

## Chapter 18 – DOGS & CATS

### Sec. 18-1 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Administrator* means a veterinarian licensed by the state and appointed pursuant to the Illinois Animal Control Act, or in the event a veterinarian cannot be found and appointed pursuant to the Act, a non-veterinarian may serve as administrator under this Act. In the event the administrator is not a veterinarian, the administrator shall defer to the veterinarian regarding all medical decisions.

*Animal Control Act* means the Illinois Animal Control Act (510 ILCS 5/1 et seq.).

*Animal Control Warden* means any person appointed by the administrator to perform duties as assigned by the administrator to effectuate this article.

*Cat* means all members of the family Felidae.

*Companion Animal* means any domestic dog (*canis lupus familiaris*) or domestic cat (*felis catus*).

*Continuous* means that the noise continues with no interruptions or only unreasonably brief interruptions:

*Dog* means all members of the family Canidae.

*Feral cat* means a cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized, (ii) is a formerly owned cat that has been abandoned and is no longer socialized, or (iii) lives on a farm.

*Kennel* shall mean any lot or premises, or portion thereof, whether public or private, on which more than five dogs, five cats, or five other household domestic animals over six months of age are kept or on which more than two such animals are maintained, boarded, bred, or cared for in return for remunerations or are kept for the purpose of sale.

*Leash* means a cord, rope, strap or chain which shall be securely fastened to the collar or harness of a dog and shall be of sufficient strength to keep the dog under control.

*Nuisance dog* means a dog which growls, snaps at, runs after, or chases any person or persons not on the premises of the owner or keeper. A dog that runs after or chases bicycles, motor vehicles, motorcycles, or other vehicles being driven, pulled, or pushed on the streets, highways or public ways. A dog which runs on a roadway causing a traffic hazard, or is involved in a traffic accident. A dog which digs, scratches, excretes, or causes waste/garbage to be scattered on property other than its owner's. If whether alone or in a pack with other dogs, it threatens, bites, attacks, or preys on human beings, game animals, domestic animals, or fowl.

*Owner* means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits a dog or cat to remain on any premises occupied by him or her. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program.

*Person* means any person, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the state, municipal corporation or political subdivision of the state, or any other business unit.

*Pound* means any facility approved by the administrator for the purpose of enforcing this article and used as a shelter for seized, stray, homeless, abandoned or unwanted dogs.

*Stray dog* means a dog not on the premises of the owner and not under the control of the owner by leash or other recognized control methods.

(Code 1979, § 4-11; Ord. No. 2007-22, 11-21-2007; Ord. No. 2016-15, 11-16-2016; Ord. No. 2019-46, 11-20-2019 )

### **Sec. 18-2 Owner's Duties**

Each owner shall provide for each of his animals:

1. Sufficient quantity of good quality, wholesome food and water;
2. Adequate shelter and protection from the weather;
3. Veterinary care when needed to prevent suffering; and
4. Humane care and treatment.

*(Ord. No. 2016-15, 11-16-2016)*

### **Sec. 18-3 Barking Dogs**

- A. It shall be unlawful for any person in the unincorporated areas of the county that are subdivided for residential purposes, or within 500 feet of such areas of unincorporated county, to own, keep, have in his possession, or harbor any dog which, by frequent or habitual howling, yelping, barking, or otherwise, shall cause annoyance or disturbance to any person, provided that the provisions of this section shall not apply to any animal shelter, veterinary hospital or clinic.
- B. A person shall not be found to be in violation of this article unless sufficient evidence is presented, which evidence shall include at least one of the following:
  1. A complaint made by one person, which is accompanied by audio or video recordings depicting ten or more minutes of continuous howling, yelping, barking or otherwise.
  2. Complaints made by two or more persons, residing in different households, regarding the same dog(s) and owner(s), keeper(s) or harbinger(s): or
  3. A complaint made by one neighbor, but which is corroborated by a responding officer who observes at least ten minutes of continuous howling, yelping, barking or otherwise.

*(Ord. No. 2016-15, 11-16-2016)*

### **Sec. 18-4 Enforcement**

- A. The Administrator may appoint as many Deputy Administrators and Animal Control Wardens to aid him in enforcing this article as the County Board shall authorize.
- B. The County Board may utilize monies from the general fund to effectuate the provisions of this article.
- C. The Administrator, Deputy Administrator and Animal Control Wardens in enforcing this article, are clothed with the police powers set forth in section 5 of the Illinois Animal Control Act (510 ILCS 5/5).

*(Code 1979, § 4-12; Ord. No. 2007-22, 11-21-2007; Ord. No. 2019-46, 11-20-2019 )*

### **Sec. 18-5 Dogs Running at Large; Apprehension**

- A. Any dog in the county found running at large contrary to the provisions of the Animal Control Act, or a nuisance dog as defined in this article may be apprehended. For this purpose, the administrator shall use any existing or available pound, per 510 ILCS 5/9.
- B. When a dog has been impounded, the administrator shall cause notice of this event to be given to the owner of the dog, if that person is known. Such notice may be given by telephone, by personal service or by mail to the last known address of the owner. The notice shall advise the owner that redemption of the animal must occur no later than seven business days from the impoundment of the animal. Testimony of the administrator or his/her authorized agent who mails such notice shall be evidence of the receipt of such notice by the owner of the animal.

