

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

NOTICE

PUBLIC AFFAIRS COMMITTEE

**Monday, January 27, 2020
7:00 P.M. – Council Chambers**

AGENDA

1. Call to Order, Roll Call, and Establishment of a Quorum
2. Approval of Minutes
 - A. Public Affairs Committee of November 25, 2019
3. Public Participation / Presentations
4. Items for Consent
5. Items for Discussion
 - A. 2020 Railroad Days Parade
 - B. Animal Control and Care
6. Unfinished Business
7. New Business
8. Reports from Staff
 - A. West Chicago Police Department Monthly Report
9. Adjournment

MINUTES

PUBLIC AFFAIRS COMMITTEE

Monday November 25, 2019 7:00 P.M.

1. Call to Order, Roll Call, and Establishment of a Quorum.

Chairman Chassee called the meeting to order at 7:00pm. Roll Call found Brown, Hallett, Birch Ferguson and Swiatek.

Alderman Short was not in attendance.

2. Approval of Minutes.

A. Public Affairs Committee Minutes of October 28, 2019. Alderman Swiatek made a motion, seconded by Alderman Brown to approve the minutes of the Public Affairs Committee meeting. Voting Aye: Chairman Chassee, Alderman Brown, Hallett, Birch Ferguson and Swiatek. Voting Nay: 0. Motion carried.

3. Public Participation / Presentations.

A. Healthy West Chicago Presentation -

4. Items for Consent.

A. St. Mary Church Special Event. Alderman Brown made a motion, seconded by Alderman Birch Ferguson to direct this item to City Council for approval. Voting Aye: Chairman Chassee, Alderman Brown, Hallett, Birch Ferguson and Swiatek. Voting Nay: 0. Motion carried.

5. Items for Discussion.

A. Railroad Days Final Report. Alderman Brown made a motion, seconded by Alderman Swiatek to approve the report. Voting Aye: Chairman Chassee, Alderman Brown, Hallett, Birch Ferguson and Swiatek. Voting Nay: 0. Motion carried.

B. Mexican Independence Day Final Report. Alderman Swiatek made a motion, seconded by Alderman Birch Ferguson to approve the report. Voting Aye: Chairman Chassee, Alderman Brown, Hallett, Birch Ferguson and Swiatek. Voting Nay: 0. Motion carried.

6. Unfinished Business.

7. **New Business.** Alderman Brown asked Committee to review the verbiage to the City Animal Control Ordinance regarding dog versus dog. Chairman Chassee gave direction to Staff to review the State, County and City Animal Control Ordinance on this issue and present this item at the next Public Affairs Meeting.
8. **Reports from Staff.**
 - A. West Chicago Police Department Monthly Report.
9. **Adjournment.** Alderman Brown made a motion to adjourn, seconded by Alderman Hallett. The motion was approved by voice vote, and the meeting adjourned at approximately 7:32pm.

Respectfully submitted,

Yahaira Bautista

Administrative Assistant to Chief of Police
West Chicago Police Department

CITY OF WEST CHICAGO

PUBLIC AFFAIRS COMMITTEE
AGENDA ITEM SUMMARY

ITEM TITLE:

Railroad Days Parade Date

AGENDA ITEM NUMBER: 5.A

FILE NUMBER: _____

COMMITTEE AGENDA DATE: January 27, 2020

COUNCIL AGENDA DATE:

STAFF REVIEW: Tom Dabareiner

SIGNATURE 

APPROVED BY CITY ADMINISTRATOR:
Michael Guttman

SIGNATURE _____

ITEM SUMMARY:

In 2019, the Railroad Days Parade took place on the Park District's June 8th Hello Summer event due to safety concerns related to road construction along the usual parade route during the festival. Historically, the parade has occurred on the Sunday of the Railroad Days Festival in mid-July.

Feedback is requested to determine whether the parade should continue to be tied to the Park District's Hello Summer event, taking place on June 13, 2020, or return to the Sunday of the Railroad Days Festival on July 12, 2020.

The Public Works Director has confirmed that the Washington Street road construction project resumes in Spring of 2020. The start date of this road construction project is unknown and dependent on weather, but will likely to begin in April or May of 2020. The work is anticipated to continue through the month of June and may extend into the month of July.

The usual parade route includes Washington Street between Ingaltan Avenue and Arbor Avenue. This section of road may not be available for the parade if road construction is in progress at the time of the event. An alternative route should be considered for the 2020 parade in the event that road construction is still taking place on the scheduled parade date.

ACTIONS PROPOSED:

Recommend whether the parade should take place on Saturday, June 13, 2020 or Sunday, July 12, 2020.

COMMITTEE RECOMMENDATION:

DIVISION 6. - ANIMAL CONTROL AND CARE

Sec. 11-76. - Purpose.

The purpose of this article is to provide harmonious relationships in the interaction between man and animal by:

- (1) Protecting the citizens of West Chicago from rabies by specifying such preventive and control measures as may be necessary;
- (2) Protecting animals from improper use, abuse, neglect, inhumane treatment and health hazards, particularly rabies;
- (3) Providing security to residents from annoyance, intimidation and injury from dogs and other animals;
- (4) Encouraging responsible pet ownership; and
- (5) Providing for the assessment of penalties for violators and for the enforcement and administration of this article.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-77. - Definitions.

As used in this article, the following words are defined.

Administrator: The licensed veterinarian appointed by the DuPage County Board pursuant to the Illinois animal control act or his authorized representative.

Animal: Any live vertebrate creature except man.

Animal capable of transmitting rabies: All animals classified as mammals.

Animal care facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal control warden: A DuPage County employee appointed by the administrator.

Animal rescue organization means any not-for-profit organization which has tax-exempt status under Section 501(c) (3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes. This term does not include any entity, which is, or is housed on the premises of, a breeder or broker, obtains dogs from a breeder or broker in exchange for payment or compensation, or resells dogs obtained from a breeder or broker and provides payment or compensation to such breeder or broker.

Animal Shelter: A facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other non-profit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals. "Animal shelter" also means any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 which operates for the above mentioned purpose in addition to its customary purposes.

Bird: Any flying vertebrate that is covered with feathers.

Bite: Seizure of a person or animal with the jaws or teeth of any cat, dog or other 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 cat, dog or other animal with any break or abrasion of the skin.

Cat: All members of the classification, *Felis catus*.

Companion animal: An animal that is commonly considered to be, or is considered by the owner to be, a pet. "Companion animal" includes, but is not limited to, canines, felines, and equines.

Confined: Restriction of an animal at all times by the owner, or his agent, to an escape-proof building, house, or other enclosure away from other animals and the public.

Control: Any owned animal that is either secured by a leash or lead, under voice control, contained by invisible fence or within the premises of its owner or another person with the consent of the person and prevented from leaving said premises by some suitable barrier or restriction, or confined within a crate or cage, or confined within a vehicle.

Dangerous animal: Includes any of the following types of animals regardless of past behavior: lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, any hybrid thereof, or any other similar feline animal; bear, hyena, wolf, coyote, wolf-dog or coyote-dog hybrid; any member of the crocodylian family; poisonous reptiles, or any other life threatening reptile; or any other animal which is wild by nature and not usually tamed ("ferae naturae") in the eyes of the law.

Dangerous dog: Any individual dog, as defined by DuPage Animal Control and Care, anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or a dog that, without justification, bites a person and does not cause serious physical injury.

Department: The Department of Agriculture of the State of Illinois.

Dog: All members of the classification *Canis familiaris*.

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

Enclosure: A fence or structure of at least six (6) feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious dog within the enclosure. The enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, it cannot have direct ingress from or egress to the outdoors unless it leads directly to an enclosed pen and the door must be locked. A vicious dog may be allowed to move about freely within the entire residence if it is muzzled at all times.

Feral cat: Any cat that is undomesticated or untamed or has returned to an undomesticated or untamed state and is living uncontrolled in the wild.

Guard dog: A dog used in a commercial business or by a municipal or police department for the purposes of patrol and protection.

Guide dog: A dog trained by a recognized organization to lead the legally blind.

Impounded: Taken into the custody of the public animal control facility in the city, town, or county where the animal is found.

Inoculation against rabies: The injection of a rabies vaccine approved by the Illinois Department of Agriculture and administered by a licensed veterinarian in accordance with the company's recommendations for the vaccine used.

Intact animal: An animal that has not been spayed or neutered.

Leash: A cord, rope, strap, or chain which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animal under control.

Licensed veterinarian: A veterinarian licensed by the state in which he engages in the practice of veterinary medicine.

Offer for sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Owner: 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 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: Any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the State of Illinois, municipal corporation or political subdivision of the state, or any other business unit.

Pet shop : Means a retail establishment which sells any or all of the following to the general public: pets, pet accessories, and pet supplies. Pet shops can house an accessory veterinary clinic and/or an accessory indoor grooming facility. No pet shop shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Pet shops shall not include an animal care facility or animal rescue organization, as defined. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

Police animal: An animal owned or used by a law enforcement department or agency in the course of the department or agency's work.

Pound or animal control facility: Any facility licensed by the Illinois Department of Agriculture and approved by the administrator for the purpose of enforcing this article and used as a shelter for seized, stray, homeless, abandoned or unwanted animals.

Service animal : Means an animal trained in obedience and task skills to meet the needs of a person with a disability.

Stray animal: Any owned animal that is not controlled.

Vicious dog: A dog that, without justification, attacks a person and causes serious physical injury or death or any individual dog that has been found to be a "dangerous dog" upon three (3) separate occasions.

Voice control: The immediate recall of an animal at the sound of the voice of the owner.

Wolf-dog or coyote-dog hybrid: Any animal that results from the cross breeding of a wolf or coyote with a dog.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-78. - Animal care.

- (a) No owner shall fail to provide his animals with sufficient wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment. Proper shelter and protection from the weather shall be defined as for a dog to be a building, moisture proof, with a dry floor and adequate and clean bedding material. A horse shall need a building of a least three (3) walls and a roof. It shall have a dry floor with clean and adequate bedding of straw, chips or other suitable material. The inside dimensions of the building shall have a measured area (length times width) of at least three (3) times the length of the animal. For a horse the dimensions shall be five (5) times the length of the animal. The length of the animal is the distance from the nose to base of tail.
- (b) No person shall beat, torment, overload, overwork or otherwise abuse an animal.
- (c) No person shall own, keep, harbor, or otherwise maintain within the city, any breeds of fowl that are or will be used in the pursuit of and staging of cockfighting on any premises.
- (d) No person shall promote, conduct or carry on, advertise, collect money or in any other manner assist in the presentation for purposes of sport, wagering, or entertainment, any show, exhibition, program, or other activity involving a fight between two (2) or more animals or any animal or human, or the intentional killing or injuring of any animal nor any simulated version of the same that involves baiting or inciting an animal toward intent to fight.
- (e) No person shall hold a greased pig contest.
- (f) No person shall be permitted to keep animals in violation of the "Illinois Humane Care for Animals Act" or the "Illinois Animal Welfare Act".
- (g) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
- (h) No person shall keep any animal within a building or upon any premises without food, water or proper care and attention for a period of time sufficient to cause undue discomfort or suffering. If the owner cannot be located after reasonable search, or if the owner shall be known to be absent due to injury, illness, incarceration or other involuntary circumstances, it shall be the duty of the officer/community service officer to act upon the complaint as directed by the "Illinois Humane Care for Animals Act".
- (i) No person shall give away or use any live animal as a prize for or as an inducement to enter any contest, game or other competition or as an inducement to enter a place of amusement or offer such animal as an incentive to enter any business agreement whereby the offer was for the purpose of attracting trade.
- (j) No person shall bring or cause to have brought into the city, sell, offer for sale, barter or display living baby chicks, ducklings or other fowl or rabbits which have been dyed, colored or otherwise treated so as to impart to them an artificial color, or give away as pets or sell, offer for sale, barter or give away at no cost or as novelties or prizes. Nothing in this subsection shall be construed to prohibit legitimate commerce in poultry for agricultural or food purposes.
- (k) No person may knowingly poison or cause to be poisoned any domesticated animal. The only exception

will be written permit from the Illinois Department of Agriculture for the purpose of controlling diseases transmissible to humans or other animals and only when all other methods and means have been exhausted. Such a permit shall name a person or persons conducting the poisoning, specify the products to be used, give the boundaries of the area involved and specify the precautionary measures to be employed to ensure the safety of humans and other animals. Any drugs for euthanasia shall be administered by a licensed vet or a certified euthanasia technician.

- (l) No person shall kill or wound, attempt to kill or wound or take the nest or eggs or young of any bird that is protected by federal or state law. Birds that are not regulated by the Illinois Department of Conservation are excluded from this restriction during the period of regulation.
- (m) No person shall kill or wound, or attempt to kill or wound, or take or attempt to take any fish or wildlife in violation of any federal or state law or regulation.
- (n) No person shall keep or permit to be kept or display for exhibition purposes any wild animal contrary to federal, state and local laws or regulations.
- (o) No person shall permit at any time his animal to:
 - (1) Run uncontrolled;
 - (2) Make disturbing noises, including but not limited to, continued and repeated howling, barking, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is being kept or harbored;
 - (3) Molest persons or vehicles by chasing, barking or biting;
 - (4) Attack other animals;
 - (5) Damage property other than the owner's.
- (p) No person shall allow cat or dog feces to accumulate in any yard, pen or premises in or upon which a cat or dog shall be confined or kept so that it becomes offensive to those residing in the vicinity or a health hazard to the residing cat or dog.
- (q) No person shall fail to remove feces deposited by his cat or dog, except guide dogs, upon the public ways or within the public places of the city or upon the premises of any person other than the owner without that person's consent.
- (r) No person shall leave any animal unattended in a motor vehicle or enclosed trailer when the outside temperature shall exceed thirty (30) degrees Celsius (86° F) or contain any animal in such manner that said animal does not have proper air circulation while confined in a motor vehicle, trailer, kennel, dog house, or any type of container or structure in which an animal may be confined.
- (s) No person shall own any animal which is known to be infected with, or an animal which an owner should know is infected with, any disease transmissible to other animals or man, including severe parasitism, unless such animal shall be confined in such a manner as not to expose other animals or man.
- (t) Any animal which is on any public way or public place and which appears to be injured or severely diseased and for which care is not being provided on the scene by the owner or any injured or severely diseased animal that has strayed onto private premises shall be removed, if possible, to the care of the DuPage County Department of Animal Care and Control, or to the nearest veterinarian or veterinary hospital willing to accept same without guarantee of payment. If immediate removal shall not appear

practical or possible or if the removed animal is in critical condition such animal may be deprived of life by the most humane method available on the scene unless the owner shall come forward beforehand and assume responsibility for immediate removal and care.

- (u) Any person who, as the operator of a motor vehicle, strikes an animal shall stop at once and render such assistance as may be possible; or shall immediately report such injury to the animal owner, if known; or to the appropriate law enforcement agency.
- (v) Any person having a dead animal within his possession or control or upon any premises owned or occupied by such person without the proper permit shall dispose of the dead animal in compliance with the Illinois Dead Animal Disposal Act.
- (w) Every person in possession or control of any stable or place open for public use where any animals are kept, shall maintain the stable or place at all times in a clean, sanitary condition and conform to Illinois Fire Prevention Regulations.
- (x) No person shall chain or leash a dog unattended outside unless the chain is at least twelve (12) feet long so as to allow for adequate exercise and freedom of movement and the period of confinement is less than thirty (30) minutes. The use of the term "unattended" shall for the purposes of this subsection be defined as the absence of an owner or other care taker of a dog from the premises where the dog is located.
- (y) No person driving a motor vehicle shall transport any animal in the back of the vehicle in a space intended for any load on the vehicle unless the space is enclosed or has side and tail racks to a height of at least forty-six (46) inches extending vertically from the floor, the vehicle has installed means of preventing the animal from being discharged, or the animal is cross tethered to the vehicle, or is protected by secured container or cage in a manner which will prevent the animal from being thrown, falling or jumping from the vehicle.
- (z) Nothing in this article shall prohibit the use of traps designed to kill pests or vermin such as mice, rats, gophers or moles when used for their intended purpose.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-79. - Rabies vaccination.

- (a) Every owner, except animal shelters, animal impounding facilities and laboratory animal facilities, of a cat or dog four (4) months or more of age shall cause such cat or dog 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.
- (b) Evidence of such rabies inoculation shall be entered on a certificate approved by the DuPage County Board. Veterinarians who inoculate a cat or dog shall procure from the DuPage County Animal Care and Control serially numbered tags, one (1) to be issued with each inoculation certificate. Only one (1) cat or dog shall be included on each certificate. Upon change of ownership application shall be made for a new inoculation certificate. Such tags shall be attached to the collar or harness worn by the cat or dog which the tag was issued when the cat or dog is off the property of the owner.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-80. - Biting animal capable of transmitting rabies.

- (a) It shall be unlawful for any person knowing that an individual has been bitten by an animal to refuse to notify, within twenty-four (24) hours, the police or other officer with the delegated authority who are responsible for the area in which the bite occurred.
- (b) When the administrator receives information that any person has been bitten by an animal the administrator shall have the owner confine the biting animal under observation of a licensed veterinarian for a period of ten (10) days beginning within twenty-four (24) hours of the biting incident. All dogs and cats under observation, owned by a resident of the city, shall be implanted with a microchip approved by the administrator at the time of the first examination unless the animal is to be euthanized. The microchip number shall be reported to DuPage Animal Care and Control with the DuPage County Rabies Observation Notice. The biting animal may be confined in the house of its owner in a manner which will prohibit it from biting any person or animal if the administrator or other licensed veterinarian adjudges such confinement satisfactory.
 - (1) When the biting animal is currently inoculated with rabies vaccine the animal's health shall be reported by the veterinarian to the DuPage County Animal Care and Control on the first and tenth days of the observation period for rabies.
 - (2) When the biting animal is not currently inoculated with rabies vaccine the animal's health shall be reported by the veterinarian to the DuPage County Animal Care and Control on the first, fifth and tenth days of the observation period for rabies.
 - (3) When the biting animal is not currently inoculated with rabies vaccine and the owner refuses to have the animal examined by a veterinarian, DuPage County Animal Care and Control shall impound the animal for a period of ten (10) days. If the animal is not reclaimed by the owner within five (5) days of the end of the observation period, the animal will be euthanized.
- (c) Confirmation of the health of the biting animal shall be sent by the veterinarian to the DuPage County Animal Care and Control within twenty-four (24) hours of the first and final examinations. Official forms shall be provided by DuPage County Animal Care and Control.
- (d) When an animal confined for biting shows signs of rabies or acts in a manner which would lead a person to believe that an animal may have rabies, the owner or veterinarian shall notify the administrator immediately by telephone or in person of these signs. The administrator shall immediately notify the physician attending the bitten person or responsible health agency as soon as he receives notice of such signs.
- (e) If the animal confined is determined not to be infected with rabies at the end of the period of confinement it shall be released from quarantine. The animal owner shall show proof of rabies inoculation for cats and dogs and shall pay any fee, charge or penalty including any fee for veterinary services attributed to the bite. A confined animal, when not redeemed by the owner may be disposed of in accordance with the Illinois state law.
- (f) It shall be unlawful for the owner of a biting animal to euthanize, sell, give away or otherwise dispose of or have inoculated against rabies the animal known to have bitten a person until it has been released from confinement for observation for rabies by the administrator. It shall be unlawful for the owner of such animal to refuse or fail to comply with the written or printed instructions made by the administrator. If such instructions cannot be delivered in person they shall be mailed to the owner of

such animal by regular mail, postage prepaid. The affidavit or testimony of the administrator delivering or mailing such instructions is prima facie evidence that the owner of such animal was notified of his responsibilities.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-81. - Rabies case procedure.

