIC SERVICE means the detonation, ignition or deflagration of display fireworks, special effects or flame effects to produce a visual or audible effect.

SPECIAL EFFECTS FIREWORKS means pyrotechnic devices used for special effects by professionals in the performing arts in conjunction with theatrical, musical, or other productions that are similar to consumer fireworks in chemical compositions and construction, but are not intended for consumer use and are not labeled as such or identified as "intended for indoor use". "Special effects fireworks" are classified as fireworks UN0431 or UN0432 by the United States Department of Transportation under 49 C.F.R. 172.101.

6-3-2 PYROTECHNIC DISPLAY

A pyrotechnic display permit is required for any and all pyrotechnic displays and shall be issued by the village board upon compliance with the provisions of section 2.1 of the Pyrotechnic Use Act, 425 ILCS 35/2.1, and the following conditions:

- A. The applicant for a permit shall submit a written application for a permit at least fifteen (15) days in advance of the date of the pyrotechnic display. All applicants must be at least 18 years of age or older and must verify that all pyrotechnic assistants will be 18 years of age or older at the time of the display.
- B. The pyrotechnic display services shall be provided by a licensed pyrotechnic distributor and the display shall be conducted by a licensed lead pyrotechnic operator.
- C. The applicant shall provide proof of liability insurance in a sum not less than one million dollars (\$1,000,000.00) with an insurance company authorized to do business in Illinois and shall provide a certificate of insurance naming the Village as an additional insured in the amount determined by the Village.
- D. The fire chief of the Wauconda fire protection district or his/her designee shall inspect the display site and ensure the display can be performed in full compliance with the NFPA standards adopted and amended by the OSFM rules, part 235, for the type of pyrotechnic display to be performed. The fire chief shall sign the display permit or it shall not be valid.
- E. Any permit issued under this chapter is not transferable.
- F. Any permit issued under this chapter shall only be valid for the purposes and date provided in the permit.

6-3-3 UNLAWFUL DISPLAY AND SALE OF FIREWORKS

Except as provided in this chapter, it shall be unlawful for any person to offer for sale, expose for sale, sell at retail or use or explode any display fireworks, flame effects, or consumer fireworks.

6-3-4 PERMITTED USE AND SALE OF CERTAIN NON-CONSUMER FIREWORKS

Nothing herein shall prohibit the use or sale of snake or glow worm pellets; smoke devices; trick noisemakers known as "party poppers", "booby traps", "snappers", "trick matches", "cigarette loads", and "auto burglar alarms"; sparklers; toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper or plastic caps that contain less than twenty hundredths grains of explosive mixture.

6-3-5 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

CHAPTER 4

ANIMAL CONTROL REGULATIONS

6-4-1 POLICY AND PURPOSE

The village board of trustees has made the following findings:

- A. Animals that are not controlled by responsible owners become a hazard to public health and safety.
- B. Rabies is epidemic in wildlife and Lake and McHenry Counties, and rabies vaccination of dog and cat pets is an important barrier to preventing an epidemic of the disease in pets and thereby preventing a potential disease problem in the Village.
- C. Registration provides an important means of identifying owners of biting animals and thereby establishes responsibilities for fourteen (14) day quarantines.
- D. Overcrowding of animals on a premise in the Village creates nuisance and sanitation problems as well as safety hazards to residents.
- E. Regulating the control of animals in the Village is essential for the protecting of public health and safety.

6-4-2 DEFINITIONS

ANIMAL: Any vertebrate creature, domestic or wild.

ANIMAL, CONTROLLED OR RESTRAINED: Any owned animal that is either controlled by a leash, cord, chain, lead or within the premises of its owner or confined within a crate or cage or confined within a vehicle or on the premises of another person with the consent of that person.

ANIMAL, DOMESTIC: Any animal which has been domesticated by man so as to live and breed in a tame condition.

