

CHAPTER 90: ANIMAL CONTROL

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GENERAL PROVISIONS

§ 90.01 PURPOSE OF THIS CHAPTER.

(A) The county will operate an animal control program in accordance with the Animal Control Act, and through an intergovernmental agreement with the City of Jerseyville. The purpose of the animal control program is to protect the public from rabies and from vicious and dangerous dogs by controlling and impounding animals under its jurisdiction.

(B) This chapter applies to unincorporated areas of the county, and issues that are not specifically addressed in this subchapter will be handled in accordance with the Animal Control Act, 510 ILCS 5/.

(Ord. passed 9-14-2021)

§ 90.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

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 imminent threat of serious physical injury or death to a person or a companion animal in a public place.

VICIOUS DOG. A dog that, without justification, attacks and causes serious physical injury or death to a person or a companion animal; or any individual dog that has been found to be a dangerous dog upon three separate occasions.

(Ord. passed 9-14-2021)

§ 90.03 ENFORCEMENT.

The county shall provide an animal control officer, who may issue and serve citations and orders for violations of this chapter. The animal control officer is authorized by this chapter to carry a firearm in accordance with the Animal Control Act.

(Ord. passed 9-14-2021)

Statutory reference:

Similar provisions, see 510 ILCS 5/5

§ 90.04 ANIMALS RUNNING AT LARGE.

(A) Every owner of an animal shall contain such animal to the confines of the owner's real property, unless the animal is under restraint, and shall not permit such animal to be at large. Any animal found running at large in the county may be apprehended by the animal control officer and impounded in the animal control facility.

(B) Any animal running at large within the county whose capture endangers or threatens the safety of an animal control officer, police officer, Sheriff or Deputy Sheriff, or endangers the safety of any person within the county, may be slain by an animal control officer, police officer, Sheriff or Deputy Sheriff.

(Ord. passed 9-14-2021) Penalty, see § 90.99

§ 90.05 IMPOUNDMENT AND REDEMPTION.

(A) When any dog or cat is apprehended and impounded, the animal shall be scanned for the presence of a microchip and examined for other means of identification, such as identification tags, tattoos or rabies license tags.

(B) The county shall give notice of not less than seven business days to the owner, if known. Such notice shall be mailed to the last known address of the owner.

(C) (1) All dogs and cats which have been impounded in accordance with the provisions of this chapter shall be humanely dispatched or disposed of by the pound as stray dogs in accordance with the laws that exist, or may hereafter exist, when not redeemed by the owner within a period of not less than seven business days from the date of impoundment, excepting Sundays and holidays.

(2) In case the owner of the impounded dog desires to make redemption thereof, he or she may do so on the following conditions and prior to the release of the animal:

(a) The owner shall present proof to the Secretary of the County Board, or other official designated by the County Board, of current rabies inoculation;

(b) The owner shall make payment to the Secretary of the County Board, or other official designated by the County Board, for the rabies inoculation and tag fee; and

(c) The owner shall reimburse the county, on a pro-rated basis for the cost of board, transportation cost and medical expenses of the dog or cat, at such rate as is set by the Board, for the period it was impounded.

(Agreement entered into 1-12-2016; Ord. passed 9-14-2021) Penalty, see § 90.99

§ 90.06 REDEMPTION OTHER THAN OWNER.

(A) Upon expiration of seven business days from the date of impoundment, except Sundays and holidays, an unclaimed dog or cat, which has been deemed suitable for adoption by the animal control officer or Administrator, may be adopted by any person other than the owner upon payment to the animal control officer, Administrator or delegate the adoption fee and sterilization deposit; provided that every dog or cat redeemed must have attached to its collar, or proof must be provided within 72 hours of, the rabies registration tag of the county.

(B) No animal shall be adopted from the animal control facility unless sterilized at the cost of the new owner. Any animal adopted from the animal control facility shall be sterilized pursuant to an adoption agreement. Any owner who fails to sterilize his or her adopted animal pursuant to the terms of the agreement shall be in violation of the law. Ownership of any adopted animal not sterilized shall revert to the animal control facility, and the animal is subject to immediate impoundment by the animal control officer.

(Ord. passed 9-14-2021) Penalty, see § 90.99

§ 90.07 ENFORCEMENT OFFICERS NOT RESPONSIBLE.

The county, its representatives or anyone enforcing the provisions of this chapter shall not be held responsible for any accident or disease that may happen to any dog.