- (a) It shall be unlawful for the owner of an animal which shows signs of rabies or which acts in a manner which would lead a person to believe that such animal may have rabies to fail to notify the local police immediately by telephone or in person.
- (b) The administrator shall investigate each report of an animal which shows signs of rabies or acts in a manner which would lead a person to believe that the animal may have rabies. Upon determination by the administrator or a licensed veterinarian that an animal may be infected with rabies, the owner of such animal shall be required by the administrator to surrender the animal to the administrator or a licensed veterinarian for confinement for a period of time as determined by the Illinois Department of Agriculture.
- (c) When the animal confined is determined to be infected with rabies by the examining veterinarian the administrator shall order the animal humanely destroyed. A copy of this order shall be given to the owner of the animal or mailed to the last known address of the owner. Any animal capable of transmitting rabies in direct contact with the rabid animal whether or not the exposed animal has been inoculated with rabies shall be confined as recommended by the administrator. The administrator may order the exposed animal euthanized.
- (d) If the animal confined is determined not to be infected with rabies at the end of the period of confinement it shall be released to the owner of such animal upon presenting proof of a current rabies inoculation certificate for cats and dogs and payment of any fee, charge or penalty including any fee for veterinary services. If the animal is not redeemed by the owner, the animal may be disposed of in accordance with Illinois state law.
- (e) Whenever a case of rabies has occurred in a locality, or whenever the proper officials of a government unit are apprehensive of the spread of rabies, the administrator shall act as directed by the rules and regulations of the Illinois Department of Agriculture.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-82. - Stray animals.

- (a) Whenever an officer or community service officer observes or is informed that an animal is roaming freely and not under the control of the owner, the animal shall be immediately apprehended and impounded. Any person may apprehend a stray animal and inform the local police or the administrator so that the stray animal can be impounded.
 - (1) All stray animals impounded shall have a record. The record shall include the owner's name, address and telephone number, if known; species or breed, color, sex and physical condition of the animal; license or tag number, if known; and the time and date impounded.
 - (2) The stray animal owner is responsible for all costs relating to the apprehension and impoundment of the animal found not under control.

- (3) Owners of any dog or cat adopted from DuPage County Animal Care and Control shall have the animal examined by a veterinarian within seven (7) days of adoption and receive any necessary vaccinations and medications. The adopting owner shall not sell the animal nor use it in any way as a source of revenue. The adopting owner shall not give away or dispose of in any manner the animal within one (1) year of the date of adoption without the approval of the administrator.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-83. - Restrictions on controlled cats and dogs.

- (a) Cats and dogs shall not be permitted to enter any place where food is processed for human consumption. Guide dogs and guard dogs used in food establishments are exempt from this restriction.
- (b) Cats and dogs, except guide dogs, shall not be present at or upon any school premises, public playground or public swimming pool unless official written permission has been granted by the public agency or its agent owning the property. At no time shall cats and dogs be permitted in any sand box or sand piles in which children play.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-84. - Female cats and dogs in heat.

All cats and dogs in heat (estrus) shall be confined in a building or secure enclosure and attended in such a manner that such female cat or dog cannot come into contact with a male of the same species except for planned breeding.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-85. - Certain animals prohibited.

Possession of a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, any hybrid thereof, or any other similar feline animal, bear hyena, wolf coyote, wolf-dog or coyote-dog hybrid, any member of the crocodylian family, poisonous reptile, or any other life threatening reptile or any other animal which is ferae naturae in the eyes of the law shall be prohibited except by any person or institution possessing state and/or federal permits enabling them to keep such animals.

Possession of any roosters, chickens or any similar fowl, or hybrid thereof is also prohibited.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-86. - Vicious dogs.

The applicable sections of the Illinois Animal Control Act, including, but not limited to, 510 Illinois Compiled Statutes Sections 5/15 and 5/26 are hereby incorporated as if set forth fully herein relative to the regulations of vicious dogs within the city.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-87. - Limit on number of animals.

There shall be a maximum limitation per household of three (3) domestic animals; provided however, that any newborn animals shall be allowed to remain in the household despite the limitation of this section for up to four (4) months from the date of birth. Every animal exceeding the limit per household is subject to impoundment.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-88. - Restrictions on the sale of animals.

No pet shop shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs. Nothing in this section shall prohibit pet stores from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase adoptable dogs and cats.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-89. - Invisible fencing.

Persons who utilize "invisible fencing" to contain any animal must display prominently on their property immediately adjacent to the public right-of-way a sign, no more than one (1) square foot in area, which indicates that any animal located thereon is contained by way of "invisible fencing." Invisible fencing installed after July 3, 2017, must be set back from the public right-of-way a minimum of four (4) feet.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Sec. 11-90. - Violations; punishments.

Violations of this section may be abated pursuant to the procedures set forth in section 10-4 of this Code. In addition, anyone violating this section shall be subject to the penalty set forth in section 1-8 of this Code.

(Ord. No. 19-O-0006, § 1, 4-1-2019)

Chapter 5 - ANIMALS

ARTICLE I. - ANIMAL AND RABIES CONTROL

5-1: - PURPOSE.

The purpose of this article is to provide harmonious relationships in the interaction between man and animal by:

- A. Protecting the citizens of DuPage County from rabies by specifying such preventive and control measures as may be necessary;
- B. Protecting animals from improper use, abuse, neglect, inhumane treatment and health hazards, particularly rabies;
- C. Providing security to residents from annoyance, intimidation and injury from dogs and other animals;
- D. Encouraging responsible pet ownership;
- E. Providing for the assessment of penalties for violators and for the enforcement and administration of this article.

(2005 Code)

5-2: - DEFINITIONS.

As used in this article, the following words are defined.

Administrator: The licensed veterinarian appointed by the DuPage County Board pursuant to the Illinois animal control act or his authorized representative.

Animal: Any live vertebrate creature except man.

Animal capable of transmitting rabies: All animals classified as mammals.

Animal control warden: An employee DuPage County appointed by the administrator to exercise police powers in the enforcement of this article.

Bird: Any flying vertebrate that is covered with feathers.

Bite: Seizure of a person with the jaws or teeth of any cat, dog or other 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 cat, dog or other animal with any break or abrasion of the skin.

Cat: All members of the classification, *Felis catus*.

Confined: The restriction of the cat, dog or other animal at all times by the owner in a manner that will isolate the cat, dog or other animal from the public and other cats, dogs or other animals.

Control: Any owned animal that is either secured by a leash or lead, or under voice control or within the premises of its owner or another person with the consent of the person and prevented from leaving said premises by some suitable barrier or restriction, or confined within a crate or cage, or confined within a vehicle.

Dangerous animal: Includes any of the following types of animals regardless of past behavior: lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, any hybrid thereof, or any other similar feline animal; bear, hyena, wolf, coyote, wolf-dog or coyote-dog hybrid; any member of the crocodylian family; poisonous reptiles, or any other life threatening reptile; or any other animal which is "feral naturae" in the eyes of the law.

Dangerous dog: Any individual dog when unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal in a public place.

Dog: All members of the classification *Canis familiaris*.

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

Feral cat: Any cat that is undomesticated or untamed or has returned to an undomesticated or untamed state and is living uncontrolled in the wild.

Guard dog: A dog used in a commercial business or by a municipal or police department for the purposes of patrol and protection.

Guide dog: A dog trained by a recognized organization to lead the legally blind. The term "guide dog" shall also include any service animal trained by a recognized organization to provide services to persons with disabilities.

Inoculation against rabies: The injection of a rabies vaccine approved by the Illinois department of agriculture and administered by a licensed veterinarian in accordance with the company's recommendations for the vaccine used.

Owner: Any person having the right of property in an animal, who keeps or harbors an animal, who has it in his care, acts as its custodian or who knowingly permits an animal to remain on or about any premises occupied by him unless possession is prohibited by federal or state laws. Native wildlife remaining on or about any premises shall not be included in this definition.

Person: Any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution, municipal corporation, unit or local government or any other business unit.

Pound: Any facility licensed by the Illinois Department of Agriculture and approved by the administrator for the purpose of enforcing this article and used as a shelter for seized, stray, homeless, abandoned or unwanted animals.

Stray animal: Any owned animal that is not controlled.

Vicious dog: A dog that, without justification, attacks a person and causes serious physical injury or death or any individual dog that has been found to be a "dangerous dog" upon three (3) separate occasions.

Voice control: The immediate recall of a animal at the sound of the voice of the owner.

Wolf-dog or coyote-dog hybrid: Any animal that results from the cross breeding of a wolf or coyote with a dog.

(2005 Code)

5-3: - ANIMAL CARE.

- A. No owner shall fail to provide his animals with sufficient wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment. Proper shelter and protection from the weather shall be defined as for a dog to be a building,

moisture proof, with a dry floor and adequate and clean bedding material. A horse shall need a building of a least three (3) walls and a roof. It shall have a dry floor with clean and adequate bedding of straw, chips or other suitable material. The inside dimensions of the building shall have a measured area (length times width) of at least three (3) times the length of the animal. For a horse the dimensions shall be five (5) times the length of the animal. The length of the animal is the distance from the nose to base of tail.

- B. No person shall beat, torment, overload, overwork or otherwise abuse an animal.
- C. No person shall own, keep, harbor, or otherwise maintain within the County, any breeds of fowl that are or will be used in the pursuit of and staging of cockfighting on any premises.
- D. No person shall promote, conduct or carry on, advertise, collect money or in any other manner assist in the presentation for purposes of sport, wagering, or entertainment, any show, exhibition, program, or other activity involving a fight between two (2) or more animals or any animal or human, or the intentional killing or injuring of any animal nor any simulated version of the same that involves baiting or inciting an animal toward intent to fight.
- E. No person shall hold a greased pig contest.
- F. No person shall be permitted to keep animals in violation of the "Illinois Humane Care for Animals Act" or the "Illinois Animal Welfare Act".
- G. No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
- H. No person shall keep any animal within a building or upon any premises without food, water or proper care and attention for a period of time sufficient to cause undue discomfort or suffering. If the owner cannot be located after reasonable search, or if the owner shall be known to be absent due to injury, illness, incarceration or other involuntary circumstances, it shall be the duty of the administrator or a humane investigator to act upon the complaint as directed by the "Illinois Humane Care for Animals Act".
- I. No person shall give away or use any live animal as a prize for or as an inducement to enter any contest, game or other competition or as an inducement to enter a place of amusement or offer such animal as an incentive to enter any business agreement whereby the offer was for the purpose of attracting trade.
- J. No person shall bring or cause to have brought into the County, sell, offer for sale, barter or display living baby chicks, ducklings or other fowl or rabbits which have been dyed, colored or otherwise treated so as to impart to them an artificial color, or give away as pets or sell, offer for sale, barter or give away at no cost or as novelties or prizes. Nothing in this subsection shall be construed to prohibit legitimate commerce in poultry for agricultural or food purposes.
- K. No person may knowingly poison or cause to be poisoned any domesticated animal. The only exception will be written permit from the Illinois Department of Agriculture for the purpose of controlling diseases transmissible to humans or other animals and only when all other methods and means have been exhausted. Such a permit shall name a person or persons conducting the poisoning, specify the products to be used, give the boundaries of the area involved and specify the precautionary measures to be employed to ensure the safety of humans and other animals. Any drugs for euthanasia shall be administered by a licensed vet or a certified euthanasia technician.
- L. No person shall kill or wound, attempt to kill or wound or take the nest or eggs or young of any bird that is protected by federal or state law. Birds that are not regulated by the Illinois Department of Conservation are excluded from this restriction during the period of regulation.

No person shall kill or wound, or attempt to kill or wound, or take or attempt to take any fish or wildlife in violation of any federal or state law or regulation.

- M. No person shall keep or permit to be kept or display for exhibition purposes any wild animal contrary to federal, local laws or regulations.
- N. No person shall permit at any time his animal to:
 - 1. Run uncontrolled;
 - 2. Molest persons or vehicles by chasing, barking or biting;
 - 3. Attack other animals;
 - 4. Damage property other than the owner's;
- O. No person shall allow cat or dog feces to accumulate in any yard, pen or premises in or upon which a cat or dog shall be confined or kept so that it becomes offensive to those residing in the vicinity or a health hazard to the residing cat or dog.
- P. No person shall fail to remove feces deposited by his cat or dog, except guide dogs, upon the public ways or within the public places of the County or upon the premises of any person other than the owner without that person's consent.
- Q. No person shall leave any animal unattended in a motor vehicle or enclosed trailer when the outside temperature shall exceed thirty (30) degrees Celsius (86° F) or contain any animal in such manner that said animal does not have proper air circulation while confined in a motor vehicle, trailer, kennel, dog house, or any type of container or structure in which an animal may be confined.
- R. No person shall own any animal which is known to be infected with, or an animal which an owner should know is infected with, any disease transmissible to other animals or man, including severe parasitism, unless such animal shall be confined in such a manner as not to expose other animals or man.
- S. Any animal which is on any public way or public place and which appears to be injured or severely diseased and for which care is not being provided on the scene by the owner or any injured or severely diseased animal that has strayed unto private premises shall be removed, if possible, to the care of the DuPage County Department of Animal Care and Control, to the nearest municipal pound or to the nearest veterinarian or veterinary hospital willing to accept same without guarantee of payment. If immediate removal shall not appear practical or possible or if the removed animal is in critical condition such animal may be deprived of life by the most humane method available on the scene unless the owner shall come forward beforehand and assume responsibility for immediate removal and care.
- T. Any person who, as the operator of a motor vehicle, strikes an animal shall stop at once and render such assistance as may be possible; or shall immediately report such injury to the animal owner, if known; or to the appropriate law enforcement agency.
- U. Any person having a dead animal within his possession or control or upon any premises owned or occupied by such person without the proper permit shall dispose of the dead animal in compliance with the Illinois Dead Animal Disposal Act.
- V. Every person in possession or control of any stable or place open for public use where any animals are kept, shall maintain the stable or place at all times in a clean, sanitary condition and conform to Illinois Fire Prevention Regulations.
- W. No person shall chain or leash a dog unattended outside unless the chain is at least twelve (12) feet long so as to allow for adequate exercise and freedom of movement and the period of confinement is less than thirty (30) minutes. the use of the term "unattended" shall for the purposes of this subsection be defined as the absence of an owner or other care taker of a dog from the premises where the dog is located.
- X. No person driving a motor vehicle shall transport any animal in the back of the vehicle in a space intended for

any load on the vehicle unless the space is enclosed or has side and tail racks to a height of at least forty-six (46) inches extending vertically from the floor, the vehicle has installed means of preventing the animal from being discharged, or the animal is cross tethered to the vehicle, or is protected by secured container or cage in a manner which will prevent the animal from being thrown, falling or jumping from the vehicle.

Y. It shall be unlawful for any person to place, set, use or maintain a leghold or body gripping trap or one (1) of similar construction to capture a dog, cat any livestock or other domestic animal.

1. It shall be unlawful to set these type of traps in any of the following areas:
 - a. Within one hundred fifty (150) feet of a dedicated right-of-way.
 - b. Within one thousand (1,000) feet of a school, public park, library, museum or swimming pool.
 - c. Within one thousand (1,000) feet of a residential dwelling unless the trap(s) are set in an area meeting the following conditions:
 - (1) The area is enclosed by a fence or other barrier in a sturdy condition and at least three (3) feet in height.
 - (2) The area is posted with warning signs on the fence or barrier stating "WARNING - TRAPS IN USE" in lettering at least one (1) inch high. Such signs shall be visible at a distance of fifty (50) feet and maintained in a readable condition.
 - (3) Any trap(s) set shall be marked with a red, yellow or orange warning flag or marker which extends at least one (1) foot above surrounding vegetation, water or other surrounding ground debris.

All incidents of a human, a dog, a cat, any livestock or other domestic animal being trapped, or injured by one (1) of the aforementioned traps shall be reported to the DuPage County Animal Care and Control Department. All animals shall be released and returned to their owner, if known, or brought to the DuPage County Animal Care and Control Department.

The placing, setting, using or maintaining of leghold and body gripping traps contrary to the above provisions shall only be permitted in writing by the administrator after he has made the determination that the use of such traps is necessary to protect the health and safety of the County's inhabitants and/or domestic animals or to prevent the spread of rabies. Such written approval shall designate the location where the trap(s) will be set, the time period during which the trap(s) will be at the location and the type(s) of trap(s) to be used. In no case shall the trap(s) remain in one (1) location for more than twelve (12) hours without further approval from the administrator. The administrator may also require that the trap(s) not be left unattended for periods of time of no less than three (3) hours nor longer than twelve (12) hours at his or her discretion.

The trap(s) shall have a tag attached to it stating the name, address and phone number of the owner of the trap.

Nothing in this article shall prohibit the use of traps designed to kill pests or vermin such as mice, rats, gophers or moles when used for their intended purpose.

(2005 Code)

5-4: - RABIES VACCINATION.

- A. Every owner, except animal shelters, animal impounding facilities and laboratory animal facilities, of a cat or dog four (4) months or more of age shall cause such cat or dog 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.

- B. Evidence of such rabies inoculation shall be entered on a certificate approved by the DuPage County Board. Veterinarians who inoculate a cat or dog shall procure from the DuPage County Animal Care and Control a serially numbered tag to be issued with each inoculation certificate. Only one (1) cat or dog shall be included on each certificate. Upon ownership application, a new inoculation certificate shall be made. Such tags shall be attached to the collar or worn by the cat or dog which the tag was issued when the cat or dog is off the property of the owner. The tag fee paid to the department shall be transferred to the County Treasurer on the last day of each month.
- C. Owners of dogs or cats who establish residency in DuPage County whose animal is currently vaccinated for rabies shall register their animal with the DuPage County Animal Care and Control within thirty (30) days of establishing residency.
- D. The administrator may appoint such number of deputy administrators and wardens as are authorized by the board.

(2005 Code)

5-5: - BITING ANIMAL CAPABLE OF TRANSMITTING RABIES.