ANIMALS, EXOTIC: The following species of animals: poisonous reptiles, lions, tigers, leopards, ocelots, jaguars, cheetahs, margays, mountain lions, lynx, bobcats, jaguarundis, hyenas, coyotes and similar animals not native to the area.

ANIMALS, FARM: Animals of the species fowl, ovine, caprine, bovine, porcine and equine.

ANIMALS, STRAY: Any animal that is not controlled.

AT LARGE: Off the premises of the owner and not under control of a person who is physically able to control it.

BITTEN: Seizure of a person with the jaws or teeth of an animal capable of transmitting rabies so that the person so seized has been wounded or pierced and further includes contact of the saliva of such animal with any break or abrasion of the skin.

CIRCUS: Any commercial variety show featuring animal acts for public entertainment.

COMMERCIAL CATTERY: A structure and/or land in or on which domestic cats are raised, bred and kept for sale and which operation is the primary source of owner's income.

CONFINED: Restriction of an animal at all times by the owner in a manner that will isolate the animal from the public and other animals.

GUARD DOG: A dog used in a commercial business or by a municipal or police department.

GUIDE DOG: A dog trained by a recognized organization to lead the handicapped.

KENNEL, COMMERCIAL: Any buildings, structures or enclosures used or intended to be used for the housing of any number of dogs or cats. Commercial activities may include, but not be limited to: public boarding, sale of dogs and sale of items or products related to dog or cat care.

KENNEL, PRIVATE: Any building, structure or enclosure used or intended to be used for housing of more than three (3) dogs older than sixteen (16) weeks or more than three (3) cats. Such private kennels will be subject to inspection every six (6) months by the Village or appropriate county or state regulatory agency.

MIGRATORY WATERFOWL: Swimming game birds distinguished from upland game birds and shore birds including those species of birds known as swans, geese, brants, river and sea ducks.

MUZZLE: A fastening or covering for the mouth of an animal used to prevent eating and/or biting.

OWNER: Head of household and/or person or persons, firm, association or corporation owning, keeping or harboring an animal.

SERVICE ANIMAL: Pursuant to the Americans with Disabilities Act (ADA), a service animal is any animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or tasks performed by a service animal must be directly related to the individual's disability.

6-4-3 RABIES VACCINATION

Every owner dog or cat four (4) months or more of age, except animal shelters, animal impounding facilities and laboratory animal facilities, shall cause such dog or cat to be inoculated with rabies vaccine by a licensed veterinarian at such intervals as approved by the Illinois Department of Agriculture. The rabies vaccine shall be licensed by the United States Department of Agriculture and approved by the Illinois Department of Agriculture.

6-4-4 RABIES SUSPECTED

If dog or cat believed to have rabies or has been in contact with an animal suspected of having rabies, the owner shall notify the Police Department of the fact that this animal has been exposed to rabies and the Police Chief is empowered to have such dog or cat removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two (2) weeks at the expense of the owner; or in the alternative, the Police Chief may order such animal to be confined by a leash or chain on the owner's premises and to be placed under the observation of a veterinarian at the expense of the owner for a period of two (2) weeks.

6-4-5 ANIMAL BITE

- A. Whenever any animal has bitten or scratched a human, the owner of said animal shall immediately notify the authorized village official, Police Department or County Health Department, who shall order the animal held on the owner's premises for observation or shall have it impounded for a period of ten (10) days commencing from twenty four (24) hours of the biting incident.
- B. If the authorized village official determines that the owner of an animal currently vaccinated against rabies is able to keep the animal at home under strict confinement and away from the public, the official may allow such. However, the owner must take his animal to a licensed veterinarian to be examined on the first day, fifth day and tenth day of a ten (10) day observation period. If the animal bites again during the confinement period, it will be impounded for the full ten (10) day period commencing from the date of the second bite; or, if the owner fails to take the animal to a licensed veterinarian for examination on the appropriate dates, the animal shall be impounded and the owner will be liable for all costs and expenses and will also be subject to penalties as provided herein.
- C. If any dog or cat over four (4) months old is not currently vaccinated against rabies, the animal will be impounded in accordance with the State statutes and County health regulations. The owner will then be liable for payment of an inoculation fee, plus the cost of the animal's stay at the pound, and the owner will be subject to further penalty.