(Ord. passed 9-14-2021)

HEALTH AND SAFETY HAZARDS

§ 90.20 INOCULATION OF DOGS.

(A) Every owner of a dog four or more months of age shall cause such dog to be inoculated against rabies by a licensed

veterinarian annually or at such intervals as hereafter may be promulgated by the Department of Agriculture. Evidence of such inoculation shall be entered upon a certificate, the form of which shall be approved by the County Board, and the certificate shall be signed by the licensed veterinarian administering the vaccine.

(B) The veterinarian administering the vaccine shall cause the certificate of inoculation to be distributed as follows:

(1) Two copies shall be given to the owner at the time of inoculation;

(2) The owner shall file one copy with the County Board office, or other county office designated by the County Board, within 30 days after the date of inoculation; and

(3) One copy shall be retained by the veterinarian administering the inoculation for a period of five years, or such period as set by the Department or the County Board.

(C) Anyone that owns a dog that is not vaccinated for rabies will be issued a written warning and will be given seven business days to get the dog vaccinated for rabies.

(Ord. passed 9-14-2021)

Statutory reference:

Inoculation of dogs required, see 510 ILCS 5/8

§ 90.21 INOCULATION TAGS.

(A) The owner of a dog shall, within 30 days after such dog has been inoculated against rabies, procure an inoculation tag from the county. The cost of the tag shall be determined and set by the County Board. The owner of a dog shall cause the inoculation tag to be attached to a collar or harness to be worn by the animal whenever the animal is not confined in a secure enclosure place. Valid rabies inoculation tags and certificates from other counties shall be honored while the animals are in transit or until the dog owner has established residence in this county.

(B) The registration/inoculation tag fee to be charged to the owner of animals in the county shall be, for annual registration:

(1) For each animal which is spayed or neutered: \$5; and

(2) For each animal which is not spayed or neutered: \$15.

(C) A licensed veterinarian may procure serially numbered inoculation tags from the county, at a fee set by the Board, and issue one tag with each inoculation certificate at the time of inoculation. A licensed veterinarian shall collect such tag fee from the owner at the time the inoculation tag is dispensed.

(Ord. passed - -2007)

§ 90.22 DOGS THAT BITE.

(A) *Confinement required.* Whenever the animal control officer receives information that any person has been bitten by a dog, the officer shall have such dog confined and observed by a licensed veterinarian.

(B) *Places of confinement.*

(1) *Owner's residence.* If the animal control officer or veterinarian is presented evidence that such dog has been inoculated against rabies within the time prescribed by law prior to the biting, such dog shall be confined in the house of its owner or in a manner that will prohibit such dog from biting any person for a period of ten days. At the end of the ten-day period, the dog shall be examined by a licensed veterinarian.

(2) *Confinement elsewhere.* If there is no evidence that the dog has been inoculated against rabies within the time prescribed by law prior to the biting, such dog shall be confined in the city dog pound, or confined at any private pound or kennel where it may be observed at any time by a licensed veterinarian. Such confinement shall be for a period of ten days. At the end of the ten-day period, the dog shall be examined by a licensed veterinarian and their report submitted to the animal control officer.

(C) *Expense of confinement.* Any expense incurred in the handling of any dog shall be borne by the owner or keeper of the dog.

(D) *Conditions of release.* The owner or keeper of any confined dog have the dog properly inoculated against rabies and purchase an inoculation tag from the county before such dog is released from confinement.

(Ord. passed 9-14-2021) Penalty, see § 90.99

§ 90.23 REIMBURSEMENT TO ANIMAL BITE VICTIMS.

The county is not obligated to pay to any person or resident of the county from the Animal Control Fund any amount for the purchase of human rabies anti-serum, the purchase of human vaccine, any costs for the administration of the serum or vaccine or any amount for medical care which may have been provided to human bite victims.

(Ord. passed 9-14-2021)

§ 90.24 DANGEROUS AND VICIOUS DOGS.

(A) *Authority to kill vicious dogs.* If any vicious dog, when it is necessary for the protection of any person or property, cannot safely be taken up and impounded, such dog may be slain by any police officer; provided, however, that in all cases where any dog slain has bitten any person or caused an abrasion of the skin of any such person, it shall be the duty of the police officer slaying such dog to immediately deliver the carcass and brain to the State Department of Public Health.

(B) *Determination of dangerous dog.* The animal control officer must visit the premises to determine if the dog is a dangerous dog by definition.