- A. It shall be unlawful for any person knowing that an individual has been bitten by an animal to refuse to notify, within twenty-four (24) hours, the police or other officer with the delegated authority who are responsible for the area in which the bite occurred.
- B. When the administrator receives information that any person has been bitten by an animal, the administrator shall have the owner confine the biting animal under observation of a licensed veterinarian for a period of ten (10) days beginning within twenty-four (24) hours of the biting incident. All dogs and cats under observation, owned by a resident of DuPage County, shall be implanted with a microchip approved by the administrator at the time of the first examination unless the animal is to be euthanized. The microchip number shall be reported to DuPage Animal Care and Control with the DuPage County Rabies Observation Notice. The biting animal may be confined in the house of its owner in a manner which will prohibit it from biting any person or animal if the administrator or other licensed veterinarian adjudges such confinement satisfactory.
 - 1. When the biting animal is currently inoculated with rabies vaccine, the animal's health shall be reported by the veterinarian to the DuPage County Animal Care and Control on the first and tenth days of the observation period for rabies.
 - 2. When the biting animal is not currently inoculated with rabies vaccine, the animal's health shall be reported by the veterinarian to the DuPage County Animal Care and Control on the first, fifth, and tenth days of the observation period for rabies.
 - 3. When the biting animal is not currently inoculated with rabies vaccine and the owner refuses to have the animal examined by a veterinarian, DuPage County Animal Care and Control shall impound the animal for a period of ten (10) days. If the animal is not reclaimed by the owner within five (5) days of the end of the observation period, the animal will be euthanized.
- C. Confirmation of the health of the biting animal shall be sent by the veterinarian to the DuPage County Animal Care and Control within twenty-four (24) hours of the first and final examinations. Official forms shall be provided by the department.
- D. When an animal confined for biting shows signs of rabies or acts in a manner which would lead a person to believe that an animal may have rabies, the owner or veterinarian shall notify the administrator immediately by telephone or in person of these signs. The administrator shall immediately notify the physician attending the bitten person or responsible health agency as soon as he receives notice of such signs.
- E. If the animal confined is determined not to be infected with rabies at the end of the period of confinement, it

shall be released from quarantine. The animal owner shall show proof of rabies inoculation for cats and dogs and shall pay any fee, charge or penalty including any fee for veterinary services attributed to the bite. A confined animal, when not redeemed by the owner may be disposed of in accordance with the Illinois state law.

- F. It shall be unlawful for the owner of a biting animal to euthanize, sell, give away or otherwise dispose of or have inoculated against rabies the animal known to have bitten a person until it has been released from confinement for observation for rabies by the administrator. It shall be unlawful for the owner of such animal to refuse or fail to comply with the written or printed instructions made by the administrator. If such instructions cannot be delivered in person they shall be mailed to the owner of such animal by regular mail, postage prepaid. The affidavit or testimony of the administrator delivering or mailing such instructions is prima facie evidence that the owner of such animal was notified of his responsibilities.

(2005 Code)

5-6: - RABIES CASE PROCEDURE.

- A. It shall be unlawful for the owner of an animal which shows signs of rabies or which acts in a manner which would lead a person to believe that such animal may have rabies to fail to notify the local police or the administrator immediately by telephone or in person.
- B. The administrator shall investigate each report of an animal which shows signs of rabies or acts in a manner which would lead a person to believe that the animal may have rabies. Upon determination by the administrator or a licensed veterinarian that an animal may be infected with rabies, the owner of such animal shall be required by the administrator to surrender the animal to the administrator or a licensed veterinarian for confinement for a period of time as determined by the Illinois Department of Agriculture.
- C. When the animal confined is determined to be infected with rabies by the examining veterinarian the administrator shall order the animal humanely destroyed. A copy of this order shall be given to the owner of the animal or mailed to the last known address of the owner. Any animal capable of transmitting rabies in direct contact with the rabid animal whether or not the exposed animal has been inoculated with rabies shall be confined as recommended by the administrator. The administrator may order the exposed animal euthanized.
- D. If the animal confined is determined not to be infected with rabies at the end of the period of confinement it shall be released to the owner of such animal upon presenting proof of a current rabies inoculation certificate for cats and dogs and payment of any fee, charge or penalty including any fee for veterinary services. If the animal is not redeemed by the owner, the animal may be disposed of in accordance with Illinois State Law.
- E. Whenever a case of rabies has occurred in a locality, or whenever the proper officials of a government unit are apprehensive of the spread of rabies, the administrator shall act as directed by the rules and regulations of the Illinois Department of Agriculture.

(2005 Code)

5-7: - STRAY ANIMALS.

- A. Whenever an animal control warden observes or is informed that an animal is roaming freely and not under the control of the owner, the animal shall be immediately apprehended and impounded. Any person may apprehend a stray animal and inform the local police or the administrator so that the stray animal can be impounded.

1. All stray animals impounded shall have a record. The record shall include the owner's name, address and telephone number, if known; species or breed, color, sex and physical condition of the animal; license or tag number, if any; and time and date impounded.
2. When owners of stray animals impounded are known, notice shall be given by mail to the last known address. Stray animals shall not be held less than seven (7) business days, with the exception of feral cats which shall not be held less than three (3) days. All reclaimed dogs and cats shall be implanted with a microchip approved by the administrator prior to release. All unclaimed apprehended animals shall be placed for adoption, humanely euthanized or otherwise disposed of in accordance with the Illinois state law.
3. The stray animal owner is responsible for all costs relating to the apprehension and impoundment of the animal found not under control.
4. Owners of any dog or cat adopted from DuPage County Animal Care and Control shall have the animal examined by a veterinarian within seven (7) days of adoption and receive any necessary vaccinations and medications. The adopting owner shall not sell the animal nor use it in any way as a source of revenue. The adopting owner shall not give away or dispose of in any manner the animal within one (1) year of the date of adoption without the approval of the administrator.

(2005 Code)

5-8: - RESTRICTIONS ON CONTROLLED CATS AND DOGS.

- A. Cats and dogs shall not be permitted to enter any place where food is processed for human consumption. Guide dogs and guard dogs used in food establishments are exempt from this restriction.
- B. Cats and dogs, except guide dogs, shall not be present at or upon any school premises, public playground or public swimming pool unless official written permission has been granted by the public agency or its agent owning the property. At no time shall cats and dogs be permitted in any sand box or sand piles in which children play.

(2005 Code)

5-9: - FEMALE CATS AND DOGS IN HEAT.

All cats and dogs in heat (estrus) shall be confined in a building or secure enclosure and attended in such a manner that such female cat or dog cannot come into contact with a male of the same species except for planned breeding.

(2005 Code)

5-10: - DANGEROUS ANIMALS.

Possession of a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, bobcat, jaguarundi, any hybrid thereof, or any other similar feline animal, bear hyena, wolf coyote, wolf-dog or coyote-dog hybrid, any member of the crocodylian family, poisonous reptile, or any other life threatening reptile or any other animal which is feral naturae in the eyes of the law shall be prohibited except by any person or institution possessing state and/or federal permits enabling them to keep such animals.

(2005 Code)

5-11: - DANGEROUS DOGS.

The applicable sections of the Illinois Animal Control Act, including, but not limited to, 510 Illinois Compiled Statutes Sections 5/15.1, 5/15.2 and 5/15.3 are hereby incorporated as if set forth fully herein relative to the regulations of dangerous dogs within the County of DuPage.

(2005 Code)

5-12: - VICIOUS DOGS.

The applicable sections of the Illinois Animal Control Act, including, but not limited to, 510 Illinois Compiled Statutes Sections 5/15 and 5/26 are hereby incorporated as if set forth fully herein relative to the regulations of vicious dogs within the County of DuPage.

(2005 Code)

5-13: - VIOLATIONS; PUNISHMENTS.

- A. Any person violating any provision of this article or counterfeiting or forging any certificate, permit or tag, or resisting, obstructing or impeding any authorized officer in enforcing this chapter, or fails to pay any applicable fees listed in section 5-71 of this chapter, is guilty of a misdemeanor punishable by a fine not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00) or by imprisonment for a period not exceeding six (6) months or both such fine and imprisonment.

Each person shall be guilty of a separate offense for every day in which any violation of any of the provisions of this article is committed or permitted to continue and shall be punished as provided in this article.

- B. The administrator, state's attorney or any citizen of the County may maintain a complaint in the Circuit Court of DuPage County to enjoin all persons in the control of a dangerous dog from allowing or permitting such animal to leave his premises when not under the control of a leash or other recognized methods of physical restraint.
- C. If any owned animal injures another animal which is under control, the owner of the attacking animal is liable for the full amount of the injuries sustained.
- D. If any owned animal, without provocation, attacks or injures any person who is peacefully conducting himself in any place where he may lawfully be, the owner of such animal is liable for damages to such person for the amount of the injury sustained.

(2005 Code)

5-14: - DUTIES OF ADMINISTRATOR; COOPERATION OF SHERIFF AND POLICE.

- A. It shall be the duty of the administrator, through public education, rabies inoculation, stray control, impoundment, quarantine and other means deemed necessary to control and prevent the spread of rabies in DuPage County.
- B. The administrator and animal control wardens are for the purpose of enforcing this act, clothed with full police power.
- C. The sheriff and his deputies and municipal police officers shall cooperate with the administrator in carrying out the provisions of the Illinois Animal Control Act.

(2005 Code)

5-15: - POWERS OF MUNICIPALITIES, ETC., TO REGULATE ANIMALS.

Nothing in this article shall be held to limit, in any manner, the power of any municipality or other political subdivision to prohibit animals from running at large, nor shall anything in this article be construed to, in any manner, limit the power of any municipality or other political subdivision to further control and regulate animals in such municipality or other political subdivision, including a requirement of inoculation with rabies vaccine.

(2005 Code)

5-16: - RESPONSIBILITIES.

The administrator or police officer or anyone enforcing the provisions of this article shall not be held responsible for any accident or disease that may happen to any animal.

(2005 Code)

5-17: - SUPERVISION BY DEPARTMENT; RULES AND REGULATIONS.

The administrator may issue regulations, consistent with the provisions of this article, for their administration and enforcement and may prescribe forms which shall be used in connection therewith.

(2005 Code)

5-18: - EFFECT OF INVALID SECTION, PART OF SECTION, RULE OR REGULATION.

The sections of this article are severable, and if any section herein or any portion thereof is held to be invalid, such invalidity shall not affect any other section or portion of section herein, or any rule or regulation.

(2005 Code)

5-19: - REPEAL OF CONFLICTING ORDINANCES.

Any portion of any other ordinance or resolution of the DuPage County Board to the extent that such portion conflicts with the provisions of this article, is hereby repealed.

(2005 Code)

5-20: - EFFECTIVE DATE.

This article shall be in full force and effect upon its passage.

(2005 Code)

5-21 through 5-30: - RESERVED.

ARTICLE II. - ADMINISTRATIVE REGULATIONS

5-31: - ANIMAL BITE REPORT PROCEDURES.

- A. **ANIMAL BITE REPORT FORM:** In all municipalities the animal bite report of the DuPage County Department of Animal Rabies Control shall be the official form used within DuPage County for the recording of information when an animal capable of transmitting rabies bites a person. All municipalities are encouraged to use the DuPage County animal bite form.
- B. **ANIMAL BITE INVESTIGATION RESPONSIBILITIES:** All police officers are sworn to uphold all federal, state and local laws. Municipal police or other municipal officers with the delegated authority or the sheriff's police in unincorporated DuPage County shall investigate and complete each animal bite report. All police departments and the sheriff's police shall accept bite reports from medical authorities, bite victims and their families, animal owners and any other person having knowledge of a bite.
- C. **DEPARTMENT NOTIFICATION OF ANIMAL BITE; TIME LIMIT:** The animal bite report form shall be mailed or telephoned to the DuPage County Animal Care and Control within twenty-four (24) hours after the receipt of an animal bite report.

(2005 Code)

5-32: - BITING ANIMAL EXAM FORM; PROCEDURES FOR VETERINARIANS.

- A. **LEGAL GUIDELINES FOR IMPOUNDMENT:** A municipality may pass an ordinance effective within its jurisdiction more strict than the County ordinance.
- B. **FIRST VETERINARY EXAMINATION; TEN OR MORE DAYS AFTER A BITE:** Veterinarians performing the first examination of an animal that has bitten a person shall complete the DuPage County Rabies Observation Confinement Notice Form. However, if the veterinarian has proof (police animal bite report) that the first examination is taking place ten (10) or more days after the bite, the veterinarian shall at that time also complete the DuPage County Rabies Observation Confinement Release Form. All dogs and cats, owned by a resident of DuPage County, shall be implanted with a microchip approved by the administrator. The microchip number shall be sent with the DuPage County Rabies observation Notice to Terminate Employment Form. Both forms shall be mailed to the DuPage County Animal Care and Control within twenty-four (24) hours of the examination.
- C. **FIFTH DAY EXAMINATION:** Veterinarians shall indicate on the DuPage County Rabies Observation Confinement Release Form if the biting animal owner did not return his not currently inoculated animal for examination on the day as directed in the rabies observation home confinement agreement.
- D. **FINAL VETERINARY EXAMINATION; FAILURE TO RETURN:** Ten (10) days after the bite, if known, or ten (10) days after the first examination the veterinarian shall complete the DuPage County Rabies Observation Confinement Release Form. If an owner of a biting animal fails to return on the final day of the rabies observation period the veterinarian shall return the signed form with the notation "Failed to Return" placed thereon. This form shall be mailed to the DuPage County Animal Care and Control within twenty-four (24) hours of the release date.

(2005 Code)

5-33: - SPECIAL PROCEDURES FOR GROUPS OF UNUSUAL BITING ANIMALS.

- A. **FAMILY BITES; FAMILY DEFINED:** Owners of animals capable of transmitting rabies that have bitten members of the immediate family are encouraged to submit the biting animal for veterinary examination. Immediate family is defined as mother, father, children, husband or wife residing at the same address. The biting animal shall be confined so as not to expose people or other animals.

- B. **CAGED ANIMALS:** Owners of caged rabbits, guinea pigs, hamsters, gerbils, rats and mice that have been owned c (30) days shall not be required to obtain a veterinary examination when their caged animal has bitten a person, t report the health of the biting animal by telephone or in person to the DuPage County Animal Care and Control c and tenth day following the bite.
- C. **GUARD DOGS:** Owners of guard dogs that have bitten a person in performance of guard duty and have been officially registered shall not be required to obtain a veterinary examination of the dog, but shall report the health of the biting animal by telephone or in person to the DuPage County Animal Care and Control on the first and tenth days following the bite.
- D. **LARGE ANIMALS:** Cattle, sheep, swine and horses that have bitten a person shall be confined to the owner's property and examined by a veterinarian on the first and tenth days after a bite.
- E. **STRAY ANIMALS:** Stray animals that have bitten a person shall be apprehended and held for ten (10) days or less. When the biting stray animal is not held for ten (10) days, it shall be humanely euthanized unless otherwise directed by the administrator.
- F. **DEATH BEFORE CONFINEMENT PERIOD EXPIRES:** An animal that has bitten a person and dies, is accidentally killed or is humanely euthanized before the tenth day following the bite shall have the head removed and sent to the local public health laboratory for rabies virus analysis (FRA test).

(2005 Code)

5-34: - GUARD DOG REGISTRATION CERTIFICATES.

- A. **ELIGIBILITY; APPLICATION FORM:** Owners of dogs used in commercial business for the purpose of patrol and protection may send a request to the DuPage County Animal Care and Control for an application form for a "guard dog registration certificate". To be eligible, guard dogs must be inoculated with rabies vaccine that is effective through December 1 of the year for which the application is made, and be implanted with a microchip approved by the administrator.
- B. **REGISTRATION FEE; EXCEPTIONS:** Guard dog registration certificates will be mailed upon the receipt of a properly completed form.
- C. **EXPIRATION DATE:** Registration certificates shall expire on December 31 of each year.

(2005 Code)

5-35: - RABIES VACCINATION CERTIFICATES.

- A. **FILING OF CERTIFICATES; DATE DUE:** Veterinarians shall send to the DuPage County Animal Care and Control certificates of animals inoculated with rabies vaccine by the tenth of each month following the month of inoculation.
- B. **VACCINATION CERTIFICATE FILE IN THE ANIMAL HOSPITAL:** Veterinarians shall maintain their own rabies vaccination file at least as long as the legal effectiveness of the vaccine used.

(2005 Code)

5-36: - SUBMISSION OF SPECIMENS FOR RABIES VIRUS ANALYSIS.

- A. **SPECIMEN TO BE SUBMITTED:** Only the head of animals that are capable of transmitting rabies and that have bitten a person, shall be submitted for rabies virus analysis except those in which the suspect animal weighs approximately five hundred (500) grams or one (1) pound (bats, mice, gerbils, hamsters, etc.). In the latter case the entire animal shall be submitted.

- B. **TIME LIMIT FOR SUBMISSION:** Specimens shall be submitted within twenty-four (24) hours of the bite whenever within twenty-four (24) hours of the receipt of the specimen.
- C. **REFRIGERATION:** All specimens shall be refrigerated (not frozen) until received by the public health laboratory.
- D. **PACKAGING:** Specimens shall be shipped or sent by messenger only in leakproof (double wrapped in plastic) containers accompanied by the information card indicating the species and number of specimens submitted, name, address and telephone number of the bite victim and the name, address and telephone number of the person submitting the specimen.

(2005 Code)

5-37: - REDEMPTION OF APPREHENDED ANIMALS.

- A. **DURATION OF IMPOUNDMENT:** Animals apprehended by the DuPage County Animal Care and Control shall be held seven (7) days.
- B. **REDEMPTION OF IMPOUNDED ANIMALS; CONDITIONS:** Owners of apprehended animals prior to release of the animal shall present proof of current rabies inoculation for cats and dogs and be implanted with a microchip, approved by the administrator, at the time of redemption. Such owners shall pay the following redemption fee:
 - 1. A specified fee to cover the pick up service and the requirement under the Illinois Animal Control Act.
 - 2. Boarding fees for each day or part of day that the animal is held.
 - 3. Rabies inoculation fee for cats and dogs if no proof of current rabies inoculation is presented.
 - 4. Distemper inoculation fee for cats and dogs.

(2005 Code)

5-38 through 5-50: - RESERVED.

ARTICLE III. - ANIMAL BITES

5-51: - GUIDELINES FOR OWNERS OF BITING ANIMALS.

- A. **LAW ENFORCEMENT; LEGAL REQUIREMENTS:** The DuPage County Animal Care and Control is the organization that is given the authority to enforce the laws relating to biting animals. The basis for these laws is protection of the health of the bite victim through the control of rabies. The health of the biting animal is determined by an examination and through the observation of the biting animal by a veterinarian for ten (10) days following the bite.

A more direct and effective method of determining rabies in the biting animal is through the examination of the brain of the killed animal. This method is less than pleasing to most animal owners.

- B. **REPORT EACH BITE:** Owners of biting animals, regardless of the reason for the bite, must recognize that all bites must be reported to protect the bite victim's health. All confirmed cases of rabies in man, with one (1) exception, have been fatal. All bite report forms are forwarded to the DuPage County Animal Care and Control. When the department receives an animal bite report form without the additional veterinary health evaluation of the biting animal, the biting animal owner is contacted by telephone or by mail and informed of this requirement.

- C. **EXCEPTIONS:** Owners of biting caged rabbits, hamsters, guinea pigs, gerbils, rats and mice (if ownership can be e over thirty (30) days' duration) and biting registered guard dogs are only required to call the DuPage County Anirn and Control on the first and tenth day after the bite and report the health of the biting animal.
- D. **DEATH OF BITING ANIMAL:** Whenever a biting animal dies within ten (10) days of the bite, the head of the animal must be submitted to the local public health laboratory for rabies virus analysis. If the death of a biting animal other than a dog or a cat occurs for any unspecified reason within thirty (30) days of a bite, it is advisable for the animal owner to submit the animal head for laboratory evaluation.
- E. **COURT APPEARANCES:** Owners of biting animals shall be required to appear in court for violation of the law whenever any of the following occur:
 - 1. If the biting animal is not currently vaccinated against rabies.
 - 2. If the biting animal is allowed to bite a person when under the ten (10) day home confinement.
 - 3. If the biting animal is not submitted for the required veterinary examination after the bite.