6-4-6 PROHIBITED ACTS

It shall be unlawful to:

- A. Permit any animal to soil, defile, defecate on or commit any nuisance on any thoroughfare, sidewalk, passageway, bypath, play area or any place where people congregate or walk, or upon any public property whatsoever, or upon any private property without the permission of the owner of said property. It shall also be unlawful to permit any animal on any public playground area or sports playing surface or field.
- B. Permit any animal to enter any place where food is stored, prepared, served or sold to the public or any other public building or hall; provided, however, that this subsection shall not apply to any service animal or disabled person using a trained service animal, to veterinary offices or hospitals or to animal shows or exhibitions where a permit has been approved by the village board.
- C. Permit any animal to trespass on private property without the consent of the property owners.
- D. Permit any animal to chase, run after or jump at vehicles using the public thoroughfares.
- E. Permit any animal to habitually snap, growl, snarl, jump upon or otherwise threaten persons lawfully using any public thoroughfares, sidewalks, passageways, bypaths, play areas, parks or any other public place where people congregate or walk.
- F. Vicious Animals: It shall be unlawful to:
 - 1. Keep, harbor or maintain any vicious animal or animals with vicious propensities in a manner which may or does endanger the safety of persons or property off his premises or lawfully on his premises.
 - 2. Own, harbor, keep or be in charge of animal, which has been declared vicious by the local health or police authorities or to permit such animal to be upon a

public street or highway, or upon any premises other than those of the person owning such animal or those of a person who has given permission to said owner to keep or harbor such animal on his premises, unless such animal wears a muzzle securely fastened about its mouth in such a manner that it cannot bite and is on a leash, tether, chain, rope or the like, the overall length of which, including the handgrip, shall not exceed six feet (6') held by its owner or other person able to control such animal. While on the premises of the owner, said animal shall not be allowed to come in contact with any person who is not a member of the immediate household.

- G. Exhibit animals that are *ferae naturae* without securing a permit from the Chief of Police, or authorized village official.
- H. Permit any animal to howl, yelp, whine, meow or bark or make noise in such a manner, and at such times so as to unreasonably disturb the peace and quiet of the neighborhood.
- I. Cruelly treat any animal in the Village in any way. Any person who inhumanely beats, underfeeds, overloads, abandons or fails to provide proper shelter for any animal, shall be deemed guilty of a violation of this subsection.
- J. No person shall cause or allow any place or stable, public or private, where any animal is or may be kept to become unclean, unwholesome or create any annoying or noxious odors, or do any act which endangers the public health or results in annoyance or discomfort to the public. It shall be unlawful to keep any live goats, swine, pigs, poultry, horses or cattle anywhere in the Village, except on properly zoned farms.
- K. Cause or permit any animal to be present on any premises except residentially zoned premises owned by the animal's owner, unless the animal is accompanied by and under the immediate and direct control of the owner of the animal, or his agent; excepting commercial premises dealing primarily in the sale of animals, such as pet shops.
- L. Migratory Waterfowl: It shall be unlawful to:
 - 1. Feed any migratory waterfowl; or
 - 2. Create any condition or allow any condition to exist which results in a congregation or congestion of migratory waterfowl which:
 - a. Results in an accumulation of waterfowl feces or droppings; or
 - b. Results in damage to flora, fauna, or private or public property; or
 - c. Results in a threat or nuisance to the public health, safety or welfare; or
 - d. Results in a threat to the health, safety, or welfare of said migratory waterfowl.
- M. Housing More Than Three Dogs or Cats or Other Domestic Animals
The housing, keeping and/or maintenance within a single dwelling unit of more than three (3) dogs or three (3) cats or three (3) other domestic animals, or any combination thereof, over the age of four (4) months within the corporate limits of the Village is prohibited.