- C. If the owner of any dog which was impounded pursuant to this section desires to redeem the animal, redemption may be completed by doing all of the following:
  - 1. Paying all applicable fees including pickup fees charged by the county and board fees charged by the holding pound and any fees for the treatment of injuries or illness to the animal.
  - 2. Providing satisfactory proof to the administrator that the dog has been inoculated and purchased a rabies inoculation tag. If either inoculation or tag purchase has not been currently accomplished at such time, the dog shall be brought into full compliance with the inoculation and inoculation tag before the dog shall be released.
- D. Prior to the fulfillment of the seven-day holding period, at the discretion of the administrator, animals severely injured, aggressive, or ill may be humanely dispatched.
- E. Dogs not redeemed by the owner in accordance with the provisions of this article shall be offered to a licensed animal shelter or rescue group for adoption, or humanely dispatched as defined under the animal control act.
- F. A person commits a violation of this section when he owns, possesses or harbors a dog which is at large, or is a nuisance as defined in this article. For the purposes of this paragraph, a dog is at large when it is off its custodian's premises and not under his/her control.

*(Code 1979, § 4-13; Ord. No. 2002-03, 12-19-2001; Ord. No. 2007-22, 11-21-2007; Ord. No. 2016-15, 11-16-2016; Ord. No. 2019-46, 11-20-2019 [PDF](#) )*

### **Sec. 18-6 Disposition of Unclaimed Dogs**

Dogs apprehended and impounded without rabies tag, collar or other identification shall be offered to a licensed animal shelter or rescue group for adoption, or humanely dispatched if not claimed within three business days and in the manner set forth in this article. Prior to the fulfillment of the three-day holding period, at the discretion of the administrator, animals severely injured, aggressive, or ill may be humanely dispatched.

*(Code 1979, § 4-14; Ord. No. 2016-15, 11-16-2016; Ord. No. 2019-46, 11-20-2019 [PDF](#) )*

### **Sec. 18-7 - Inoculation Against Rabies; Rabies Inoculation Tags**

- A. Every owner of a dog or cat four months or more of age, who is a resident of the county, is required to have the animal inoculated against rabies as denoted in the Animal Control Act.
- B. Every dog or cat shall have a second rabies vaccination within one year of the first vaccination and every year thereafter. However, if the vaccine used is one recognized by the state department of agriculture for a three-year period of immunity, and the dog or cat is over 12 months of age at the time of inoculation, the interval between inoculations may be extended to three years.
- C. Evidence of such rabies inoculation shall be entered on a certificate, the form provided by the animal control program. The inoculation certificate shall be signed by a licensed veterinarian administering the vaccine and a copy provided to the animal control division.
- D. Veterinarians who inoculate a dog or cat shall procure from the animal control division serially numbered rabies inoculations tags, one to be issued with each inoculation certificate.
- E. County dog or cat owners who inoculate their dogs or cats at out-of-county veterinarians shall have ten days from the date of inoculation to purchase a rabies inoculation tag.
- F. Failure to obtain and maintain a current rabies inoculation tag shall be a violation of this article.

G. Fees chargeable in connection with this article shall be set by the county board. A fee schedule shall be maintained in the office of the county clerk and the county health department. The fee schedule shall be available for review and copying by the public. Feral cats are exempt from purchasing a rabies inoculation tag.

(Ord. No. 2007-22, 11-21-2007; Ord. No. 2019-46, 11-20-2019 [PDF](#) )

*Editor's note — Ord. No. 2007-22, adopted November 21, 2007, amended the Code by repealing former § 10-25, and adding a new § 10-25. Former § 10-25 pertained to registration and fees, and derived from the Code of 1979, § 4-15.*

### **Sec. 18-8 Violations and Penalties**

Any person violating or aiding in or abetting the violation of any provisions of this article, except section 10-22, or counterfeiting or foregoing any registration certificate, permit or tag, or making any misrepresentation in regard to any matter prescribed by this article, or resisting, obstructing or impeding the administrator or any authorized officer in enforcing this article, or refusing to produce for inoculation any dog in his possession not confined at all times to an enclosed area, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of an offense and is subject to punishment as provided in section 1-13 of this Code.

(Code 1979, § 4-16)

### **Sec. 18-9 Reimbursement of Owner of Domestic Animals Killed or Injured by Dogs**

Any owner having sheep, goats, cattle, horses, mules, swine or poultry killed or injured by a dog shall be reimbursed for such losses in accordance within the Animal Control Act, pursuant to 510 ILCS 5/19.

(Code 1979, § 4-17)

### **Sec. 18-10 Reimbursement Schedule**

The following is the schedule of maximum damages to be paid to owners of animals which are destroyed or injured by dogs within the County:

1. For goats killed or injured, \$30.00 per head.
2. For cattle killed or injured, \$300.00 per head.
3. For horses or mules killed or injured, \$200.00 per head.
4. For swine killed or injured, \$50.00 per head.
5. For turkeys killed or injured, \$5.00 per head.
6. For sheep killed or injured, \$30.00 per head.
7. For all poultry, other than turkeys, \$1.00 per head.

(Ord. No. 2016-15, 11-16-2016)

*State Law reference — Illinois Animal Control Act, 510 ILCS 5/1 et seq.; Illinois Humane Care for Animals Act, 510 ILCS 70/1 et seq. Illinois Animal Welfare Act 225 ILCS 650/1 et seq; Illinois Domestic Animals Running At Large Act 510 ILCS 55/1 et seq; Illinois Public Health and Safety Animal Population Control Act 510 ILCS 55/1 et seq*