(2005 Code)

5-52: - GUIDELINES FOR BITE VICTIMS.

- A. **HOME CARE OF BITE WOUNDS; MEDICAL ADVICE:** Awareness of the importance of the care of animal bite wounds will help prevent infection and rabies and relieve much of the anxiety about animal bites. It is essential that all bite wounds receive immediate attention. An immediate thorough flushing of the wound with water while allowing the wound to bleed freely, followed by a scrubbing with soap or a good disinfectant agent will minimize serious side effects of a bite. Following the first aid treatment of the animal caused wound, medical advice should then be sought to determine the most effective final treatment.
- B. **REPORT ALL BITES TO LOCAL POLICE; CAPTURE OF THE BITING ANIMAL; SCRATCHES:** All bites (breaks in the skin) should be reported to the local police, but those bites caused by at large (stray) animals and high risk kinds (species) of wild animals, such as the skunk and bat, should be immediately reported to the local police while it is possible to capture the biting animal. Because of the risk involved, the at large (stray) or wild animal should be continually observed until it is captured by the local police or authorized officer. When a break in the skin is caused by an animal's nails or claws (scratch) without contamination by the animal's saliva, the police or other officer should be informed of this fact.
- C. **REDUCE THREAT OF RABIES:** The threat of rabies to the life of the bite victim also will be minimized if the biting animal is captured and placed under observation of a veterinarian. The bite victim must recognize that the medical decision to administer antirabies injections (shots) is based mainly on these facts:
 - 1. Capture and clinical evaluation of the health status of the biting animal by a veterinarian.
 - 2. Kind (species) of biting animal.
 - 3. Circumstances surrounding the biting incident.
 - a. Was the bite provoked?
 - b. Was the wound caused by the animal's nails or claws without contamination by the animal's saliva?

In addition the bite victim must understand that any break in the skin caused by an animal should not be regarded lightly. Death, except in one (1) instance, is the result of clinical rabies in persons.

(2005 Code)

5-53: - GUIDELINES FOR MEDICAL DOCTORS AND ASSOCIATED MEDICAL PERSONNEL.

- A. **REQUIREMENT TO REPORT ANIMAL BITES; CONTENTS OF ANIMAL BITE REPORT FORM:** All medical personnel are required under the DuPage County Animal Care and Control Ordinance to report all animal bites. Within DuPage County if a bite incident is reported to the police or other authorized personnel in the area in which the biting animal owner or the biting animal was a stray or wild animal, the bite report should be given to the police or other authorized personnel in the area in which the bite occurred. The animal bite report form requires this information:
1. Name, address and telephone number of the animal owner;
 2. Name, address and telephone number of the bite victim;
 3. Address when the bite happened;
 4. Type, breed, sex and color of the biting animal;
 5. Rabies vaccination status of the biting animal (DuPage County Rabies Vaccination Tag Number is necessary);
 6. Community animal license number (not a DuPage County Requirement);
 7. The name of the veterinarian who examined or will examine the biting animal;
 8. Date the bite occurred;
 9. Notation if a ticket was issued for any violation.
- B. **RATIONALE OF TREATMENT FOR BITTEN PERSONS (AS ADAPTED FROM THE U.S. PUBLIC HEALTH SERVICE):** Every exposure to possible rabies infection must be individually evaluated. Over five thousand (5,000) animal bites are reported each year in DuPage County. The following factors should be considered before antirabies treatment is initiated:
1. **Species of Biting Animal:** Carnivorous animals (within DuPage County - skunks, stray dogs and stray cats) and bats are more likely than other animals to be infected with rabies. Bites of rabbits, squirrels, hamsters, guinea pigs, gerbils, chipmunks, rats, mice or other rodents have never resulted in human rabies in the United States and almost never call for antirabies prophylaxis.
 2. **Circumstances of the Biting Incident:** An unprovoked attack is more likely to mean the animal is rabid. Bites inflicted on a person attempting to feed or handle an apparently healthy animal should generally be regarded as provoked.
 3. **Type of Exposure:** Rabies is commonly transmitted by the inoculation of infectious saliva through the skin. The possibility that rabies infection will result from exposure to a rabid animal varies with the nature and extent of exposure. Two (2) categories of exposures should be considered:
 - a. Bite, any penetration of the skin; and
 - b. Nonbite; scratches, abrasions, open wounds or mucous membranes contaminated with saliva.
 4. **Vaccination Status of the Biting Animal:** A properly immunized animal has only a small chance of developing rabies and transmitting the virus.
 5. **Presence of Rabies in the Area:** DuPage County is endemic for skunk and bat rabies. In most years cases are reported only in these species. However, within the County of DuPage only an occasional bat has been reported rabid. No human has died of rabies that was contracted within DuPage County.
- C. **MANAGEMENT OF BITING ANIMAL:** The DuPage County Department Animal Care and Control is the department that administers the DuPage County Animal Care and Control Ordinance. Each animal, except as noted below, that bites a person must be examined within twenty-four (24) hours of the bite and placed under observation of a veterinarian for ten (10) days. Owners of laboratory type animal pets (rabbits, guinea pigs, hamsters, gerbils, rats and mice) owned over thirty (30) days and registered guard dogs are required to call the DuPage County Animal Care and Control on the first and tenth day following a bite. Strays or unwanted cats or

dogs may be killed immediately and their heads submitted for rabies examination by fluorescent microscopy. Signs of rabies in wild animals cannot be interpreted reliably; therefore, any wild animal that bites or scratches a person shall be killed at once (without unnecessary damage to the head) and the brain examined for evidence of rabies.

- D. **RABIES CASE PROCEDURE:** Whenever a biting animal develops signs suggestive of rabies, the animal will be killed and the head removed and taken to the Illinois Public Health Laboratory or the Chicago Public Health Laboratory. In all cases positive for rabies the medical personnel or health facility reporting the bite will immediately be notified through a telephone call from the administrator.
- E. **POST EXPOSURE PROPHYLAXIS:** The latest recommendations for post exposure prophylaxis published by the United States public health service advisory committee on immunization practices is found in the "Morbidity And Mortality Weekly Report" of the U.S. Department of Health, Education and Welfare. The report is dated 31 December 1976, volume 25, number 51. If questions persist after reviewing these recommendations, consultation can be sought at the DuPage County Health Department.
- F. **LOCAL TREATMENT OF WOUNDS:** Immediate and thorough local treatment of all bite wounds and scratches is perhaps the most effective rabies preventive. The wound should be thoroughly cleansed with soap and water. When the wound treatment is under the direction of a physician, tetanus prophylaxis and control of bacterial infection should be given as indicated. Experimentally, the incidence of rabies in animals can be markedly reduced with local therapy alone.

(2005 Code)

5-54: - GUIDELINES FOR POLICE PERSONNEL.

- A. **METHOD OF ENFORCEMENT:** All police officers are sworn to uphold all federal, state and local laws. Within DuPage County the local police are usually designated to investigate each animal bite. In some communities special officers are assigned this duty.
- B. **PURPOSE OF ANIMAL BITE REPORTS:** The purpose of the animal bite investigation is to determine if a bitten person has been exposed to rabies. The question of rabies exposure can best and most quickly be determined by killing the biting animal, removing the head and submitting it to an approved public health laboratory for rabies virus analysis. Killing of all biting animals, particularly domestic pets, is not generally acceptable. Therefore, the biting animal that is not killed and checked at the laboratory must be examined by a veterinarian within twenty-four (24) hours of the bite.
- C. **ANIMAL BITE PROCEDURE:**
 - 1. Assist the bite victim to a medical facility or advise the victim to seek medical advice.
 - 2. Inform the owners of biting animals that the animal must be examined by a veterinarian within twenty-four (24) hours of the bite.
 - 3. Capture or keep under continuous surveillance all wild animals and all other biting animals that are at large (stray).
 - 4. Complete and mail within twenty-four (24) hours an animal bite report form to the DuPage Health Department and to the DuPage County Animal Care and Control.
- D. **CONTENTS OF AN ANIMAL BITE REPORT FORM:** Information required to complete the animal bite report form is as follows:
 - 1. Name, address and telephone number of the animal owner;
 - 2. Name, address and telephone number of the bite victim;

3. Address when the bite happened;
 4. Type, breed, sex and color of the biting animal;
 5. Rabies vaccination status of the biting animal (DuPage County Rabies Vaccination Tag Number is necessary);
 6. Community animal license number (not a DuPage County requirement);
 7. The name of the veterinarian who examined or will examine the biting animal;
 8. Date the bite occurred;
 9. Notation if a ticket was issued for any violation.
- E. **FACTS ABOUT ANIMAL BITES AND RABIES:** All animal bites involving a person should be reported, but this breakdown into high risk bites and low risk bites is intended to aid the police officer in determining the need for animal capture and the urgency for rabies treatment of a bitten person.
1. **High Risk Bites:** (Victims commonly receive shots.)
 - a. Stray (at large) animals where ownership is not known.
 - b. Wild animals. Within DuPage County the bat and the skunk are the species most often involved.
 - c. Sick animals not under the care of a veterinarian.
 - d. Any pet animal that attacks a person for no known reason (unprovoked bite).
 2. **Low Risk Bites:** (Victims rarely receive shots.)
 - a. Pet animals that bite as a result of an action of a person (provoked bite.)
 - b. Bites inflicted by rabbits, squirrels, guinea pigs, hamsters, gerbils, chipmunks, rats, mice and other rodents. Within the United States human rabies has never resulted from a bite from these animals.
 - c. Bites that in fact are wounds caused by the animal's claws or nails (scratches) without contamination by the animal's saliva.

(2005 Code)

5-55: - GUIDELINES FOR VETERINARIANS.

- A. **VET EXAM REQUIRED; EXCEPTIONS:** All biting animals except those listed below must receive a veterinary examination within twenty-four (24) hours of a bite. Guard dogs registered with DuPage County Animal Care and Control and laboratory type pet animals (rabbits, hamsters, guinea pigs, gerbils, rats and mice) owned over thirty (30) days are exempt from veterinary examination, but their owners must contact the department within twenty-four (24) hours after the bite.
- B. **PROCEDURE FOR RABIES OBSERVATION HOME CONFINEMENT AGREEMENT; SPECIAL PROCEDURES:**
 1. Instruct the animal owner to read the "rabies observation home confinement agreement".
 2. Complete the forms.
 3. Have owners sign the "rabies observation confinement notice".
 4. Mail the rabies observation confinement notice within twenty-four (24) hours after the time of the examination.
 5. Mail the "rabies observation release notice" within twenty-four (24) hours of the date listed as the tenth day on the "rabies observation confinement agreement".
 6. Details regarding special procedures are incorporated in sections 5-32 and 5-33 of the DuPage County Animal Care and Control Ordinance.

- C. **RABIES IN ANIMALS:** Rabies in animals is sporadic and found mainly in bats. Whenever wild animals lose their na of people in the wild state and are involved in an animal or person bite, rabies should be considered a possibility symptoms of rabies in wild animals are varied so that there is not one (1) reliable symptom to assist in the diagnc biting wild animals should be killed, the head removed and sent to the public health laboratory for rabies virus at

Symptoms of rabies in dogs and cats are more reliable and include the following: incoordination, lethargy, dilated pupils, futile attempts to eat and drink, excessive salivation with froth accumulation about the mouth, change in voice, change in disposition, restlessness, progressive aggression, paralysis and death. When rabies transmission is possible because of a bite, in most cases, the cat or dog is showing symptoms one (1) or two (2) days after the bite and is dead by the fifth day.

(2005 Code)

5-56 through 5-70: - RESERVED.

ARTICLE IV. - FEES

5-71: - FEES.

The following fees and charges for services of animal care and control shall apply:

GENERAL SERVICES:

1. Registration:

- 1-Year Registration tag per altered canine or feline \$15.00
- 1-Year Registration tag per unaltered canine or feline 40.00
- 3-Year Registration tag per altered canine or feline 40.00
- 3-Year Registration tag per unaltered canine or feline 90.00
- State of Illinois Anna's Law Differential for intact animals (already included in above) 10.00
- Registration tag, new resident with current out of county 6.00
- Replacement tag 5.00
- Registration tag for senior citizen (65 and over, one per year) 1.00

2. Impoundment:

- Impoundment penalty per animal with identification 75.00
- Impoundment penalty per animal without identification 100.00
- Impoundment out of county fee with or without identification 125.00
- Subsequent occurrence impoundment fee - within one year 100.00
- Board for each impounded canine or feline per day 15.00
- Board for each impounded other animal per day 15.00
- Pick up per animal during hours 75.00

- Pick up per animal after hours 100.00
- Vaccination for distemper per animal 15.00
- Vaccination for kennel cough complex per animal 15.00
- Vaccination for rabies per animal 15.00
- Other miscellaneous vaccination per dosage 15.00
- Microchip implant for impounded animal 10.00
- Microchip registration fee for impounded animal 10.00
- Reclaim per feral/un-socialized feline Fee waived
- Public health euthanasia & biohazard disposal fee per animal (under 30 lbs.) 150.00
- Public health euthanasia & biohazard disposal fee per animal (over 30 lbs.) 200.00
- 3. Euthanasia (no longer provide this service):
 - Euthanasia per dog, cat or other animal (under 30 lbs.) n/a
 - Euthanasia per dog, cat or other animal (over 30 lbs.) n/a
 - Euthanasia per animal, non-resident of County n/a
 - Euthanasia for small animals (rabbits, guinea pigs, hamsters, etc.) n/a
- 4. Adoption:
 - Adoption per feline <6 months of age 100.00*
 - Adoption per feline 6 months to 10 years of age 50.00*
 - Adoption per feline >10 years of age or older 1.00*
 - Adoption for two felines <6 months of age adopted together 150.00*
 - Adoption per canine <6 months of age 200.00*
 - Adoption per canine 6 months to 6 years of age 100.00*
 - Adoption per canine >6 years of age or older 50.00*
 - Vaccination adoption animals See *
 - Microchip implant for non-impounded adoption animal See *
 - Adoption per small animal (no vaccination or microchip required; fee excludes ferrets, rabbits, exotic birds, reptiles) 5.00
 - Adoption per ferret, exotic bird, reptile 25.00
 - Adoption per rabbit 40.00
 - Adoption any feline >10 years or canine >6 years for senior citizen (65 and over, 1 per year) 1.00

Adoption per feral/un-socialized feline Fee Waived

Adoption per any animal classified as hospice only Fee Waived

Microchip registration fee (dogs & cats, add to above adoption fees incl'd 65+) 10.00

5. Relinquishment:

Surrender fee per altered canine or feline - county resident 25.00

Surrender fee per unaltered canine or feline - county resident 35.00

Surrender fee per altered canine, altered feline or any other animal - non-county resident 50.00

Surrender fee per altered canine, unaltered feline - non-county resident 60.00

Surrender fee per rabbits, ferrets, exotic birds, reptiles 10.00

Surrender fee all other small animals 5.00

Surrender fee per canine or feline under eight weeks 5.00

6. Microchipping (misc.):

Microchip implant for non-impounded animal for the general public 10.00

Microchip registration fee for non-impounded animal for the general public 10.00

7. Rabies observation:

Rabies observation per animal, per exam 25.00

Rabies observation per canine (reclaimed animal - resident) 250.00

Rabies observation per canine (reclaimed animal - non-resident) 300.00

Rabies observation per feline (reclaimed animal - resident) 235.00

Rabies observation per feline (reclaimed animal - non-resident) 285.00

Rabies observation under 30 lbs. (surrendered animal) 150.00

Rabies observation over 30 lbs. (surrendered animal) 175.00

8. Penalty:

General violation penalty 175.00

*Adoption payment may include any applicable microchip implant fee, vaccination fee(s), and/or rabies registration fee.

MUNICIPALITIES AND VETERINARY SERVICES

9. ACO assists:

Pick-up per animal 75.00

Pick-up charge for group of small animals contained in single housing structure (excluding ferrets, rabbits, exotic birds, and reptiles) 75.00

Police department assist of 1 Animal Control Officer during business hours for up to 2 hours (M through F between 8:00 a.m. and 4:30 p.m.) 100.00

Additional Animal Control Officer during business hours for up to 2 hours (M through F between 8:00 a.m. and 4:30 p.m.) 25.00

Hourly rate for police department assist during business hours over 2 hours (per ACO/per hour, M through F between 8:00 a.m. and 4:30 p.m.) 25.00

Police department assist of 1 Animal Control Officer after hours for up to 2 hours (weekends, holidays and outside hours referenced above) 200.00

Additional Animal Control Officer after business hours for up to 2 hours (per ACO/per hour, weekends, holidays and outside hours referenced above) 50.00

Hourly rate for police department assist after business hours over 2 hours (per ACO/per hour, weekends, holidays and outside hours referenced above) 50.00

Tranquilized animal (non-euthanasia) 50.00

Cancelled calls during hours (once ACO is in the van, en route to call) 50.00

Cancelled calls after hours (once ACO is in the van, en route to call) 100.00

10. Stray holding:

Boarding per animal, per day 15.00

Vaccination for distemper per dog or cat 15.00

Vaccination for kennel cough complex per dog 15.00

Vaccination for rabies 15.00

Other miscellaneous vaccinations per dosage 15.00

Euthanasia per canine, feline, or other animal under 30 lbs. 75.00

Euthanasia per canine, feline, or other animal over 30 lbs. 100.00

11. Rabies observation and specimen:

Processing of any animal requiring rabies testing (already prepped) 125.00

Processing of any animal requiring rabies testing (requiring specimen and prep) 200.00

Specimen pick-up (charged in addition to processing fee) 50.00

Rabies observation (includes euthanasia fee) under 30 lbs. 225.00

Rabies observation (includes euthanasia fee) over 30 lbs. 250.00

12. Deceased on arrival:

Drop off D.O.A. canine, feline or other small animal 25.00

Drop off D.O.A. deer or similar large animal 75.00

13. Vet Services for Licensed Rescue and Animal Welfare Agencies:

Feral feline spay or neuter (in DuPage County) 30.00*

Feral feline spay or neuter (out of County) 60.00*

Friendly feline spay or neuter 30.00*

Canine spay (based on weight) 60.00 to 85.00*

Canine neuter (based on weight) 45.00 to 60.00*

Dental minor 50.00

Dental major 100.00

Pain medications/anti-inflammatory 30.00

Antibiotic (Convenia) 15.00

Microchip implant and optional registration 10.00

FIV/FELV snap 20.00

Vaccination FVRCP 10.00

Vaccination rabies 15.00

Euthanasia & mass cremation (under 30 lbs.) 25.00

Euthanasia & mass cremation (over 30 lbs.) 50.00

* Procedures include eartipping (ferals only), dewormer, revolution, cleaning of ears and wounds.