6-4-7 RUNNING AT LARGE

It shall be unlawful to permit any animal to run at large within the Village. An animal shall be deemed to be running at large when off the premises of its owner and not controlled or restrained by a leash, cord, chain, or lead or within the premises of its owner or confined within a crate or cage or confined within a vehicle or on the premises of another person with the consent of that person.

6-4-8 IMPOUNDING

It shall be the duty of every police officer or authorized village official, to apprehend any dog or cat found running at large contrary to the provisions of this chapter and to impound such dog or cat in a pound or other suitable place. Upon impounding any such animal, the officer or official shall make a complete registry, entering the breed, color and sex of such animal and whether licensed. If licensed, the officer or official shall enter the name and address of the owner and the number of the license tag. Licensed dogs and cats shall be separated from those unlicensed dogs and cats.

6-4-9 NOTICE TO OWNER; REDEMPTION

- A. It shall be the duty of the authorized village official to immediately attempt to make contact with the owner of any animal to be impounded. The owner of any animal so impounded may reclaim such animal upon complying with the provisions of this chapter, and the payment of all costs and charges incurred by the Village for impounding and maintenance of said animal.
- B. The charge for impounding and keeping an animal shall be in the amount set forth in the Annual Fee Ordinance schedule contained in section 1-16-3 of this code.

6-4-10 DISPOSITION OF UNCLAIMED OR INFECTED ANIMALS:

- A. If the owner of any impounded animal cannot be immediately located it shall be the duty of the authorized village official to turn the animal over to the county animal control department. The owner of any impounded animal that has been transferred to the county facility shall be liable for any and all fees incurred by the Village.
- B. Any unlicensed animal required by law to be licensed, or any animal which appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease shall not be released, but shall be taken to the county animal control facility.

6-4-11 MUZZLING

- A. Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the mayor, deeming it necessary, shall issue a proclamation ordering every person owning or keeping a dog or cat to confine it securely on his premises unless such dog or cat shall have a muzzle of sufficient strength to prevent its biting any person.
- B. Any un-muzzled dog or cat running at large during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All dogs or cats so noticeably infected with rabies and displaying vicious propensities shall be humanely destroyed by a veterinarian or county animal warden without notice to the owner.
- C. Dogs or cats impounded during the first two (2) days of such proclamation shall, if claimed within five (5) days, be released to the owner, unless infected with rabies, upon payment of the impounding fees and related costs provided for in subsection

6-4-10B of this chapter. If unclaimed after that period, such dog, cat or animal may be summarily destroyed.

6-4-12 DESTROYING DANGEROUS ANIMALS

The members of the police department or any other authorized village official are authorized to kill or have killed any dangerous animal of any kind when it is necessary for the protection of any person or property.

6-4-13 VENOMOUS, POISONOUS, WILD ANIMALS

It shall be unlawful for any person to keep or have any venomous, poisonous or wild animal unless express authority is given by the Village after due investigation and a finding that such activity will not endanger the health and welfare of residents of the Village. For purposes of this section, wild animals shall include all poisonous mammals, fish, reptiles and birds.

6-4-14 DISEASED ANIMALS

- A. Running At Large: No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of a veterinarian or of the state veterinarian. No such diseased animals shall be brought into the Village.
- B. Spread of Disease: It is hereby made the duty of the police department to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection, except in cases where the state veterinarian is empowered to act.

6-4-15 BEEKEEPING

It shall be unlawful to keep or harbor bees in the Village.

