

ORDINANCE NO. 783

WHEREAS, the corporate authorities for the City of Prophetstown have received a number of complaints regarding domestic animals residing in apartments above businesses in the downtown area, and the resulting disturbances and/or litter created by the keeping of such animals; and

WHEREAS, the City has authority, pursuant to 510 ILCS 5/24 of the Animal Control Act, to control and regulate dogs, cats, or other domesticated animals within the boundaries of a municipality; and

WHEREAS, the members of the City Council, as well as the Mayor, desire to adopt an amendment to the zoning map and permitted purposes within the highlighted area of the B-1 Retail Business District (Exhibit A), as well as B-2 General Business District, to limit or otherwise ban residents within these areas from keeping and maintaining non-service dogs, cats, or domesticated animals; and

WHEREAS, prior to adoption of an ordinance amending the zoning classifications and permitted uses within the above two categories, the Council desires to refer the matter to the Plan Commission for study and recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and members of the City Council of the City of Prophetstown, Illinois, as follows:

Section 1. That the Plan Commission review and consider an amendment, in substantially the following format, to the City's zoning classification and permitted uses.

(a). Section 5-9-4. Restrictions on Dogs and Cats. No person residing in a dwelling unit located within the B-1 Retail Business District shall keep any dogs or cats within the dwelling unit other than those which qualify as service animals pursuant to State or Federal law. Individuals maintaining service animals shall, upon reasonable

inquiry, provide the City with documentation from a healthcare provider confirming the status of any service animal. The limitations of this Section do not apply to hospitals, clinics, or other facilities operated by a licensed veterinarian for the care and treatment of animals, or a commercial establishment offering boarding and/or grooming services.

(b). Section 5-10-5. Additional prohibited activities. No owner or occupant residing within a dwelling unit located within the General Business District shall keep any dogs or cats in such dwelling unit other than those which qualify as service animals pursuant to State or Federal law. Individuals maintaining service animals shall, upon reasonable inquiry, provide the City with documentation from a healthcare provider confirming the status of any service animal. The limitations of this Section do not apply to hospitals, clinics, or other facilities operated by a licensed veterinarian for the care and treatment of animals, or a commercial establishment offering boarding and/or grooming services.

Section 2. The Plan Commission is directed to duly consider the request for amendments to the City Zoning Ordinance, meet to discuss the same, and make a recommendation to the City Council.

Section 3. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval and publications required by law.

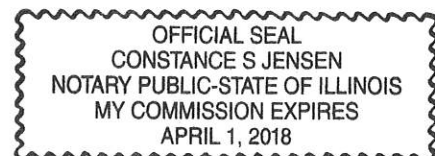
Passed this 13th day of January, 2015.



Mayor Steve Swanson

ATTEST:


City Clerk



Aldermen Voting Aye

Warren Long
Dan Baker
Lori Swanson
Daryl Drennen
Richard Buell
Mitch Raser

Aldermen Voting Nay