14. Authority to reduce or waive fees: The Administrator, or his or her designee, shall have the power to temporarily reduce or waive a fee located in this section, including, but not limited to the following reasons:

- (a) An adoption program sponsored by the Animal Services Department, promoted to the public, intended to adopt as many animals that are currently the property of the County of DuPage within a predetermined specific period of time (example: "Clear the Shelter" event);
- (b) A microchip program sponsored by the Animal Services Department, promoted to the public, intended to microchip many animals owned by the public within a predetermined specific period of time;
- (c) A vaccine program sponsored by the Animal Services Department, promoted to the public, intended to vaccinate many animals owned by the public within a predetermined specific period of time;
- (d) Other veterinary wellness initiatives sponsored by the Animal Services Department and promoted to the public at large.

Such temporary reduction or waiver shall be reported to Committee Meetings of the County Board.

This section does not permit a temporary reduction or waiver on a case by case basis.

Information maintained by the Legislative Reference Bureau

Updating the database of the Illinois Compiled Statutes (ILCS) is an ongoing process. Recent laws may not yet be included in the ILCS database, but they are found on this site as Public Acts soon after they become law. For information concerning the relationship between statutes and Public Acts, refer to the Guide.

Because the statute database is maintained primarily for legislative drafting purposes, statutory changes are sometimes included in the statute database before they take effect. If the source note at the end of a Section of the statutes includes a Public Act that has not yet taken effect, the version of the law that is currently in effect may have already been removed from the database and you should refer to that Public Act to see the changes made to the current law.

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(510 ILCS 5/1) (from Ch. 8, par. 351)

Sec. 1. This Act shall be known and may be cited as the Animal Control Act.

(Source: P.A. 78-795.)

(510 ILCS 5/2) (from Ch. 8, par. 352)

Sec. 2. As used in this Act, unless the context otherwise requires, the terms specified in the Sections following this Section and preceding Section 3 have the meanings ascribed to them in those Sections.

(Source: P.A. 98-756, eff. 7-16-14.)

(510 ILCS 5/2.01) (from Ch. 8, par. 352.01)

Sec. 2.01. Administrator. "Administrator" means a veterinarian licensed by the State of Illinois and appointed pursuant to this Act, or 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 Deputy Administrator regarding all medical decisions.

(Source: P.A. 101-295, eff. 8-9-19.)

(510 ILCS 5/2.02) (from Ch. 8, par. 352.02)

Sec. 2.02. "Animal" means every living creature, other than man, which may be affected by rabies.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.03) (from Ch. 8, par. 352.03)

Sec. 2.03. "Animal Control Warden" means any person appointed by the Administrator to perform the duties set forth in this Act.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.03a)

Sec. 2.03a. "Business day" means any day including holidays that the animal control facility is open to the public for animal reclaims.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.04) (from Ch. 8, par. 352.04)

Sec. 2.04. "Board" means the county board in each county, as defined by Section 5-1004 of the Counties Code.

(Source: P.A. 86-1475.)

(510 ILCS 5/2.04a)

Sec. 2.04a. "Cat" means *Felis catus*.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/2.05) (from Ch. 8, par. 352.05)

Sec. 2.05. "Confined" means restriction of an animal at all

times by the owner, or his agent, to an escape-proof building, house, or other enclosure away from other animals and the public.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.05a)

Sec. 2.05a. "Dangerous dog" means (i) any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or (ii) a dog that, without justification, bites a person and does not cause serious physical injury.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/2.06) (from Ch. 8, par. 352.06)

Sec. 2.06. "Department" means the Department of Agriculture of the State of Illinois.

(Source: P.A. 78-795.)

(510 ILCS 5/2.07) (from Ch. 8, par. 352.07)

Sec. 2.07. Deputy Administrator. "Deputy Administrator" means a veterinarian licensed by the State of Illinois, appointed by the Administrator or the County Board.

(Source: P.A. 101-295, eff. 8-9-19.)

(510 ILCS 5/2.08) (from Ch. 8, par. 352.08)

Sec. 2.08. "Director" means the Director of the Department of Agriculture of the State of Illinois, or his duly appointed representative.

(Source: P.A. 78-795.)

(510 ILCS 5/2.09) (from Ch. 8, par. 352.09)

Sec. 2.09. "District" means a geographic area consisting of 2 or more counties in their entirety.

(Source: P.A. 78-795.)

(510 ILCS 5/2.10) (from Ch. 8, par. 352.10)

Sec. 2.10. "District Board" means the governing body created to act as a single unit to effectuate this Act in a District and shall consist of 3 members of the Board of each county involved.

(Source: P.A. 78-795.)

(510 ILCS 5/2.11) (from Ch. 8, par. 352.11)

Sec. 2.11. "Dog" means all members of the family Canidae.

(Source: P.A. 78-795.)

(510 ILCS 5/2.11a)

Sec. 2.11a. "Enclosure" means a fence or structure of at least 6 feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious dog within the enclosure. The enclosure shall be securely enclosed and locked and designed with secure sides, top, and bottom and shall be designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, it cannot have direct ingress from or egress to the outdoors unless it leads directly to an enclosed pen and the door must be locked. A vicious dog may be allowed to move about freely within the entire residence if it is muzzled at all

times.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/2.11b)

Sec. 2.11b. "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.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/2.11c)

Sec. 2.11c. Intact animal. "Intact animal" means an animal that has not been spayed or neutered.

(Source: P.A. 94-639, eff. 8-22-05.)

(510 ILCS 5/2.12) (from Ch. 8, par. 352.12)

Sec. 2.12. "Has been bitten" means has been seized with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced, and further includes contact of saliva with any break or abrasion of the skin.

(Source: P.A. 78-795.)

(510 ILCS 5/2.12a)

Sec. 2.12a. "Impounded" means taken into the custody of the public animal control facility in the city, town, or county where the animal is found.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.13) (from Ch. 8, par. 352.13)

Sec. 2.13. "Inoculation against rabies" means the injection of an antirabies vaccine approved by the Department.

(Source: P.A. 78-795.)

(510 ILCS 5/2.14) (from Ch. 8, par. 352.14)

Sec. 2.14. "Leash" means a cord, rope, strap, or chain which shall be securely fastened to the collar or harness of a dog or other animal and shall be of sufficient strength to keep such dog or other animal under control.

(Source: P.A. 78-795.)

(510 ILCS 5/2.15) (from Ch. 8, par. 352.15)

Sec. 2.15. "Licensed veterinarian" means a veterinarian licensed by the State in which he engages in the practice of veterinary medicine.

(Source: P.A. 78-795.)

(510 ILCS 5/2.16) (from Ch. 8, par. 352.16)

Sec. 2.16. Owner. "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 to remain on any premises occupied by him or her. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, vaccinate for rabies, and return program.

(Source: P.A. 101-295, eff. 8-9-19.)

(510 ILCS 5/2.17) (from Ch. 8, par. 352.17)

Sec. 2.17. "Person" means any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the State of Illinois, municipal corporation or political subdivision of the State, or any other business unit.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.17a)

Sec. 2.17a. "Peace officer" has the meaning ascribed to it in Section 2-13 of the Criminal Code of 2012.
(Source: P.A. 97-1150, eff. 1-25-13.)

(510 ILCS 5/2.17b)

Sec. 2.17b. "Police animal" means an animal owned or used by a law enforcement department or agency in the course of the department or agency's work.
(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.17c)

Sec. 2.17c. "Potentially dangerous dog" means a dog that is unsupervised and found running at large with 3 or more other dogs.
(Source: P.A. 95-550, eff. 6-1-08.)

(510 ILCS 5/2.18) (from Ch. 8, par. 352.18)

Sec. 2.18. "Pound" or "animal control facility" may be used interchangeably and mean any facility approved by the Administrator for the purpose of enforcing this Act and used as a shelter for seized, stray, homeless, abandoned, or unwanted dogs or other animals.
(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.18a)

Sec. 2.18a. "Physical injury" means the impairment of physical condition.
(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/2.18b)

Sec. 2.18b. Reckless dog owner. "Reckless dog owner" means a person who owns a dog that while anywhere other than upon the property of the owner, and without justification, kills another dog that results in that dog being deemed a dangerous dog under Section 15.1 of this Act and who knowingly allows the dog to violate Section 9 of this Act on 2 occasions within 12 months of the incident for which the dog was deemed dangerous or is involved in another incident that results in the dog being deemed dangerous on a second occasion within 24 months of the original dangerous determination.
(Source: P.A. 100-971, eff. 1-1-19.)

(510 ILCS 5/2.19) (from Ch. 8, par. 352.19)

Sec. 2.19. "Registration certificate" means a printed form prescribed by the Department for the purpose of recording pertinent information as required by the Department under this Act.
(Source: P.A. 78-795.)

(510 ILCS 5/2.19-3)

Sec. 2.19-3. Return. "Return" in return to field or trap, neuter, return program means to return the cat to field after it has been sterilized and vaccinated for rabies.
(Source: P.A. 101-295, eff. 8-9-19.)

(510 ILCS 5/2.19a)

Sec. 2.19a. "Serious physical injury" means a physical injury that creates a substantial risk of death or that causes death, serious disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.
(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

(510 ILCS 5/2.19b)

Sec. 2.19b. "Vicious dog" means a dog that, without justification, attacks a person and causes serious physical injury or death or any individual dog that has been found to be a "dangerous dog" upon 3 separate occasions.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/3) (from Ch. 8, par. 353)

Sec. 3. The County Board Chairman with the consent of the County Board shall appoint an Administrator. Appointments shall be made as necessary to keep this position filled at all times. The Administrator may appoint as many Deputy Administrators and Animal Control Wardens to aid him or her as authorized by the Board. The compensation for the Administrator, Deputy Administrators, and Animal Control Wardens shall be fixed by the Board. The Administrator may be removed from office by the County Board Chairman, with the consent of the County Board.

The Board shall provide necessary personnel, training, equipment, supplies, and facilities, and shall operate pounds or contract for their operation as necessary to effectuate the program. The Board may enter into contracts or agreements with persons to assist in the operation of the program and may establish a county animal population control program.

The Board shall be empowered to utilize monies from their General Corporate Fund to effectuate the intent of this Act.

The Board is authorized by ordinance to require the registration and may require microchipping of dogs and cats. The Board shall impose an individual dog or cat registration fee with a minimum differential of \$10 for intact dogs or cats. Ten dollars of the differential shall be placed in a county animal population control fund. All persons selling dogs or cats or keeping registries of dogs or cats shall cooperate and provide information to the Administrator as required by Board ordinance, including sales, number of litters, and ownership of dogs and cats. If microchips are required, the microchip number may serve as the county animal control registration number.

In obtaining information required to implement this Act, the Department shall have power to subpoena and bring before it any person in this State and to take testimony either orally or by deposition, or both, with the same fees and mileage and in the same manner as prescribed by law for civil cases in courts of this State.

The Director shall have power to administer oaths to witnesses at any hearing which the Department is authorized by law to conduct, and any other oaths required or authorized in any Act administered by the Department.

This Section does not apply to feral cats.

(Source: P.A. 100-405, eff. 1-1-18; 100-787, eff. 8-10-18.)

(510 ILCS 5/3.5)

Sec. 3.5. County animal population fund use limitation. Funds placed in the county animal population control fund may only be used to (1) spay, neuter, vaccinate, or sterilize adopted dogs or cats; (2) spay, neuter, or vaccinate dogs or cats owned by low income county residents who are eligible for the Food Stamp Program or Social Security Disability Benefits Program; or (3) spay, neuter, and vaccinate feral cats in programs recognized by the county or a municipality. This Section does not apply to a county with 3,000,000 or more inhabitants.

(Source: P.A. 100-405, eff. 1-1-18; 100-870, eff. 1-1-19.)

(510 ILCS 5/4) (from Ch. 8, par. 354)

Sec. 4. When the Boards of 2 or more counties, through mutual agreement, wish to join to effectuate any part or all of this Act, they shall make written request to the Director, setting forth the geographical area and the Sections of this Act involved. Whenever, as ascertained from investigation, hearing, or otherwise, the Director determines it is advisable that these counties form a District, he may designate and establish such District. A District Board shall be formed and shall effectuate this Act as set forth for an individual county.
(Source: P.A. 78-795.)

(510 ILCS 5/5) (from Ch. 8, par. 355)

Sec. 5. Duties and powers.

(a) It shall be the duty of the Administrator or the Deputy Administrator, through sterilization, humane education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary, to control and prevent the spread of rabies and to exercise dog and cat overpopulation control. It shall also be the duty of the Administrator to investigate and substantiate all claims made under Section 19 of this Act. The duty may include return, adoption, transfer to rescues or other animal shelters, and any other means of ensuring live outcomes of homeless dogs and cats and through sterilization, community outreach, impoundment of pets at risk and any other humane means deemed necessary to address strays and ensure live outcomes for dogs and cats that are not a danger to the community or suffering irretrievably.

(b) Counties may by ordinance determine the extent of the police powers that may be exercised by the Administrator, Deputy Administrators, and Animal Control Wardens, which powers shall pertain only to this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may issue and serve citations and orders for violations of this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may not carry weapons unless they have been specifically authorized to carry weapons by county ordinance. Animal Control Wardens, however, may use tranquilizer guns and other nonlethal weapons and equipment without specific weapons authorization.

A person authorized to carry firearms by county ordinance under this subsection must have completed the training course for peace officers prescribed in the Peace Officer and Probation Officer Firearm Training Act. The cost of this training shall be paid by the county.

(c) The sheriff and all sheriff's deputies and municipal police officers shall cooperate with the Administrator and his or her representatives in carrying out the provisions of this Act.

(d) The Administrator and animal control wardens shall aid in the enforcement of the Humane Care for Animals Act and have the ability to impound animals and apply for security posting for violation of that Act.

(Source: P.A. 100-870, eff. 1-1-19.)

(510 ILCS 5/7) (from Ch. 8, par. 357)

Sec. 7. All registration fees collected shall be remitted to the County Treasurer, who shall place the monies in an Animal Control Fund. This fund shall be set up by him for the purpose of paying costs of the Animal Control Program.

In any county with a population under 3,000,000, all fees collected shall be used for the purpose of paying claims for loss of livestock or poultry as set forth in Section 19 of this Act and for the following purposes as established by ordinance of the County Board: funds may be utilized by local health

departments or county nurse's offices for the purchase of human rabies anti-serum, human vaccine, the cost for administration of serum or vaccine, minor medical care, and for paying the cost of stray dog control, impoundment, education on animal control and rabies, and other costs incurred in carrying out the provisions of this Act or any county or municipal ordinance concurred in by the Department relating to animal control, except as set forth in Section 19. Counties of 100,000 inhabitants or more may assume self-insurance liability to pay claims for the loss of livestock or poultry.

In any county with a population of 3,000,000 or more, all fees collected shall be used for the purpose of paying claims for loss of livestock or poultry, as set forth in Section 19 of this Act, and for the following purposes, as established by ordinance of the County Board: funds may be utilized by local health departments or county nurse's offices for the purchase of human rabies anti-serum, human vaccine, the cost for administration of serum or vaccine, minor medical care, and for paying the cost of stray dog control, impoundment, education on animal control and rabies, and other costs incurred in carrying out the provisions and enforcement of this Act or any county or municipal ordinance relating to animal control, or animal-related public health or public nuisances, except as set forth in Section 19 of this Act.

(Source: P.A. 98-217, eff. 8-9-13.)

(510 ILCS 5/7.1) (from Ch. 8, par. 357.1)

Sec. 7.1. In addition to any other fees provided for under this Act, any county may charge a reasonable fee for the pickup and disposal of dead animals from private for-profit animal hospitals. This fee shall be sufficient to cover the costs of pickup and delivery and shall be deposited in the county's animal control fund.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/8) (from Ch. 8, par. 358)

(Text of Section before amendment by P.A. 101-299)

Sec. 8. Rabies inoculation. Every owner of a dog 4 months or more of age shall have each dog inoculated against rabies by a licensed veterinarian. Every dog shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used. A veterinarian immunizing a dog, cat, or ferret against rabies shall provide the Administrator of the county in which the dog, cat, or ferret resides with a certificate of immunization. Evidence of such rabies inoculation shall be entered on a certificate the form of which shall be approved by the Board and which shall contain the microchip number of the dog, cat, or ferret if it has one and which shall be signed by the licensed veterinarian administering the vaccine. Only one dog, cat, or ferret shall be included on each certificate. Veterinarians who inoculate a dog shall procure from the County Animal Control in the county where their office is located serially numbered tags, one to be issued with each inoculation certificate. The Board shall cause a rabies inoculation tag to be issued, at a fee established by the Board for each dog inoculated against rabies.

Rabies vaccine for use on animals shall be sold or distributed only to and used only by licensed veterinarians. Such rabies vaccine shall be licensed by the United States Department of Agriculture.

If a licensed veterinarian determines in writing that a rabies inoculation would compromise an animal's health, then the animal shall be exempt from the rabies inoculation requirement,

however, the owner is still responsible for the tag fees.

If a bite occurs from an exempt animal, the exempt animal shall be treated as an unvaccinated animal. If the animal is exempt, the animal shall be re-examined by a licensed veterinarian on no less than an annual basis and be vaccinated against rabies as soon as the animal's health permits. (Source: P.A. 99-658, eff. 7-28-16.)

(Text of Section after amendment by P.A. 101-299)

Sec. 8. Rabies inoculation.

(a) Every owner of a dog 4 months or more of age shall have each dog inoculated against rabies by a licensed veterinarian. Every dog shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used.

(b) Every owner of a cat that is a companion animal and is 4 months or more of age shall have each cat inoculated against rabies by a licensed veterinarian. Every cat that is a companion animal shall have a second rabies vaccination within one year of the first. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used. This subsection (b) does not apply to feral cats; however, if a feral cat is presented to a licensed veterinarian for sterilization, the feral cat shall be inoculated against rabies, unless the person presenting the feral cat for care provides an inoculation certificate showing that the feral cat has been inoculated against rabies, and the cost of the inoculation shall be paid by the person presenting the feral cat to a licensed veterinarian for care.

(c) A veterinarian immunizing a dog, cat, or ferret against rabies shall provide the Administrator of the county in which the dog, cat, or ferret resides with a certificate of immunization. Evidence of such rabies inoculation shall be entered on a certificate the form of which shall be approved by the Board and which shall contain the microchip number of the dog, cat, or ferret if it has one and which shall be signed by the licensed veterinarian administering the vaccine. Only one dog, cat, or ferret shall be included on each certificate.

(d) Veterinarians who inoculate a dog shall procure from the County Animal Control in the county where their office is located serially numbered tags, one to be issued with each inoculation certificate. The Board shall cause a rabies inoculation tag to be issued, at a fee established by the Board for each dog inoculated against rabies.

(e) A veterinarian who inoculates a cat that is a companion animal shall issue an inoculation certificate to the owner which shall comply with any registration requirements adopted by the county under Section 3 of this Act. The owner shall pay any fee imposed by the county under Section 3 of this Act. A veterinarian who inoculates a feral cat shall issue an inoculation certificate to the person who presented the feral cat for veterinary care. The registration requirements or any fee imposed by the county under Section 3 of this Act shall not apply to feral cats.