6-4-16 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

CHAPTER 5

CRIMINAL OFFENSES

6-5-1 Illinois Compiled Statutes Criminal Code (ILCS 2012)

Those portions of the Criminal Code of 2012 as now or hereafter amended (ILCS Ch. 720, Act 5, §§ 1-1 et seq.: www.ilga.gov/legislation/ilcs/ilcs.asp) that are misdemeanors or petty offenses are hereby adopted by reference as if set out at length in this code.

A. ADOPTION OF STATE OFFENSES

Chapter and Section Number	Subject
720 ILCS 5/12-1	Assault
720 ILCS 5/12-3	Battery
720 ILCS 5/12-5	Reckless Conduct
720 ILCS 5/16-1	Theft
720 ILCS 5/16-25	Retail Theft
720 ILCS 5/21-1	Criminal Damage to Property
720 ILCS 5/21-2	Criminal Trespass to Vehicle
720 ILCS 5/21-3	Criminal Trespass to Real Property
720 ILCS 5/24-1	Unlawful Use of Weapons
720 ILCS 5/26-1	Disorderly Conduct
720 ILCS 5/31-4	Obstructing Justice
720 ILCS 5/31-8	Refusing to Aid an Officer

B. ADOPTION OF THE CANNABIS CONTROL ACT

The Village does hereby adopt the Cannabis Control Act of the state, as now or hereafter amended, ILCS Ch. 720, Act 550, §§ 1-1 et seq.

C. ADOPTION OF THE PREVENTION OF TOBACCO USE BY PERSONS UNDER 21 YEARS OF AGE AND SALE AND DISTRIBUTION OF TOBACCO PRODUCTS ACT

The Village does hereby adopt the Prevention of Tobacco Use by Persons Under 21 Years of Age and Sale and Distribution of Tobacco Products Act, as now or hereafter amended, ILCS Ch. 720, Act 675, §§ 1-1 et seq.

6-5-2 UNLAWFUL DISCHARGE OF FIREARMS

- A. It shall be unlawful to discharge any pistol, revolver or firearm in the Village; provided that this section shall not be construed to prohibit any officer of the law to discharge a firearm in the performance of his duty.
- B. It shall be unlawful to discharge any air gun, air rifle, BB gun, pellet gun, paint ball gun or bow and arrow from or across any street, sidewalk, road, highway or public land or any public place except on a safely constructed target area on private property with the owner’s written permission.

6-5-3 HUNTING

It is unlawful for any person to engage in killing of any animal or hunt with gun, dog or bow and arrow in the Village limits.

6-5-4 ABANDONED AIRTIGHT CONTAINERS

It shall be unlawful for any firm or individual to abandon refrigerators, iceboxes, gas or electric ovens, freezers, trunks or any other airtight containers which could, in the remotest possibility, contain the body of any adult or child without first removing the doors or covers from such refrigerator, icebox, oven, freezer, trunk or other airtight container.

6-5-5 INJURY TO PUBLIC PROPERTY

It shall be unlawful for anyone to injure, deface or interfere with any property belonging to the Village without proper authority from the Village Board.

6-5-6 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in the amount set forth in the Annual Fee Ordinance schedule contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues. (*Section 6-5-28 amended 12/13/12*)

