

ORDINANCE NO. 16-9
VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS

**AN ORDINANCE PROHIBITING THE KEEPING OF CERTAIN
ANIMALS WITHIN THE CORPORATE LIMITS OF THE VILLAGE
OF STRASBURG, SHELBY COUNTY, ILLINOIS.**

WHEREAS, the Village of Strasburg has determined that keeping of sheep, goats, cattle, swine, ponies, horses, chickens, ducks, turkeys, geese, rabbits, or other livestock, within the corporate limits of the Village of Strasburg, Shelby County, Illinois constitutes a public nuisance and is an immediate danger to the public health and safety of the inhabitants of the Village of Strasburg, Shelby County, Illinois; and,

WHEREAS, the Village of Strasburg is authorized, pursuant to 65 ILCS 5/11-1-1 and 65 ILCS 5/11-5-6 and 65 ILCS 5/11-20-9, to enact the instant Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. TITLE: This ordinance shall be known and may be cited as the Village of Strasburg Farm Animal Ordinance.

SECTION 2. DEFINITIONS: For the purpose of this ordinance, whenever the following words or terms are used herein they shall be the meaning ascribed to them in this section.

(A) **Person:** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or other legal entity, or their legal representative, agent or assigns.

SECTION 3. PROHIBITION OF FARM ANIMALS: That no person, firm or corporation shall keep any sheep, goats, cattle, swine, ponies, horses, chickens, ducks, turkeys, geese, rabbits, or other livestock in any pen, lot, building, or otherwise, within the corporate limits of the Village of Strasburg, Shelby County, Illinois, except as herein provided.

SECTION 4. RUNNING AT LARGE: That no person, firm or corporation shall permit any sheep, goats, cattle, swine, ponies, horses, chickens, ducks, turkeys, geese, rabbits, or other livestock to run at large in the Village of Strasburg, Shelby County, Illinois.

SECTION 5. EXCEPTIONS:

(A) Nothing in this Ordinance shall be construed to prevent the presence of any sheep, goats, cattle, swine, ponies, horses, chickens, ducks, turkeys, geese, rabbits, or other livestock within the corporate limits of the Village of Strasburg, Shelby County, Illinois while such animals are being transported or being shown at a fair, or livestock exposition lawfully conducted within the corporate limits of the Village of Strasburg, and this Ordinance shall not be construed to apply to any such animals when such animals are being used as a means of conveyance or transportation or for the purpose of plowing, cultivating or tilling any lot or parcel of ground located within the corporate limits of the Village of Strasburg, Shelby County, Illinois.

(B) This Ordinance shall not apply to areas of the Village that are zoned agricultural in nature nor shall this Ordinance apply to livestock brought in to the Village for the purpose of slaughter within 48 hours.

(C) Nothing in this Ordinance shall be construed as an *Ex post facto* prohibition.

(D) Nothing in this Ordinance shall be construed to prohibit the presence of rabbits, chickens, or other poultry for the purpose of raising the same as a 4-H project, or a pet, to a maximum of six (6) animals total.

(E) Nothing in this Ordinance shall prohibit the raising of chickens (maximum of 6 head) for the purpose of raising the same for the personal consumption of eggs.

SECTION 6. PENALTY: Any person violating or aiding or abetting the violation of any provision of this ordinance is guilty of a petty offense and shall be fined not less than ONE HUNDRED DOLLARS (\$100.00), nor more than FIVE HUNDRED DOLLARS (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which violation occurs or continues. Violators shall be liable for any and all attorney fees incurred by the Village of Strasburg, Illinois, relating to the enforcement of this Ordinance due to a violation on their part.

SECTION 7. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of the ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 8. REPEAL: All ordinances or portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9. COURT COSTS: The Village is entitled to recover court costs from any non-prevailing party for any and all actions brought to enforce any fine or penalty or contesting any fine or penalty brought pursuant to this Ordinance.

SECTION 10. PUBLICATION: For the reasons appearing in this ordinance, this ordinance is declared to be necessary and urgent for the immediate preservation of the public peace, health and safety, and shall therefore take effect and be in full force from and after its passage and approval as provided by law.

PRESENTED, PASSED, APPROVED and published in pamphlet form by the President and the Board of Trustees of the Village of Strasburg, Shelby County, Illinois, this 19th day of September, 2016, by the following vote:

NAME	AYE	NAY	ABSTAIN	ABSENT
Trustee Robert Anderson	X			
Trustee Jack Clark				X
Trustee Cinda Held	X			
Trustee Alice Jeisy	X			
Trustee Anita Renshaw	X			
Trustee Chuck Wade	X			
President Michael Antonacci				
TOTAL	5			1

The Village of Strasburg, Shelby
County, Illinois

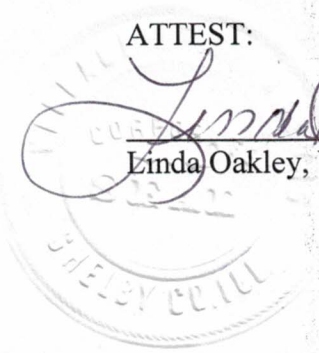
by:

Michael Antonacci
Michael Antonacci, President

ATTEST:

Linda Oakley
Linda Oakley, Village Clerk

(SEAL)



STATE OF ILLINOIS)
COUNTY OF SHELBY) SS.
VILLAGE OF STRASBURG)

CERTIFICATE

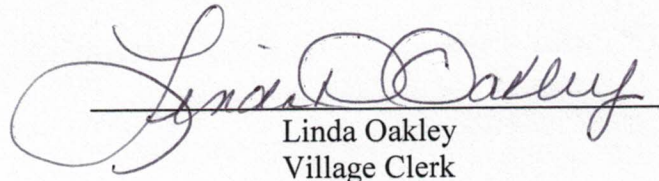
I, LINDA OAKLEY, certify that I am the duly elected and acting Village Clerk of the Village of Strasburg, Shelby County, Illinois. I further certify that on the 19th day of September, 2016, the Corporate Authorities of the Village of Strasburg passed and approved, after due and proper notice of the meeting of the board was posted and served in accordance with state law, Ordinance No. 16-9 entitled:

AN ORDINANCE PROHIBITING THE KEEPING OR CERTAIN ANIMALS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF STRASBURG, SHELBY COUNTY, ILLINOIS.

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 16-9, including the Ordinance, was prepared, and a copy of such Ordinance was posted in the Municipal Offices, commencing on the 19th day of September, 2016, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED this 19th day of September, 2016.


Linda Oakley
Village Clerk