(f) Rabies vaccine for use on animals shall be sold or distributed only to and used only by licensed veterinarians. Such rabies vaccine shall be licensed by the United States Department of Agriculture.

(g) If a licensed veterinarian determines in writing that a rabies inoculation would compromise an animal's health, then the animal shall be exempt from the rabies inoculation requirement, however, the owner is still responsible for the tag fees.

(h) If a bite occurs from an exempt animal, the exempt

animal shall be treated as an unvaccinated animal. If the animal is exempt, the animal shall be re-examined by a licensed veterinarian on no less than an annual basis and be vaccinated against rabies as soon as the animal's health permits.
(Source: P.A. 101-299, eff. 1-1-20.)

(510 ILCS 5/9) (from Ch. 8, par. 359)

Sec. 9. Any dog found running at large contrary to provisions of this Act may be apprehended and impounded. For this purpose, the Administrator shall utilize any existing or available animal control facility or licensed animal shelter. The dog's owner shall pay a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund. Funds transferred to or retained by a municipality before the effective date of this amendatory Act of the 100th General Assembly under this paragraph shall continue to be transferred to and be retained by that municipality. A dog found running at large contrary to the provisions of this Act a second or subsequent time must be spayed or neutered within 30 days after being reclaimed unless already spayed or neutered; failure to comply shall result in impoundment.

A dog that is actively engaged in a legal hunting activity, including training, is not considered to be running at large if the dog is on land that is open to hunting or on land on which the person has obtained permission to hunt or to train a dog. A dog that is in a dog-friendly area or dog park is not considered to be running at large if the dog is monitored or supervised by a person.

(Source: P.A. 100-787, eff. 8-10-18.)

(510 ILCS 5/10) (from Ch. 8, par. 360)

Sec. 10. Impoundment; redemption. When dogs or cats are apprehended and impounded, they must be scanned for the presence of a microchip and examined for other currently acceptable methods of identification, including, but not limited to, identification tags, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The Administrator shall make every reasonable attempt to contact the owner as defined by Section 2.16, agent, or caretaker as soon as possible. The Administrator shall give notice of not less than 7 business days to the owner, agent, or caretaker prior to disposal of the animal. Such notice shall be mailed to the last known address of the owner, agent, or caretaker. Testimony of the Administrator, or his or her authorized agent, who mails such notice shall be evidence of the receipt of such notice by the owner, agent, or caretaker of the animal. A mailed notice shall remain the primary means of owner, agent, or caretaker contact; however, the Administrator shall also attempt to contact the owner, agent, or caretaker by any other contact information, such as by telephone or email address, provided by the microchip or other method of identification found on the dog or cat. If the dog or cat has been microchipped and the primary contact listed by the chip manufacturer cannot be located or refuses to reclaim the dog or cat, an attempt shall be made to contact any secondary contacts listed by the chip manufacturer prior to adoption, transfer, or euthanization. Prior to transferring the dog or cat to another humane shelter, pet store, rescue group, or euthanization, the dog or cat shall be scanned again for the presence of a microchip and examined for other means of identification. If a second scan provides the same identifying information as the initial intake scan and the owner, agent, or caretaker has not been located or refuses to reclaim the dog or cat, the animal control facility may proceed with the adoption,

transfer, or euthanization.

In case the owner, agent, or caretaker of any impounded dog or cat desires to make redemption thereof, he or she may do so by doing the following:

- a. Presenting proof of current rabies inoculation and registration, if applicable.
- b. Paying for the rabies inoculation of the dog or cat and registration, if applicable.
- c. Paying the pound for the board of the dog or cat for the period it was impounded.
- d. Paying into the Animal Control Fund an additional impoundment fee as prescribed by the Board as a penalty for the first offense and for each subsequent offense.
- e. Paying a \$25 public safety fine to be deposited into the county animal control fund or the county pet population control fund; the fine shall be waived if it is the dog's or cat's first impoundment and the owner, agent, or caretaker has the animal spayed or neutered within 14 days.
- f. Paying for microchipping and registration if not already done.

The payments required for redemption under this Section shall be in addition to any other penalties invoked under this Act.

(Source: P.A. 100-322, eff. 8-24-17; 100-787, eff. 8-10-18.)

(510 ILCS 5/11) (from Ch. 8, par. 361)

Sec. 11. Animal placement. When not redeemed by the owner, agent, or caretaker, a dog or cat must be scanned for a microchip. If a microchip is present, the registered owner or chip purchaser if the purchaser was a nonprofit organization, animal shelter, animal control facility, pet store, breeder, or veterinary office must be notified. After contact has been made or attempted, dogs deemed adoptable by the animal control facility shall be offered for adoption, or made available to a licensed animal shelter, or rescue group. After contact has been made or attempted, the animal control facility may either: (1) offer the cat for adoption; (2) return to field or transfer the cat after sterilization; or (3) make the cat available to a licensed animal shelter or animal control facility. The animal may be humanely dispatched pursuant to the Humane Euthanasia in Animal Shelters Act. An animal control facility or animal shelter shall not adopt or release any dog or cat to anyone other than the owner or a foster home unless the animal has been rendered incapable of reproduction and microchipped. This Act shall not prevent humane societies or animal shelters from engaging in activities set forth by their charters; provided, they are not inconsistent with provisions of this Act and other existing laws. No animal shelter or animal control facility shall release dogs or cats to an individual representing a rescue group, unless the group has been licensed by the Department of Agriculture or is a representative of a not-for-profit out-of-state organization, animal shelter, or animal control facility. The Department may suspend or revoke the license of any animal shelter or animal control facility that fails to comply with the requirements set forth in this Section or that fails to report its intake and euthanasia statistics as required by law each year.

(Source: P.A. 100-870, eff. 1-1-19; 101-295, eff. 8-9-19.)

(510 ILCS 5/12) (from Ch. 8, par. 362)

Sec. 12. The owner of any animal which exhibits clinical signs of rabies, whether or not the animal has been inoculated against rabies, shall immediately notify the Administrator or,

if the Administrator is not a veterinarian, the Deputy Administrator, and shall promptly confine the animal, or have it confined, under suitable observation, for a period of at least 10 days, unless officially authorized by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, in writing, to release it sooner. Any animal that has had direct contact with the animal and that has not been inoculated against rabies, shall be confined as recommended by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator.
(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/13) (from Ch. 8, par. 363)

Sec. 13. Dog or other animal bites; observation of animal.

(a) Except as otherwise provided in subsections (b) and (c) of this Section, when the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator receives information that any person has been bitten by an animal, the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his or her authorized representative, shall have such dog or other animal confined under the observation of a licensed veterinarian. The confinement shall be for a period of not less than 10 days from the date the bite occurred and shall continue until the animal has been examined and released from confinement by a licensed veterinarian. The Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator may permit such confinement to be reduced to a period of less than 10 days.

(a-5) The owner, or if the owner is unavailable, an agent or caretaker of an animal documented to have bitten a person shall present the animal to a licensed veterinarian within 24 hours. A veterinarian presented with an animal documented to have bitten a person shall make a record of the clinical condition of the animal immediately. At the end of the confinement period, the animal shall be examined by a licensed veterinarian, inoculated against rabies, if eligible, and microchipped, if the dog or cat has not been already, at the expense of the owner. The veterinarian shall submit a written report listing the owner's name, address, dates of confinement, dates of examination, species, breed, description, age, sex, and microchip number of the animal to the Administrator advising him or her of the clinical condition and the final disposition of the animal on appropriate forms approved by the Department. The Administrator shall notify the person who has been bitten, and in the case of confirmed rabies in the animal, the attending physician or responsible health agency advising of the clinical condition of the animal.

(a-10) When the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator or his or her authorized representative receives information that a person has been bitten by an animal and evidence is presented that the animal at the time the bite occurred was inoculated against rabies within the time prescribed by law, the animal may be confined in a house, or in a manner which will prohibit the animal from biting a person, if the Administrator, Deputy Administrator, or his or her authorized representative determines the confinement satisfactory. The confinement shall be for a period of not less than 10 days from the date the bite occurred and shall continue until the animal has been examined and released from confinement by a licensed veterinarian. The Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator may instruct the owner, agent, or caretaker to have the animal examined by a licensed veterinarian immediately. The Administrator or, if the Administrator is not a

veterinarian, the Deputy Administrator may permit the confinement to be reduced to a period of less than 10 days. At the end of the confinement period, the animal shall be examined by a licensed veterinarian and microchipped, if the dog or cat is not already, at the expense of the owner. The veterinarian shall submit a written report listing the owner's name, address, dates of examination, species, breed, description, age, sex, and microchip number of the animal to the Administrator advising him or her of the clinical condition and the final disposition of the animal on appropriate forms approved by the Department. The Administrator shall notify the person who has been bitten and, in case of confirmed rabies in the animal, the attending physician or responsible health agency advising of the clinical condition of the animal.

(a-15) Any person having knowledge that any person has been bitten by an animal shall notify the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator within 24 hours.

(a-20) It is unlawful for the owner of the animal to conceal the whereabouts, euthanize, sell, give away, or otherwise dispose of any animal known to have bitten a person, until it is examined and released from confinement by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or licensed veterinarian. It is unlawful for the owner of the animal to refuse or fail to immediately comply with the instructions made by the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator, or his or her authorized representative. Any expense incurred in the handling of an animal under this Section and Section 12 shall be borne by the owner. The owner of a biting animal must also remit a \$25 public safety fine to be deposited into the county animal control fund.

(b) When a person has been bitten by a police dog that is currently vaccinated against rabies, the police dog may continue to perform its duties for the peace officer or law enforcement agency and any period of observation of the police dog may be under the supervision of a peace officer. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a police vehicle, or remaining under the constant supervision of its police handler.

(c) When a person has been bitten by a search and rescue dog that is currently vaccinated against rabies, the search and rescue dog may continue to perform its duties for the handler or owner or agency and any period of observation of the dog may be under the supervision of its handler or owner. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a vehicle, or remaining under the constant supervision of its handler or owner.

(d) Any person convicted of violating subsection (a-20) of this Section is guilty of a Class A misdemeanor for a first violation. A second or subsequent violation is a Class 4 felony. (Source: P.A. 99-658, eff. 7-28-16; 100-787, eff. 8-10-18.)

(510 ILCS 5/14) (from Ch. 8, par. 364)

Sec. 14. Whenever a case of rabies has occurred in a locality, or when the proper officials of a government unit are apprehensive of the spread of rabies, the Department shall act to prevent its spread among dogs and other animals. The Department may order:

- a. that all dogs or other animals in the locality be:
 1. kept confined within an enclosure, or
 2. kept muzzled and restrained by leash.
- b. that all owners or keepers of dogs or other animals take prophylactic measures as it deems necessary to

prevent the spread of rabies.

c. other measures as may be necessary to control the spread of rabies.

The Department may determine the area of the locality in which, and the period of time during which, such orders shall be effective.

(Source: P.A. 78-795.)

(510 ILCS 5/15) (from Ch. 8, par. 365)

Sec. 15. (a) In order to have a dog deemed "vicious", the Administrator, Deputy Administrator, or law enforcement officer must give notice of the infraction that is the basis of the investigation to the owner, conduct a thorough investigation, interview any witnesses, including the owner, gather any existing medical records, veterinary medical records or behavioral evidence, and make a detailed report recommending a finding that the dog is a vicious dog and give the report to the State's Attorney's Office and the owner. The Administrator, State's Attorney, Director or any citizen of the county in which the dog exists may file a complaint in the circuit court in the name of the People of the State of Illinois to deem a dog to be a vicious dog. Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the court's determination of whether the dog's behavior was justified. The petitioner must prove the dog is a vicious dog by clear and convincing evidence. The Administrator shall determine where the animal shall be confined during the pendency of the case.

A dog may not be declared vicious if the court determines the conduct of the dog was justified because:

(1) the threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or was committing a willful trespass or other tort upon the premises or property owned or occupied by the owner of the animal;

(2) the injured, threatened, or killed person was abusing, assaulting, or physically threatening the dog or its offspring, or has in the past abused, assaulted, or physically threatened the dog or its offspring; or

(3) the dog was responding to pain or injury, or was protecting itself, its owner, custodian, or member of its household, kennel, or offspring.

No dog shall be deemed "vicious" if it is a professionally trained dog for law enforcement or guard duties. Vicious dogs shall not be classified in a manner that is specific as to breed.

If the burden of proof has been met, the court shall deem the dog to be a vicious dog.

If a dog is found to be a vicious dog, the owner shall pay a \$100 public safety fine to be deposited into the county animal control fund, the dog shall be spayed or neutered within 10 days of the finding at the expense of its owner and microchipped, if not already, and the dog is subject to enclosure. If an owner fails to comply with these requirements, the animal control agency shall impound the dog and the owner shall pay a \$500 fine plus impoundment fees to the animal control agency impounding the dog. The judge has the discretion to order a vicious dog be euthanized. A dog found to be a vicious dog shall not be released to the owner until the Administrator, an Animal Control Warden, or the Director approves the enclosure. No owner or keeper of a vicious dog shall sell or give away the dog without approval from the Administrator or court. Whenever an owner of a vicious dog relocates, he or she shall notify both the Administrator of County Animal Control where he or she has

relocated and the Administrator of County Animal Control where he or she formerly resided.

(b) It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless the dog is kept in an enclosure. The only times that a vicious dog may be allowed out of the enclosure are (1) if it is necessary for the owner or keeper to obtain veterinary care for the dog, (2) in the case of an emergency or natural disaster where the dog's life is threatened, or (3) to comply with the order of a court of competent jurisdiction, provided that the dog is securely muzzled and restrained with a leash not exceeding 6 feet in length, and shall be under the direct control and supervision of the owner or keeper of the dog or muzzled in its residence.

Any dog which has been found to be a vicious dog and which is not confined to an enclosure shall be impounded by the Administrator, an Animal Control Warden, or the law enforcement authority having jurisdiction in such area.

If the owner of the dog has not appealed the impoundment order to the circuit court in the county in which the animal was impounded within 15 working days, the dog may be euthanized.

Upon filing a notice of appeal, the order of euthanasia shall be automatically stayed pending the outcome of the appeal. The owner shall bear the burden of timely notification to animal control in writing.

Guide dogs for the blind or hearing impaired, support dogs for persons with physical disabilities, accelerant detection dogs, and sentry, guard, or police-owned dogs are exempt from this Section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 8 of this Act. It shall be the duty of the owner of such exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator shall provide police and fire departments with a categorized list of such exempted dogs, and shall promptly notify such departments of any address changes reported to him.

(c) If the animal control agency has custody of the dog, the agency may file a petition with the court requesting that the owner be ordered to post security. The security must be in an amount sufficient to secure payment of all reasonable expenses expected to be incurred by the animal control agency or animal shelter in caring for and providing for the dog pending the determination. Reasonable expenses include, but are not limited to, estimated medical care and boarding of the animal for 30 days. If security has been posted in accordance with this Section, the animal control agency may draw from the security the actual costs incurred by the agency in caring for the dog.

(d) Upon receipt of a petition, the court must set a hearing on the petition, to be conducted within 5 business days after the petition is filed. The petitioner must serve a true copy of the petition upon the defendant.

(e) If the court orders the posting of security, the security must be posted with the clerk of the court within 5 business days after the hearing. If the person ordered to post security does not do so, the dog is forfeited by operation of law and the animal control agency must dispose of the animal through adoption or humane euthanasia.

(Source: P.A. 99-143, eff. 7-27-15; 99-642, eff. 7-28-16; 100-787, eff. 8-10-18.)

(510 ILCS 5/15.1)

Sec. 15.1. Dangerous dog determination.

(a) After a thorough investigation including: sending, within 10 business days of the Administrator or Director becoming aware of the alleged infraction, notifications to the owner of the alleged infractions, the fact of the initiation of an investigation, and affording the owner an opportunity to meet with the Administrator or Director prior to the making of a determination; gathering of any medical or veterinary evidence; interviewing witnesses; and making a detailed written report, an animal control warden, deputy administrator, or law enforcement agent may ask the Administrator, or his or her designee, or the Director, to deem a dog to be "dangerous". No dog shall be deemed a "dangerous dog" unless shown to be a dangerous dog by a preponderance of evidence. The owner shall be sent immediate notification of the determination by registered or certified mail that includes a complete description of the appeal process.

(b) A dog shall not be declared dangerous if the Administrator, or his or her designee, or the Director determines the conduct of the dog was justified because:

(1) the threat was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog or was committing a willful trespass or other tort upon the premises or property occupied by the owner of the animal;

(2) the threatened person was abusing, assaulting, or physically threatening the dog or its offspring;

(3) the injured, threatened, or killed companion animal was attacking or threatening to attack the dog or its offspring; or

(4) the dog was responding to pain or injury or was protecting itself, its owner, custodian, or a member of its household, kennel, or offspring.

(c) Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the determination of whether the dog's behavior was justified pursuant to the provisions of this Section.

(d) If deemed dangerous, the Administrator, or his or her designee, or the Director shall order (i) the dog's owner to pay a \$50 public safety fine to be deposited into the county animal control fund, (ii) the dog to be spayed or neutered within 14 days at the owner's expense and microchipped, if not already, and (iii) one or more of the following as deemed appropriate under the circumstances and necessary for the protection of the public:

(1) evaluation of the dog by a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert in the field and completion of training or other treatment as deemed appropriate by the expert. The owner of the dog shall be responsible for all costs associated with evaluations and training ordered under this subsection; or

(2) direct supervision by an adult 18 years of age or older whenever the animal is on public premises.

(e) The Administrator may order a dangerous dog to be muzzled whenever it is on public premises in a manner that will prevent it from biting any person or animal, but that shall not injure the dog or interfere with its vision or respiration.

(f) Guide dogs for the blind or hearing impaired, support dogs for persons with a physical disability, and sentry, guard, or police-owned dogs are exempt from this Section; provided, an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies in accordance with Section 8 of this Act and performing duties as

expected. It shall be the duty of the owner of the exempted dog to notify the Administrator of changes of address. In the case of a sentry or guard dog, the owner shall keep the Administrator advised of the location where such dog will be stationed. The Administrator shall provide police and fire departments with a categorized list of the exempted dogs, and shall promptly notify the departments of any address changes reported to him or her.

(g) An animal control agency has the right to impound a dangerous dog if the owner fails to comply with the requirements of this Act.

(Source: P.A. 99-143, eff. 7-27-15; 100-787, eff. 8-10-18.)

(510 ILCS 5/15.2)

Sec. 15.2. Dangerous dogs; leash. It is unlawful for any person to knowingly or recklessly permit any dangerous dog to leave the premises of its owner when not under control by leash or other recognized control methods.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/15.3)

Sec. 15.3. Dangerous dog; appeal.

(a) The owner of a dog found to be a dangerous dog pursuant to this Act by an Administrator may file a complaint against the Administrator in the circuit court within 35 days of receipt of notification of the determination, for a de novo hearing on the determination. The proceeding shall be conducted as a civil hearing pursuant to the Illinois Rules of Evidence and the Code of Civil Procedure, including the discovery provisions. After hearing both parties' evidence, the court may make a determination of dangerous dog if the Administrator meets his or her burden of proof of a preponderance of the evidence. The final order of the circuit court may be appealed pursuant to the civil appeals provisions of the Illinois Supreme Court Rules.