(C) *Conditions for keeping dangerous dog.* If a dog is determined to be dangerous, the following are required in order to keep the dog:

(1) A six-foot fenced pen with a fenced top and fenced or concrete bottom enclosing the premises, with a locked door and a "Beware of Dog" sign easily visible;

(2) The dog is to be secured with a metal chain; and

(3) If the dog is taken outside the fenced pen, the dog must have a metal chain, not exceeding six feet in length, and be muzzled.

(D) *Euthanization.* Upon the occurrence of an attack, the owner or keeper of the dog shall be required, after the dog has been confined for ten days by the animal control officer, to arrange for the humane euthanization of said dog by a licensed veterinarian. The cost of such shall be borne by the owner or keeper of the dog. A licensed veterinarian shall inspect the dog at the occurrence of the bite and after impoundment for ten days.

(Ord. passed 9-14-2021) Penalty, see § 90.99

INTERGOVERNMENTAL AGREEMENT

§ 90.35 FACILITY OWNED AND MAINTAINED BY CITY.

The City of Jerseyville maintains an animal control facility within the city and the City Council and the County Board believe that it is in the best interests of the citizens of the city and the county to share the usage of the new facility. The city maintains an animal control facility on real property owned by the city, and the city will continue to own and maintain said facility, both inside and outside, for the duration of this agreement.

(Agreement signed 1-12-2016)

§ 90.36 DURATION OF AGREEMENT.

This agreement shall be in full force and effect up to and until one party provides the other party with six months written notification of the intention to withdraw from the agreement.

(Agreement signed 1-12-2016)

§ 90.37 CITY RESPONSIBILITIES.

The city animal control officer and/or other city employees will:

(A) Do all daily cleaning of the facility, both inside and outside;

(B) Do all feeding, watering and caring for the animals;

(C) Do all euthanasia of the animals, as required; and

(D) Provide all labor to stock all food, cleaning and euthanasia supplies, as needed.

(Agreement signed 1-12-2016)

§ 90.38 COUNTY RESPONSIBILITIES.

The county will pay for:

(A) All utility usage charges for electricity, natural gas and water used at the facility;

(B) All food, litter, cleaning and euthanasia supplies;

(C) Trash dumpster rental;

(D) Freezer rental or purchase; and

(E) Costs of disposal of euthanized animals.

(Agreement signed 1-12-2016)

§ 90.39 PROCEDURE REGARDING ANIMALS.

The county animal control officer or other county employee will have access to the garage at the animal control facility to deliver and drop off any animal picked up in the county and they shall complete an in-take card, including the animal owner's name, address and telephone number, if possible, and any other relevant information about the animal or its owner.

(Agreement signed 1-12-2016)

§ 90.40 NO LIABILITY AND INDEMNIFICATION.

The city shall not be responsible or liable for any negligent, willful or intentional act, error or omission of the county animal control officers or other county employees or agents, and the county shall indemnify and hold the city harmless from any and all costs or expenses thereon, including attorney fees and court costs related thereto. The county shall not be responsible or liable for any negligent, willful or intentional act, error or omission of the city animal control officers or other city employees or agents, and the city shall indemnify and hold the county harmless from any and all costs or expenses thereon, including attorney fees and court costs related thereto.

(Agreement signed 1-12-2016)

§ 90.41 LIABILITY INSURANCE.

Each party will maintain liability insurance coverage for injuries or damages to the person or property of the other party or any third party caused or related to that party's participation in the use and operation of the animal control facility as stated herein.

(Agreement signed 1-12-2016)

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Any person violating any provision of §§ 90.01 through 90.07 or 90.20 through 90.24, for which no other penalty is provided, shall be subject to a fine of not less than \$50, nor more than \$750.

(C) Failure to comply with § 90.04 is a violation for which such person shall pay a penalty of \$25 for first violation, \$50 for second violation occurring within any 12-month period and \$100 for the third and each subsequent violation within any 12-month period. A dog found running at large to the provisions of this chapter a second or subsequent time must be spayed or neutered within seven business days at the owner's expense after being reclaimed unless already spayed or neutered.

(D) The owner shall pay 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 of violating § 90.05: \$25 for the first offense; \$35 for the second offense; \$45 for the third offense; and \$55 for the fourth offense and each successive time.

(E) If the owner of a dog does not comply with the provisions of §90.20, the owner will be issued a \$50 ticket and the dog will be impounded.

(Agreement entered into 1-12-2016; Ord. passed 9-14-2021)

Statutory reference:

Authority, counties, see 55 ILCS 5/5-1071.1

Source, animals, see 510 ILCS 5/15