CHAPTER 6

STATUS OFFENSES

6-6-1 CURFEW

- A. It is unlawful for a person less than seventeen (17) years of age to be present at or upon any public assembly, building, place, street or highway at the following times:
 - 1. Between one minute after twelve o'clock (12:01) A.M. and six o'clock (6:00) A.M., Saturday;
 - 2. Between one minute after twelve o'clock (12:01) A.M. and six o'clock (6:00) A.M., Sunday;
 - 3. Between eleven o'clock (11:00) P.M. on Sunday to Thursday, inclusive, and six o'clock (6:00) A.M. on the following day.
- B. It shall not be a violation under this chapter if the child engaged in the prohibited conduct was:
 - 1. Engaged in a business or occupation which the laws of the state of Illinois authorize a person less than seventeen (17) years of age to perform;
 - 2. Accompanied by the child's parent, legal guardian, custodian, sibling, stepbrother or stepsister at least eighteen (18) years of age;
 - 3. Accompanied by an adult at least eighteen (18) years of age who has been approved by the child's parent, guardian or custodian;
 - 4. Participating in, going to or returning from:
 - a. Employment which the laws of this state authorize a person less than seventeen (17) years of age to perform;
 - b. A school recreational activity;
 - c. A religious event;
 - d. An emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;
 - e. An activity involving the exercise of the child's rights protected under the first amendment to the United States constitution or article 1, sections 3, 4 and 5 of the constitution of the state of Illinois, or both;
 - f. An activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of one or more adults.
- C. A citation for violation of subsection A of this section may be issued by a police officer only if the officer reasonably believes that a violation has occurred and none of the factors enumerated in subsection B of this section apply.
- D. A person convicted of a violation of this section shall be fined in the amount set forth in the Annual Fee Ordinance schedule contained in section 1-16-3 of this code.

6-6-2 PARENTAL RESPONSIBILITY

A. Definitions.

LEGAL GUARDIAN: A person appointed guardian or given custody of a minor by a circuit court of this state, or an appropriate court of any other jurisdiction, but does not include a person appointed guardian or given custody of a minor under the Illinois juvenile court act.

MINOR: Any person under the age of eighteen (18) years.

PERSON: Any individual, firm, partnership, association, corporation, company or organization of any kind, including governmental entities.

PROPERTY: Any real estate, including improvements thereon, tangible and intangible personalty.

B. Liability. The parent or legal guardian of an unemancipated "minor" as defined in section [6-6-2A](#) of this chapter, who resides with such parent or legal guardian shall be presumed, in the absence of evidence to the contrary, to have failed to exercise proper parental responsibility and said minor child shall be deemed to have committed the acts described herein with the knowledge and permission of the parent or guardian, in violation of this section, upon the occurrence of the events described in subsections A and B of this section:

1. An unemancipated minor residing with said parent or legal guardian shall either be adjudicated to be in violation of any ordinance, law or statute prohibiting willful and malicious acts causing injury to a person or property, or shall have incurred nonjudicial sanctions from other official agency resulting from an admission of guilt of violation of any ordinance, law or statute prohibiting willful and malicious acts causing injury to a person or property; and
2. Said parent or legal guardian shall have received a written notice thereof, either by certified or registered mail, return receipt requested, or by personal service, with a certificate of personal service returned from the police department of the Village or the county sheriff or any individual authorized to serve summonses by the statutes of the state, following said adjudication of nonjudicial sanction.

C. Damages.

1. Recovery of damages by any person shall be limited to actual damages to a maximum of one thousand dollars (\$1,000.00). Damages shall be cumulative for each occurrence and when damages result to the person or property of more than one person, each such person shall be entitled to recover the same as provided for herein; provided, that joint owners shall have their own individual rights to the recovery as provided for herein. Each occurrence shall give rise to a separate cause of action. Damages allowable hereunder for personal injuries shall be only for medical, dental and hospital expenses.
2. Nothing contained herein shall affect the recovery of damages where liability is predicated upon a common law basis, nor to recovery of damages, or proceedings against any such minor.

D. Payment of Damages. The parent or guardian responsible for the willful or malicious acts of the minor child shall make full payment in the amounts as provided for herein, to the injured or damaged party or parties within ten (10) days after notification of liability as provided for herein. Parents and guardians shall be responsible individually and jointly.

- E. Penalty. Any person who fails or refuses to make payment in full of any amounts found due from them to an injured or damaged party as provided for herein, or who violates any of these provisions, shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

6-6-3 PENALTIES

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

CHAPTER 7

EMERGENCY ALARM SYSTEMS

6-7-1 DEFINITIONS

For the purpose of this chapter, the following words and phrases shall have the meanings respectively prescribed to them by this section:

PROPERTY ALARM SYSTEM Electronically operated instrument composed of sensory apparatus and related hardware which automatically transmits a prerecorded voice alarm or, visual and audible signals to be registered by indicators at a monitor panel at a receiving terminal or to an exterior device, upon receipt of a stimulus from a sensory apparatus that has detected a force or condition reasonably requiring police response.