(b) The owner of a dog found to be a dangerous dog pursuant to this Act by the Director may, within 14 days of receipt of notification of the determination, request an administrative hearing to appeal the determination. The administrative hearing shall be conducted pursuant to the Department of Agriculture's rules applicable to formal administrative proceedings, 8 Ill. Adm. Code Part 1, Subparts A and B. An owner desiring a hearing shall make his or her request for a hearing to the Illinois Department of Agriculture. The final administrative decision of the Department may be reviewed judicially by the circuit court of the county wherein the person resides or, in the case of a corporation, the county where its registered office is located. If the plaintiff in a review proceeding is not a resident of Illinois, the venue shall be in Sangamon County. The Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto, apply to and govern all proceedings for the judicial review of final administrative decisions of the Department hereunder.

(c) Until the order has been reviewed and at all times during the appeal process, the owner shall comply with the requirements set forth by the Administrator, the court, or the Director.

(d) At any time after a final order has been entered, the owner may petition the circuit court to reverse the designation of dangerous dog.

(Source: P.A. 95-550, eff. 6-1-08.)

(510 ILCS 5/15.4)

Sec. 15.4. Potentially dangerous dog. A dog found running at large and unsupervised with 3 or more other dogs may be deemed a potentially dangerous dog by the animal control warden or

administrator. Potentially dangerous dogs shall be spayed or neutered and microchipped within 14 days of reclaim. The designation of "potentially dangerous dog" shall expire 12 months after the most recent violation of this Section. Failure to comply with this Section will result in impoundment of the dog or a fine of \$500.

(Source: P.A. 95-550, eff. 6-1-08.)

(510 ILCS 5/15.5)

Sec. 15.5. Reckless dog owner; complaint; penalty.

(a) The Administrator, State's Attorney, Director, or any citizen may file a complaint in circuit court to determine whether a person is a reckless dog owner. If an owner is determined to be a reckless dog owner by clear and convincing evidence, the court shall order the immediate impoundment and forfeiture of all dogs the reckless dog owner has a property right in. Forfeiture may be to any licensed shelter, rescue, or sanctuary. The court shall further prohibit the property right ownership of a dog by the person determined to be a reckless dog owner for a period of at least 12 months, but not more than 36 months for the first reckless dog owner determination.

(a-5) A dog's history during ownership by a person found to be a reckless dog owner shall not be considered conclusive of the dog's temperament and qualification for adoption or transfer. The dog's temperament shall be independently evaluated by a person qualified to conduct behavioral assessments and, if the dog is deemed adoptable, the receiving facility shall make a reasonable attempt to place the dog in another home, transfer the dog to rescue, or place the dog in a sanctuary.

(b) A person who refuses to forfeit a dog under this Section is in violation which carries a public safety fine of \$500 for each dog. The fine shall be deposited into the Pet Population Control Fund. Each day a person fails to comply with a forfeiture or prohibition ordered under this Section shall constitute a separate offense.

(Source: P.A. 100-971, eff. 1-1-19; 101-81, eff. 7-12-19.)

(510 ILCS 5/16) (from Ch. 8, par. 366)

Sec. 16. Animal attacks or injuries. If a dog or other animal, without provocation, attacks, attempts to attack, or injures any person who is peaceably conducting himself or herself in any place where he or she may lawfully be, the owner of such dog or other animal is liable in civil damages to such person for the full amount of the injury proximately caused thereby.

(Source: P.A. 94-819, eff. 5-31-06.)

(510 ILCS 5/16.5)

Sec. 16.5. Expenses of microchipping. A clinic for microchipping companion animals of county residents should be conducted at least once a year under the direction of the Administrator or, if the Administrator is not a veterinarian, the Deputy Administrator at the animal control facility, animal shelter, or other central location within the county. The maximum amount that can be charged for microchipping an animal at this clinic shall be \$15. Funds generated from this clinic shall be deposited in the county's animal control fund.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/17) (from Ch. 8, par. 367)

Sec. 17. For the purpose of making inspections hereunder, the Administrator, or his or her authorized representative, or any law enforcement officer may enter upon private premises, provided that the entry shall not be made into any building that

is a person's residence, to apprehend a straying dog or other animal, a dangerous or vicious dog or other animal, or an animal thought to be infected with rabies. If, after request therefor, the owner of the dog or other animal shall refuse to deliver the dog or other animal to the officer, the owner shall be in violation of this Act.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/18) (from Ch. 8, par. 368)

Sec. 18. Any owner seeing his or her livestock, poultry, or equidae being injured, wounded, or killed by a dog, not accompanied by or not under the supervision of its owner, may kill such dog.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/18.1) (from Ch. 8, par. 368.1)

Sec. 18.1. The owner or keeper of a dog is liable to a person for all damages caused by the dog pursuing, chasing, worrying, wounding, injuring, or killing any sheep, goats, cattle, horses, mules, poultry, ratites, or swine belonging to that person.

(Source: P.A. 88-600, eff. 9-1-94.)

(510 ILCS 5/19) (from Ch. 8, par. 369)

Sec. 19. Any owner having livestock, poultry, or equidae killed or injured by a dog shall, according to the provisions of this Act and upon filing claim and making proper proof, be entitled to receive reimbursement for such losses from the Animal Control Fund; provided, he or she is a resident of this State and such injury or killing is reported to the Administrator within 24 hours after such injury or killing occurs, and makes affidavit stating the number of such animals or poultry killed or injured, the amount of damages and the owner of the dog causing such killing or injury, if known.

The damages referred to in this Section shall be substantiated by the Administrator through prompt investigation and by not less than 2 witnesses. The Administrator shall determine whether the provisions of this Section have been met and shall keep a record in each case of the names of the owners of the animals or poultry, the amount of damages proven, and the number of animals or poultry killed or injured.

The Administrator shall file a written report with the County Treasurer as to the right of an owner of livestock, poultry, or equidae to be paid out of the Animal Control Fund, and the amount of such damages claimed.

The County Treasurer shall, on the first Monday in March of each calendar year, pay to the owner of the animals or poultry the amount of damages to which he or she is entitled. The county board, by ordinance, shall establish a schedule for damages reflecting the current market value.

If there are funds in excess of amounts paid for such claims for damage in that portion of the Animal Control Fund set aside for this purpose, this excess shall be used for other costs of the program as set forth in this Act.

(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/20) (from Ch. 8, par. 370)

Sec. 20. The payment to any owner of sheep, goats, cattle, horses, mules, swine, or poultry of monies out of the Animal Control Fund for damages resulting from loss or injury to any such animals, shall not be a bar to an action by such owner against the owner of the dog committing such injury or causing such loss for the recovery of damages therefor. The court or jury, before which such action is tried, shall ascertain from

evidence what portion, if any, of the damages sought to be recovered in such action has been paid to the plaintiff in such action by the County Treasurer, and in case the plaintiff in such action recovers damages, the court shall enter judgment against the defendant, in the name of the plaintiff for the use of the county, for the amount which the plaintiff has received on account of such damages from the County Treasurer, if such recovery shall equal or exceed the amount so received by such plaintiff from the County Treasurer; and the residue of such recovery, if any there be, shall be entered in the name of the plaintiff in such action to his own use. If the amount of the recovery in such action shall not equal the amount previously paid the plaintiff on account of such damages by the County Treasurer, then the judgment shall be entered as heretofore stated for the use of the Animal Control Fund, for the full amount of such recovery. The judgment shall show on its face what portion of the judgment is to be paid to the Animal Control Fund, and what portion is to be paid to the plaintiff in such action, and the judgment when collected shall be paid over to the parties entitled thereto in their proper proportions.
(Source: P.A. 83-346.)

(510 ILCS 5/22) (from Ch. 8, par. 372)

Sec. 22. The Department shall have general supervision of the administration of this Act and may make reasonable rules and regulations, not inconsistent with this Act, for the enforcement of this Act and for the guidance of Administrators, including revoking a license issued under the Animal Welfare Act for noncompliance with any provision of this Act.
(Source: P.A. 93-548, eff. 8-19-03.)

(510 ILCS 5/24) (from Ch. 8, par. 374)

Sec. 24. Limitations. Nothing in this Act shall be held to limit in any manner the power of any municipality or other political subdivision to prohibit animals from running at large, nor shall anything in this Act be construed to, in any manner, limit the power of any municipality or other political subdivision to further control and regulate dogs, cats or other animals in such municipality or other political subdivision provided that no regulation, policy or ordinance is specific to breed.
(Source: P.A. 101-295, eff. 8-9-19.)

(510 ILCS 5/25) (from Ch. 8, par. 375)

Sec. 25. The invalidity of any Section or parts of any Section of this Act or any rule or regulation pursuant thereto shall not affect the validity of the remainder of this Act, or any rule or regulation.
(Source: P.A. 78-795.)

(510 ILCS 5/26) (from Ch. 8, par. 376)

Sec. 26. (a) Except as otherwise provided in this Act, any person violating or aiding in or abetting the violation of any provision of this Act, or counterfeiting or forging any certificate, permit, or tag, or making any misrepresentation in regard to any matter prescribed by this Act, or resisting, obstructing, or impeding the Administrator or any authorized officer in enforcing this Act, or refusing to produce for inoculation any dog in his possession, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of a Class C misdemeanor for a first offense and for a subsequent offense, is guilty of a Class B misdemeanor.

Each day a person fails to comply constitutes a separate offense. Each State's Attorney to whom the Administrator reports

any violation of this Act shall cause appropriate proceedings to be instituted in the proper courts without delay and to be prosecuted in the manner provided by law.

(b) If the owner of a vicious dog subject to enclosure:

(1) fails to maintain or keep the dog in an enclosure or fails to spay or neuter the dog within the time period prescribed; and

(2) the dog inflicts serious physical injury upon any other person or causes the death of another person; and

(3) the attack is unprovoked in a place where such person is peaceably conducting himself or herself and where such person may lawfully be;

the owner shall be guilty of a Class 3 felony, unless the owner knowingly allowed the dog to run at large or failed to take steps to keep the dog in an enclosure then the owner shall be guilty of a Class 2 felony. The penalty provided in this paragraph shall be in addition to any other criminal or civil sanction provided by law.

(c) If the owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog inflicts serious physical injury on a person or a companion animal, the owner shall be guilty of a Class 4 felony. If the owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog kills a person the owner shall be guilty of a Class 3 felony.

(Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05; 94-819, eff. 5-31-06.)

(510 ILCS 5/27) (from Ch. 8, par. 377)

Sec. 27. Any officer failing, refusing, or neglecting to carry out the provisions of this Act shall be guilty of a petty offense and shall be fined not less than \$25 nor more than \$100 for each offense.

(Source: P.A. 78-795.)

(510 ILCS 5/30)

Sec. 30. Rules. The Department shall administer this Act and shall promulgate rules necessary to effectuate the purposes of this Act. The Director may, in formulating rules pursuant to this Act, seek the advice and recommendations of humane societies and societies for the protection of animals.

(Source: P.A. 94-639, eff. 8-22-05.)

(510 ILCS 5/35)

Sec. 35. Liability.

(a) Any municipality, political subdivision, or State university or community college allowing feral cat colonies and trap, sterilize, vaccinate for rabies, and return programs to help control cat overpopulation shall be immune from criminal liability and shall not be civilly liable, except for willful and wanton misconduct, for damages that may result from a feral cat. Any municipality or political subdivision allowing dog parks shall be immune from criminal liability and shall not be civilly liable, except for willful and wanton misconduct, for damages that may result from occurrences in the dog park.

(b) Any veterinarian, animal shelter, or animal control facility who in good faith contacts the registered owner, agent, or caretaker of a microchipped animal shall be immune from criminal liability and shall not, as a result of his or her acts or omissions, except for willful and wanton misconduct, be liable for civil damages.

(c) Any veterinarian who sterilizes feral cats and any feral cat caretaker who traps cats for a trap, sterilize, vaccinate for rabies, and return program shall be immune from criminal

liability and shall not, as a result of his or her acts or omissions, except for willful and wanton misconduct, be liable for civil damages.

(d) Any animal shelter or animal control facility worker who microchips an animal shall be immune from criminal liability and shall not, as a result of his or her acts or omissions, except for willful and wanton misconduct, be liable for civil damages. (Source: P.A. 101-295, eff. 8-9-19.)

WEST CHICAGO POLICE DEPARTMENT MONTHLY REPORT



**DECEMBER
2019**

Michael Uplegger, Chief of Police

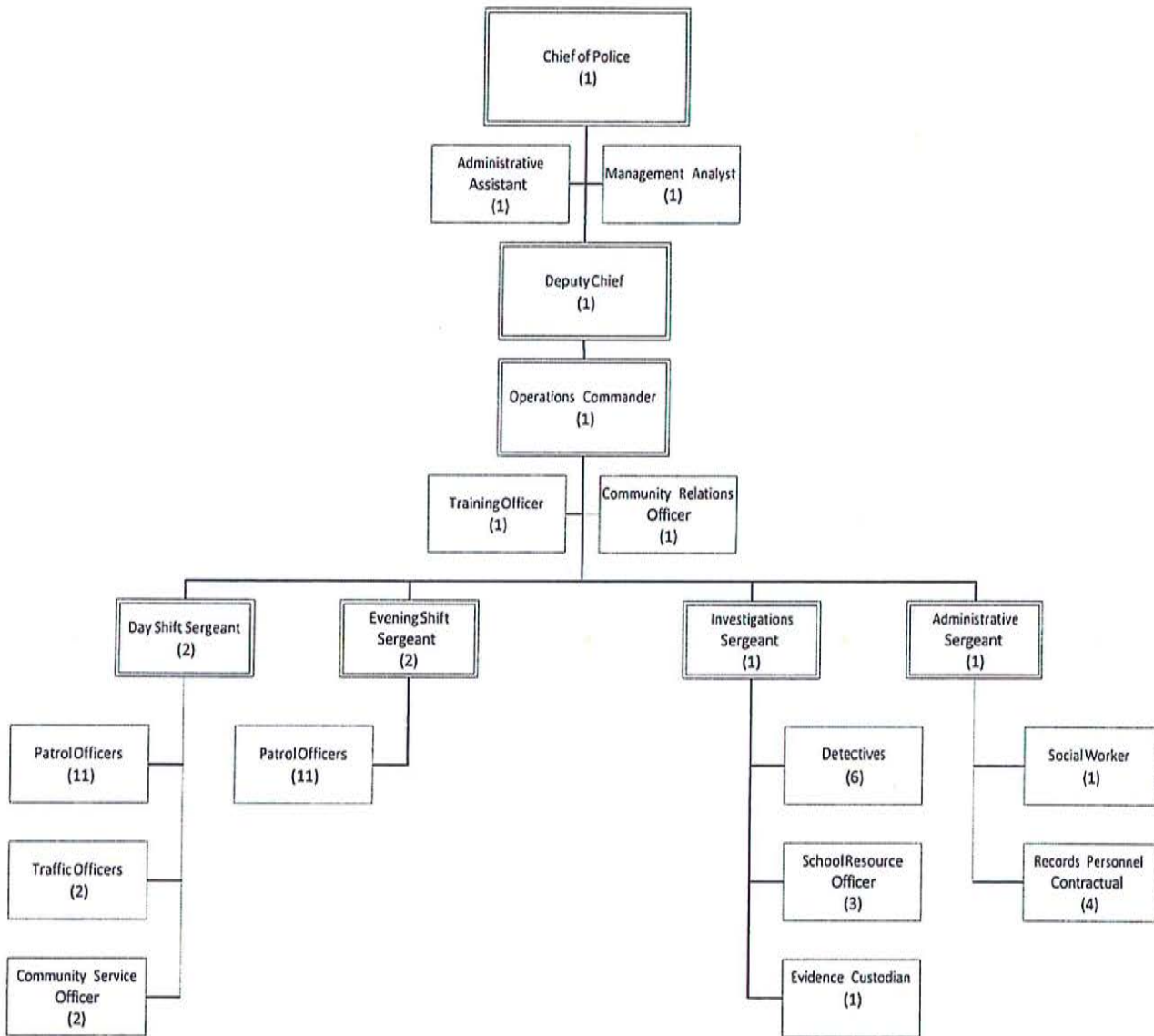
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Organizational Chart

West Chicago Police Department

10/13/2019



Department Overview

The Mission of the West Chicago Police Department is to Protect Life and Liberty, Provide Quality Police Services, and Forge Community Partnerships with Integrity and Professionalism.

There are three divisions in the Police Department: Office of the Chief of Police, Support Services Division and Operations Division.

The Office of the Chief of Police's primary responsibility is to provide general management direction and control for the Department. The Office of the Chief of Police consists of the Management Analyst, and the Administrative Assistant.

The Support Services Division consists of Vehicle and Building Maintenance, Records and Social Services.

The Operations Division consists of Uniformed Patrol, Training Officer, Community Relations, Traffic Safety Unit, the Investigations Unit, School Resource Officers, Evidence/Property and Community Service Officers.

Personnel

On December 6th, the Department held a Posada celebration at Faith Community Church located at 910 Main St. The word Posada means "inn" or "shelter" in Spanish. In this tradition, the Bible story of Mary and Joseph's journey to Bethlehem and their search for a place to stay is re-enacted. The tradition also involves a special song, as well as a variety of Mexican Christmas carols, breaking piñatas, and celebration. Over 100 residents attended the event. Social Worker Rosie Valencia, Chief Uplegger and Officer Nielsen were there for the Department.



On December 7th, the City of West Chicago held Frosty Fest. The event included a parade, tree lighting ceremony, horse-drawn wagon rides, an ice sculpture artist, a reindeer display and Santa and Mrs. Claus. Numerous Department members were on hand for the celebration.



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This past summer Community Relations Officer Robyn Nielsen developed a partnership with a group of Indian Knoll Elementary School special needs students and their teachers. Officer Nielsen gave the students a tour of the Station, joined them for a Friendsgiving celebration and most recently joined them for holiday shopping trip and lunch at Fox Valley Mall in Aurora.



On December 19th, School Resource Officer Fuller was presented with the District 33 Pride Award. This award is given to individuals/organizations on a quarterly basis who have made a significant impact on the students, staff and families of West Chicago Elementary School District 33.



On December 25th, Police Department Social Worker Rosie Valencia along with the staff of Hawthorne's Backyard Bar & Grill hosted a holiday dinner for local families. A special thanks to Hawthorne's Backyard Barbeque for donating use of the facility, food and presents for the attendees. Chief Uplegger, Officer Nielsen and Santa were also on hand for the festivities.





On December 22nd, the West Chicago Police Department Honor Guard presented the Nation's colors at the Chicago Bears home football game vs. the Kansas City Chiefs. This is the 3rd consecutive season the Department's Honor Guard has been selected to perform these duties. Honor Guard members who participated were Officers Reyes, Gelsomino, Flanigan and Calabrese.

Criminal Activities

Criminal Damage to Property:

Person(s) unknown damaged Christmas lights at a residence in the 600 block of Tanager Ln. The strings of lights had been cut. Loss is estimated at \$100.00.

Person(s) unknown damaged a vehicle in the 700 block of Lincoln Ave. The rear window of the car had been shattered by BBs/pellets that were found in and near the vehicle.

