

ORDINANCE NO: 18-____

ANIMAL CONTROL

WHEREAS, the Randolph County Board has heretofore established an Ordinance providing for a rabies inoculation tag and animal control pursuant to State law; and,

WHEREAS, 55 ILCS 5/5-1070, 5-1071, 5-1072 and 510 ILCS 5/1 et. seq. (hereinafter referred to as the Illinois Animal Control Act) gives the County the power to regulate and prohibit the running at large of dogs in certain areas of the County; and,

WHEREAS, the intent of the present changes is to replace all prior ordinances pertaining to animal control and inoculation; but preserve any prior actions, decisions, legal status as a result of those prior ordinances; and,

WHEREAS, the Randolph County Board desires to raise certain fees for the impoundment and boarding of animals, as well as other changes;

WHEREAS, 510 ILCS 70/ et. Seq. (hereinafter referred to as the Humane Care for Animals Act) gives the County power to enforce all laws for the prevention of cruelty to animals;

NOW, THEREFORE, BE IT ORDAINED by Randolph County Board as follows:

CHAPTER 3

ANIMALS

ARTICLE I – GENERAL PROVISIONS

3-1-1 REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS. The present ordinance shall supplant all prior ordinances pertaining to animal control and inoculation. Nothing, however, from this ordinance's passage shall change, void, supersede, or affect any decisions, right, action, or privilege taken or relied upon resulting or arising from the prior ordinances. This Chapter shall be known and may be cited as the "Animal Control Code."

3-1-2 PURPOSES OF CHAPTER. The purposes of the Animal Control Programs are as follows:

- A) To protect the public health and safety:
 - a. From rabies in accordance with the Illinois Animal Control Act;
 - b. From dangerous and vicious dogs;
 - c. By educating the public about state and local ordinances;
 - d. By controlling and impounding animals under its jurisdiction;
 - e. By enforcing state statutes and county ordinances.
- B) To promote the welfare of animals:
 - a. By adhering to the state Humane Care for Animals Act;
 - b. By educational programs about responsible pet ownership.

3-1-3 DEFINITIONS. As used in this Ordinance, the following items shall have the following meanings:
Administrator. "Administrator" means a veterinarian licensed by the State of Illinois and appointed pursuant to this Ordinance, or in the event a veterinarian cannot be found and appointed pursuant to this Ordinance, a nonveterinarian may serve as Administrator under this Act. In the event the Administrator is

not a veterinarian, the Administrator shall defer to the veterinarian regarding all medical decisions. (510 ILCS 5/2.01)

Animal. "Animal" means every living creature, other than man, which may be affected by rabies. (510 ILCS 5/2.02)

Animal Control Officer. "Animal Control Officer" means any person appointed by the Administrator to perform the duties set forth in the Randolph County Animal Control Ordinance, or the Administrator. (510 ILCS 5/2.03)

At Large. "At large" means any dog allowed, suffered, or permitted by its owner, or any other person, to roam, run, or wander upon any public way, public property or public place or upon the private premises of any person other than the premises of the owner or keeper of such dog or other animal when such dog or other animal is not under control by leash or other recognized control methods.

Business Day. "Business day" means any day including holidays that the animal control facility is open to the public for animal reclaims. (510 ILCS 5/2.03a)

Board. "Board" means the County Board of Randolph County, as defined by Section 23 of "An Act to revise the law in relation to counties" approved March 31, 1974, as amended. (See Ill. Rev. Stat., Ch. 8, par. 352.04)

Cat. "Cat" means *Felis catus*. (510 ILCS 5/2.04a)

Confined. "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. (510 ILCS 5/2.05)

Dangerous Animal. "Dangerous animal" means a lion, tiger, leopard, ocelot, jaguar, cheetah, margay, mountain lion, lynx, serval, bobcat, jaguarondi, bear, hyena, wolf or coyote, or wolf hybrid.