FALSE ALARM Any signal sent that is not triggered by an unauthorized intrusion or other condition reasonably requiring police response. False alarm shall not include any signal sent by a property alarm system in conjunction with a test of said system if prior notification for such test is made to the Island Lake Police Department or its dispatch center prior to such test.

REPEATED FALSE ALARMS Repeated false alarms from any property alarm system within the Village: Any signal sent in excess of three (3) times in any calendar year by a property alarm system which is not triggered by an unauthorized intrusion or other condition reasonably requiring police response.

6-7-2 FALSE ALARMS

- A. Repeated false alarms shall be prohibited.
- B. One false alarms shall be without charge in any twelve (12) month period.

6-7-3 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

CHAPTER 8

BICYCLE REGULATIONS

6-8-1 BICYCLES IN BUSINESS DISTRICTS RESTRICTED

The following regulations shall apply to any zoned business district (B-1, B-2 or B-3) within the Village:

- A. Riding bicycles on sidewalks is prohibited;
- B. Acrobatic stunt bicycling and riding a bicycle on one wheel is prohibited;
- C. Except on public streets and roads, riding bicycles is prohibited, although bicycles may be walked.

6-8-2 SPECIAL EVENTS PERMIT

The Village may issue a permit upon good cause shown to persons or groups for the purpose of special events involving bicycles, roller skating or skateboarding which exempt those persons or groups from the foregoing regulations.

6-8-3 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

CHAPTER 9

SKATEBOARD, ROLLER SKATES/BLADES PIPES AND RAMPS REGULATIONS

6-9-1 DEFINITIONS

For the purpose of this chapter, the following words and phrases shall have the meanings respectively prescribed to them by this section:

HEIGHT: The vertical height of a skateboard pipe or ramp measured from the established natural grade to the highest point on the pipe or ramp.

SETBACK: The minimum distance between a specified lot line, measured along a straight line and at a right angle to such lot line, and the nearest point of any skateboard pipe or ramp.

SKATEBOARD PIPE OR RAMP: Any outdoor structure, whether or not permanently affixed to the ground, that has a semicircular or semi-oval shape and that is intended or used to permit persons or skateboards or roller skates/blades to move continuously from one side to the other or any other outdoor structure, whether or not permanently affixed to the ground, that has one or more surfaces designed, intended or used to permit persons on skateboards or roller skates/blades to jump, accelerate, decelerate or change directions.

6-9-2 APPLICABILITY; COMPLIANCE

The provisions of this chapter shall apply to all skateboard pipes and ramps located in the Village, whether constructed, erected, placed or maintained before or after the effective date hereof.

6-9-3 RESTRICTIONS ON PUBLIC PROPERTY

It shall be unlawful for any person to erect, place or use a skateboard pipe or ramp on any public street, sidewalk, right of way, park or other public property or to skate onto any public property by means of momentum obtained by the use of any skateboard pipe or ramp.

6-9-4 RESTRICTIONS AND REQUIREMENTS, PRIVATE PROPERTY

- A. It shall be unlawful to charge, receive or give any consideration for the use of any skateboard pipe or ramp.
- B. No more than one person shall use any skateboard pipe or ramp at any one time.
- C. No skateboard pipe or ramp shall be used before twelve o'clock (12:00) noon on any Sunday or before nine o'clock (9:00) A.M. on any other day. No skateboard pipe or ramp shall be used after nine o'clock (9:00) P.M. or sunset, whichever comes first, on any day.
- D. No skateboard pipe or ramp shall be located in any nonresidential zoning district. No more than one skateboard pipe or ramp shall be permitted on any residential zoning lot.
- E. Skateboard pipes and ramps having a maximum height of three feet (3') or less shall be permitted in all residential zoning districts and shall not require a building permit. Every such skateboard pipe or ramp shall be set back at least fifteen feet (15') from every lot line.