Person(s) unknown damaged a vehicle in the 300 block of Ingaltan Ave. The rear window had been shattered by a BB/pellet.

Person(s) unknown damaged a vehicle in the 700 block of Hillview Ave. Small plywood boards with nails in them had been placed under each tire. When the owner moved the truck, the nails damaged the tires.

Person(s) unknown damaged a vehicle in the 200 block of W. North Ave. The front passenger side door and lock had been damaged by being struck with an unknown blunt object.

Person(s) unknown damaged construction equipment in the 2700 block of Enterprise Cir. A backhoe loader and excavator had their engines damaged by an unknown metal pole or tool. Damage is estimated at \$20,000.00.

Person(s) unknown damaged a trailer-mounted generator at a business in the 500 block of Shingle Oak Dr. A battery had been removed and several wires were cut. Loss is estimated at \$7,000.00.

Criminal Defacement:

Person(s) unknown spray painted gang-related graffiti on a garage in the 100 block of E. Stimmel St.

Person(s) unknown spray painted gang-related graffiti on a garage and pavement in the alley in the 100 block of W. Pomeroy St.

Person(s) unknown spray painted non-gang related graffiti on a garage in the 300 block of Church St.

West Chicago Police Department Monthly Report

Person(s) unknown spray painted gang-related graffiti on a fence in the 200 block of George St.

Person(s) unknown spray painted gang-related graffiti on a fence in the 100 block of Conde St.

Person(s) unknown used a marker or paint pen to deface the guardrail with non-gang related graffiti in the 300 block of Blair St.

Person(s) unknown used a marker to deface two sign posts with gang-related graffiti in the 200 block of George St.

Person(s) unknown spray painted gang-related graffiti on a No Parking sign in the 400 block of Joliet St.

Armed Robbery:

Persons unknown entered the Boost Mobile located at 119 W. Roosevelt Rd. One suspect was armed with a handgun, the second carried a bag. The victim had \$150.00 taken from her purse and then, at gunpoint was made to open the cash register. The suspects took cash and cell phones and fled the store in an unknown direction. Loss is estimated at \$9,400.00. Investigation is ongoing.

Theft of Gas:

Person(s) unknown pumped \$47.18 worth of gasoline into a vehicle and left the Thorntons gas station located at 1330 S. Neltnor Blvd. without paying. No offender information is available.

Theft Over \$500.00:

Person(s) unknown removed the victim's wedding ring from her residence in the 200 block of W. Pomeroy St. The victim also reported a necklace and matching earrings were taken while attending a family function in the 400 block of Jenice Ct. Numerous individuals were present at both residences on each occasion, but deny involvement. Total loss is estimated at \$3,300.00.

Person(s) unknown removed the victim's cell phone from a business in the 1700 block of Downs Dr. The iPhone was placed on a table and when the victim returned for it, the phone was missing. Loss is estimated at \$800.00.

Retail Theft:

On multiple occasions, two persons unknown entered Menards located at 220 W. North Ave. and removed a total of eight air nail guns from the store without paying for the items. Total loss is estimated at over \$3,000.00. Investigation is ongoing.

A known person known entered the AT&T store located at 159 N. Neltnor Blvd. on two separate occasions and removed eight cell phone chargers without paying for the items. Loss is estimated at \$80.00. Investigation is ongoing.

Credit Card Fraud:

Person(s) unknown made unauthorized charges against the victim's account. Two charges were made in Texas and two in Florida, totaling \$347.22. Investigation is ongoing.

Person(s) unknown made unauthorized charges against the victim's credit card totaling \$253.91 in Miami, Florida. The credit card company is investigating and won't charge the victim's account the amount of the fraudulent purchase.

Burglary from Motor Vehicle:

Person(s) unknown entered a vehicle behind a business in the 100 block of E. Roosevelt Rd. and removed a purse. The victim left the vehicle unattended to make deliveries and when she returned, the purse was gone. It is unknown whether or not the vehicle was secured. The purse contained \$700.00 and a driver's license.

Recovered Stolen Auto:

Officers responded to the area of the Illinois Prairie Path just north of Industrial Dr. for the report of a vehicle on fire. West Chicago Fire Protection District personnel also responded and extinguished the fire. The owner was contacted and was not aware the vehicle was missing. Investigation is ongoing.

Residential Burglary:

Person(s) unknown entered a residence in the 800 block of High Ridge Dr. and removed a safe containing personal documents, savings bonds, jewelry and an unknown number of coins. Entry had been gained by breaking a basement window. Investigation is ongoing.

Fraud:

Person(s) unknown attempted to cash a fraudulent check at a credit union in Peoria, Illinois in the amount of \$2,975.50. The victim business was unfamiliar with the check. A copy of the check was obtained and the check did not resemble the business's checks and the check number had not yet been issued. \$200.00 was released to the suspect in Peoria and the rest was held pending approval. Investigation is ongoing.

Person(s) unknown emailed a business in the 400 block of Industrial Dr. requesting an employee to purchase \$1,500.00 in gift cards. The email appeared to come from a fellow employee and requested the recipient to provide scans of the gift cards as well as the redemption codes on the back of the cards. The employee did as instructed. The IT staff of the business determined the email was fraudulent.

Person(s) unknown used the victim's identifiers to open an account with Huntington Bank. The victim received a letter at his residence advising of a change of address on an account in his name. The victim contacted the bank who closed the account.

Person(s) unknown used the victim's credit card information to make unauthorized purchases totaling \$2,170.98. The victim was reimbursed for the charges and the credit card company is investigating.

Monthly Performance

Activities	Sept. 2019	Oct. 2019	Nov. 2019	Dec. 2019	YTD. 2019	YTD. 2018	Total 2018
Traffic Stops	513	578	429	409	7,565	9,875	9,875
Traffic Citations	278	328	239	206	4,545	5,928	5,928
Traffic Warnings	289	308	261	254	4,091	5,578	5,578
Parking Citations	191	166	103	161	2,301	3,094	3,094
Traffic Crashes	92	94	92	69	900	930	930
Incident Reports	287	246	217	215	3,058	3,396	3,396

Officer Activities

Between August 30th and November 28th, officers responded to and investigated 10 separate burglaries to landscaping companies. Suspect information was developed and on December 4th, Detectives Herbert, Bowers, Flanigan and Peterson conducted surveillance on the suspects' homes. One suspect was observed pulling into the driveway and was placed in custody and transported to the Station where Officer Reyes assisted detectives with the interview. During the course of the interview the suspect admitted to committing the burglaries. The suspect agreed to provide information as to where the property had been taken and sold. A Toro Dingo was recovered from a location in Glendale Heights. A backpack blower, four weed whackers, an extended hedge trimmer, two handheld hedge trimmers, a chain saw, two stander mowers, an aerator and a Proline mower were recovered in Carpentersville. The items were all returned to their owners. The DuPage County State's Attorney's Office approved a charge of Burglary against the suspect. The offender was fingerprinted, photographed and transported to the DuPage County Jail.

On September 21st, Sergeant Langelan initiated a traffic stop on a vehicle for speeding in the area of Sunset Ave. and Geneva Rd. While meeting with the driver, Sergeant Langelan learned her driver's license was revoked, prompting her arrest. The driver requested that her phone be removed from the vehicle. While retrieving the phone, a plastic bag containing 10 white pills was found on the passenger side floor. The driver was transported to the Station where she was interviewed. The driver stated she purchased the pills from an individual in Wheaton and believed they were hydrocodone. The DuPage County State's Attorney's Office stated charges for Possession of a Controlled Substance would be approved pending a laboratory analysis of the pills. In October, results returned as positive as hydrocodone by the DuPage County Crime Laboratory. An arrest warrant for Possession of a Controlled Substance was obtained for the suspect. On December 16th, the suspect turned herself in at the Station. The suspect was fingerprinted, photographed and released from custody after posting bond.

On December 9th, Officer Fearon observed a vehicle disobey a Stop sign at Powis Rd. and Hawthorne Ln. A traffic stop was made in the 1800 block of Hawthorne Ln. While speaking with the driver, Officer Fearon observed a glass pipe, used to smoke cannabis, on the passenger seat. Officer Fearon also detected an odor of cannabis coming from the vehicle. When asked if there was anything inside the vehicle besides the pipe, the driver placed a small bag of cannabis and a grinder on the center console. Officer Schoonhoven arrived to assist. The driver was asked to exit the vehicle and asked for permission to search his person.

West Chicago Police Department Monthly Report

While searching the subject, a small plastic bag containing a white powdery substance fell from the driver's waist band. The driver was placed under arrest and transported to the Station. The white powdery substance field tested positive as cocaine. While interviewing the subject he admitted to possessing and using cocaine. The DuPage County State's Attorney's Office approved a charge of Possession of a Controlled Substance. The offender was fingerprinted, photographed and transported to the DuPage County Jail.

On December 9th, School Resource Officer (SRO) Levato was contacted by a West Chicago Community High School Dean in reference to an incident that just occurred in the cafeteria. A student had been chased from the cafeteria and then stabbed in the back and upper arm with a pair of scissors, causing minor injuries. The suspect then left the school. The suspect was identified, located and brought to the Station, where she was interviewed by SRO Levato and Officer Zepeda. The suspect, who is a juvenile, will be charged in Juvenile Court at a later date.

On December 19th, Sergeant Langelan responded to the Thorntons gas station located at 1330 S. Neltor Blvd., for a report of a person in the bathroom, possibly hurting himself. Upon arrival, Sergeant Langelan found a man locked in a bathroom stall, shouting, jumping up and down and striking the walls with his hands and fists. The subject was talked into opening the stall and admitted to taking anti-depressants and snorting heroin. The individual was given a dose of Narcan and began to calm down. West Chicago Fire Protection District personnel arrived and transported the individual to Northwestern Medicine Central DuPage Hospital.

On December 23rd, Officers Fearon and Schoonhoven responded to the area of Neltor Blvd. and Blair St. A complainant was following a vehicle involved in a retail theft in Naperville. The vehicle turned westbound onto Blair St. and then pulled into a driveway in the 400 block of E. Blair St. Officers Fearon and Schoonhoven met with the occupants of the vehicle and while speaking with them observed numerous shopping bags inside the vehicle. Naperville Police officers responded to the scene and all five occupants were placed under arrest. The offenders were charged by the Naperville Police Department with Felony Retail Theft, Felony Burglary and Possession of a Theft Related Device.



**DUPAGE
COUNTY**

ANIMAL SERVICES

November ■, 2019



It has been reported to our office that your dog, a ■ dog named ■, has been involved in an incident in which she bit another dog. DuPage County Animal Services takes this type of incident seriously. Please be advised that further incidents may/will prompt a "Dangerous Dog" investigation. We advise containing your dog in a manner to prevent any future incidents from occurring. Please read the following definition of a "Dangerous Dog" as outlined by the state of Illinois:

(510 ILCS 5/2.05a)

Sec. 2.05a. "Dangerous dog" means (i) any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or a companion animal or (ii) a dog that, without justification, bites a person and does not cause serious physical injury.

While we understand that accidents happen, you, as the owner, have the responsibility to maintain your dog in a manner that prevents it from biting people or animals. Your dog has shown aggression toward people and/or other animals. It is in your best interest to contain your dog in a manner that prevents it from biting in the future. Thank you for your complete cooperation in this matter.

Officer ■

DuPage County Animal Control Officer





**DUPAGE
COUNTY**

ANIMAL SERVICES

November █, 2019



Dear █,

DuPage County Animal Services has undertaken an investigation to determine whether your dog █ should be declared a "dangerous dog" pursuant to the Illinois Animal Control Act 510 ILCS 5/15.1 as a result of the incident that occurred on █, in which █ bit another dog while at large, resulting in injuries that required emergency veterinary care.

If a dog is deemed dangerous, the animal must be spayed or neutered and microchipped at the owner's expense within 14 days, if not already done. Under State Statute 510 ILCS 5/15.1 (d), you will also be required to pay a \$50 public safety fine for each dog declared dangerous. Furthermore, if deemed dangerous, you may be ordered to have an evaluation of the dog by a recognized expert in behavior, to have direct control via a 6-foot or shorter, non-retractable leash, or to muzzle the dog whenever it is on public property. Additionally, it is unlawful for any person to knowingly or recklessly permit any dangerous dog to leave the premises of the owner when not under control by leash.

If the Owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog inflicts serious physical injury on a person or companion animal, the Owner shall be guilty of a Class A misdemeanor. If the Owner of a dangerous dog knowingly fails to comply with any order regarding the dog and the dog kills a person the Owner shall be guilty of a Class 4 felony.

Under State Statute, you have the opportunity to schedule a meeting with the Administrator as part of the investigation prior to any determination. If you would like to schedule a meeting with the Administrator prior to their determination, please contact our office at (630)407-2813 by █

Sincerely,

█
DuPage County Animal Control Officer █





DUPAGE
COUNTY

ANIMAL SERVICES

BEFORE THE DEPARTMENT OF ANIMAL SERVICES

DUPAGE COUNTY, ILLINOIS

IN THE MATTER OF DANGEROUS DOG)
 DETERMINATION OF A [REDACTED]) CASE NO:
 DOG CALLED [REDACTED]) [REDACTED]
 AS DOG OWNER)

THIS MATTER having been brought before the Administrator of DuPage County Animal Services (DCAS) through a dog bite complaint against a [REDACTED] dog named [REDACTED] and DCAS initiating an investigation in accordance with section 15.1 of the Illinois Animal Control Act (510 ILCS 5/15.1) (the Act); and otherwise being fully advised does hereby FIND as follows:

In accordance with the Act, due to the behavior of the dog on [REDACTED], in which [REDACTED], owned by [REDACTED] West Chicago, IL 60185, bit a dog in an unprovoked manner, causing injury requiring emergency medical treatment. This occurrence has resulted in finding that [REDACTED] to be a "DANGEROUS DOG" as defined by section 2.05 of the Act.

WHEREFORE IT IS ORDERED by the Administrator that:

- A. [REDACTED] shall be muzzled whenever off the Owner's premises in a manner that will prevent her from biting any person or animal, but shall not interfere with his/her respiration or vision.
- B. [REDACTED] must remain under the direct control of an adult aged 18 or over via 6-ft or shorter, non-retractable leash whenever off the Owner's premises.
- C. [REDACTED] shall be spayed/neutered, micro chipped and documentation of both procedures must be submitted to DCAS no later than [REDACTED].
- D. Transfer of ownership of [REDACTED] shall be sent to DCAS with new owner's name, address and phone contact. Any new owner must be made aware of the Decision and Order and abide by the restrictions set forth above.
- E. If [REDACTED] is relocated to another address, the Owner must inform DCAS of the said address change.





DUPAGE
COUNTY

ANIMAL SERVICES

- F. Under Illinois Administrative Code Title 8, Chapter 1; Subchapter b; Part 30; Section 30.140; **Dangerous Dog Control Methods**, Section 15 a) through d). [REDACTED] must comply to all sections listed under the Administrative Code. Please see attached document included with your Order.
- G. The Decision and Order is enforceable through the 18th Judicial Circuit Court. Failure to comply with this Decision and Order may subject the Owner to additional penalties and fines, including but not limited to impoundment of the dog.
- H. Under State Statute 510 ILCS 5/15.1 (d), the Owner will be required to pay a \$50.00 public safety fine for each dog declared dangerous. Please use the self-addressed envelope provided to submit your payment. Payments can be made to DuPage County Animal Services (DCAS).

Under State Statute 510 ILCS 5/26 (c), if the Owner of a dangerous dog knowingly fails to comply with any Order regarding the dog and dog inflicts serious physical injury on a person or companion animal, the Owner shall be guilty of a Class A misdemeanor. If the Owner of a dangerous dog knowingly fails to comply with any Order regarding the dog and the dog kills a person the Owner shall be guilty of a Class 4 felony.

[REDACTED] DVM [REDACTED]

[REDACTED] DVM

Veterinarian Administrator

DuPage County Animal Services

c/c: [REDACTED]

West Chicago Police Department



Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

**TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT AND
POULTRY INSPECTION ACT REGULATIONS)
PART 30 ANIMAL CONTROL ACT
SECTION 30.140 DANGEROUS DOG; CONTROL METHODS**

Section 30.140 Dangerous Dog; Control Methods

Under Section 15 of this Act:

- a) A dangerous dog shall mean a dog as defined in Section 15(a)(2) of the Animal Control Act [510 ILCS 5/15(a)(2)].
- b) The following shall be accepted as recognized control methods for dangerous dogs:
 - 1) Placing an animal within an enclosed automobile, truck, or other vehicle not being used as a public conveyance of humans, or
 - 2) Shipping an animal on a public conveyance that is properly confined in a shipping container conspicuously labeled "DANGEROUS ANIMAL" and constructed of materials in such a manner to prevent the animal from biting other animals or the public, or
 - 3) Properly muzzling an animal and placing it on a leash of sufficient strength to keep such animal under control, and held by a competent person capable of controlling such animal, or
 - 4) Confining the animal on the premises of the owner in such a manner as to prevent its coming in contact with other animals or the public.
- c) The owner of any dog exempt under Section 15 shall provide the Administrator with the breed, description, name and location where such dog can be expected to be located at all times when not on leash or under direct control of its owner.
- d) A dog exempt under Section 15 of this Act when not under direct control by leash or other recognized control methods shall be confined in such a manner as to prevent it from attacking or injuring any person who is peacefully conducting himself where he lawfully may be.

(Source: Amended at 18 Ill. Reg. 14891, effective September 26, 1994)

DuPage County Animal Services

****Your pet's veterinarian is also an excellent resource for questions regarding your pet's behavior. ****

Training Resources

American College of Veterinary Behaviorists www.dacvb.org

Kelly Ballanteyne, Insight Animal Behavior Services
2715 N. Monticello Ave., Chicago, IL 60647
773-888-1317 info@insightfulanimals.com

Chicagoland Veterinary Behavior Consultants
1042 Mountain Glen Way., Carol Stream, IL 60188
630-231-1544 <https://chicagovetbehavior.com/>

ASPCA

www.aspc.org/pet-care/general-pet-care/behavioral-help-your-pet

Muzzle Up Project www.muzzleupproject.com

Training tips and videos

Low Cost Spay/Neuter

Fox Valley Animal Welfare League
North Aurora, IL 630-800-2254
www.fvawf.org

Spay Illinois
Lisle, IL 630-961-8000
www.spayillinois.org

A.D.O.P.T Pet Shelter
Naperville, IL 630-355-2299
www.adoptpetshelter.org

Animal Care League
Oak Park, IL 708-848-8155
www.animalcareleague.org

Anderson Animal Shelter
North Aurora, South Elgin, Bloomingdale
847-697-2880
www.andersonanimalshelter.org

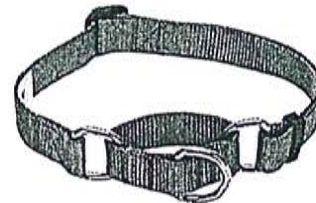
DuPage County Animal Services
120 N. County Farm Rd, Wheaton, IL 60187
630-407-2800 Fax: 630-407-2801



Baskerville Muzzle



Freedom No-Pull Harness



Martingale Collar