- F. Skateboard pipes and ramps in excess of three feet (3') in height shall require a building permit and shall be considered on a case by case basis and is subject to the approval of the building, zoning and ordinance committee. The maximum allowable height is six feet (6').
- G. No skateboard pipe or ramp shall be located in any front yard, in any exterior side yard on a corner lot, in the front half of any lot, in any easement, or in violation of any building line.
- H. The area or land covered by a skateboard pipe or ramp shall be counted as lot coverage as required in each residential zoning district.
- I. The widest or longest dimension of every skateboard pipe or ramp shall face the dwelling unit on the zoning lot where such skateboard pipe or ramp is located and every portion of every skateboard pipe or ramp shall be closer to the dwelling unit on the zoning lot where such skateboard pipe or ramp is located than to any lot line of such zoning lot. There shall be a fire separation of at least ten feet (10') between every skateboard pipe or ramp and every dwelling unit.
- J. No skateboard pipe or ramp shall be wider than two (2) times the height of such skateboard pipe or ramp, measured by outside dimensions.
- K. No skateboard pipe or ramp shall be longer than three (3) times the height of such skateboard pipe or ramp, measured by outside dimensions.
- L. No materials or equipment of any kind shall be placed, kept or stored under the framework or structure of any skateboard pipe or ramp.
- M. Every skateboard pipe or ramp that exceeds three feet (3') in height shall be constructed in accordance with recognized engineering standards, including, but not limited to, materials, connectors, dead loads, live loads and impact loads.
- N. All structural members of every skateboard pipe or ramp that exceeds three feet (3') in height shall be enclosed with solid exterior walls made of the same material as the rolling deck of such skateboard pipe or ramp and such walls shall be insulated with sound deafening insulation, type R-13, to reduce noise generated by the use of any such skateboard pipe or ramp.
- O. Any skateboard pipe or ramp in excess of three feet (3') shall have a minimum setback of five (5) times the height.

6-9-5 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.

CHAPTER 10

SKATEBOARDS AND ROLLER SKATES/BLADES REGULATIONS

6-10-1 REGULATIONS

No person shall ride upon a skateboard or roller skate/blade in the Village in violation of the following regulations:

- A. Any person on a skateboard or roller skates/blades on a roadway shall obey the instruction of official traffic signals and signs unless otherwise directed by a police officer or community service officer.
- B. No person on a skateboard or roller skates/blades on the roadway shall operate in a reckless manner.
- C. Every person on skateboards or roller skates/blades on a roadway shall ride as near as possible to the right hand side of the roadway and exercise due care when passing a standing or parked vehicle.
- D. A person on a skateboard or roller skates/blades shall yield the right of way to any pedestrian.
- E. No person on a skateboard or roller skates/blades shall attach himself to any moving motor vehicle.

6-10-2 PROHIBITION

No person shall operate skateboards or roller skates/blades upon any private street, parking lot or other area open to the public within any area zoned as a business district under the zoning ordinance of the Village. Skateboarding or roller skating/blading is prohibited in any open area, excluding streets and sidewalks, owned by the Village unless otherwise posted as an approved area for some activities. The village board may designate or rescind such areas according to public interest or nuisance level.

6-10-3 PARENTAL RESPONSIBILITY

The parent or guardian of any child shall not authorize or knowingly permit any such child to violate any of the provisions of this chapter and [Chapter 9](#) of this title.

6-10-4 PENALTY

Any person who violates any provision of this chapter shall be guilty of an offense and shall be fined in accordance with the general penalty provisions contained in section 1-16-3 of this code for each offense, and a separate offense shall be deemed committed for each day on which a violation occurs or continues.