Dangerous Dog. "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. (510 ILCS 5/2.05a)

Department. "Department" means the Department of Agriculture of the State of Illinois. (510 ILCS 5/2.06)

Deputy Administrator. "Deputy Administrator" means a veterinarian licensed by the State of Illinois, appointed by the Administrator and approved by the Board. (510 ILCS 5/2.07)

Director. "Director" means the Director of the Department of Agriculture of the State of Illinois, or his duly appointed representative. (510 ILCS 5/2.08)

Dog. "Dog" means all domestic dogs belonging to the species *Canis familiaris* and all breeds or mixed breeds thereof.

Enclosure. "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. (510 ILCS 5.211a)

Extreme Weather. "Extreme weather" means when the local weather person states that there is a weather warning in regards to high heat index or cold wind chill that may be dangerous to the animal's health.

Feral Cat. "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. (510 ILCS 5.211b)

Intact Animal. "Intact animal" means an animal that has not been spayed or neutered. (510 ILCS 5/2.11c)

Has Been Bitten. "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. (510 ILCS 5/2.12)

Humanely Euthanize. "Humanely Euthanized" means the painless administration of a lethal dose of an agent which shall cause the painless death of an animal as prescribed in the Journal of the American Veterinary Medical Association, January 15, 1993. Said methods shall not destroy brain tissue necessary for laboratory examination for rabies. Animals shall be handled prior to administration of the agent in such a manner as to avoid undue apprehension by the animal.

Impounded. "Impounded" means taken into the custody of the public animal control facility in the city, town, or county where the animal is found. (510 ILCS 5/2.12a)

Inoculation Against Rabies. "Inoculation against rabies" means the injection of an antirabies vaccine approved by the Department. (510 ILCS 5/2.13)

Leash. "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. (510 ILCS 5/2.14)

Licensed Veterinarian. "Licensed veterinarian" means a veterinarian licensed by the State in which he engages in the practice of veterinary medicine. (510 ILCS 5/2.15)

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 or other domestic animal to remain on or about 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. (510 ILCS 5/2.16)

Person. "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. (510 ILCS 5/2.17)

Police Animal. "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. (510 ILCS 5/2.17b)

Potentially Dangerous Dog. "Potentially dangerous dog" means a dog that is unsupervised and found running at large with 3 or more other dogs. (510 ILCS 5/2.17c)

Pound. "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. (510 ILCS 5/2.18)

Registration Certificate. "Registration certificate" means a printed form prescribed by the Department for the purpose of recording pertinent information as required by the Department under this Code. (See Ill. Rev. Stat., Ch. 8, 352.19)

Serious Physical Injury. "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. (510 ILCS 5/2.19a)

Shelter. "Shelter" means a structure which has four (4) sides, a roof, floor, and if needed bedding. The shelter shall be sufficient size to permit such animal to stand up and turn around inside when fully grown and allow retention of body heat. The shelter shall be placed to provide shade from the sun and protection from the weather.

Straying. "Straying" means a dog or other animal not on the premises of the owner or not confined or under control by leash or other recognized control methods as set forth in 8 Ill. Adm. Code 30.140 (b) (1), (2) and (3) in the Animal Control Act.

Tag. "Tag" means a serially numbered medallion approved by the Department to be issued, at a fee set by the County Board, as evidence of inoculation against rabies.

Vicious Dog. "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. (510 ILCS 5/2.19b)

Unowned Stray Dog. "Unowned stray dog" means any dog not on the premises of the owner or keeper or under control by leash or other recognized control methods, and which does not, at that time and place, bear a current rabies inoculation tag issued pursuant to the provisions of this Code, by means of which, by reference to records of current registration certificates, the Administrator or his deputies or assistants may determine the name and address of the owner or keeper thereof, or some other means of identification from

which the Administrator or his deputies or assistants may directly determine the name and address of the owner or keeper thereof. (See Ill. Rev. Stat., Ch. 8, 352)

Wild Animal. "Wild animal" means a wolf, coyote, or the offspring of a mating between a wolf or coyote and a dog. There is no recognized vaccine approved for use on wild animals; therefore, wild animals shall not be vaccinated against rabies and will be impounded for no rabies vaccination.

ARTICLE II - ADMINISTRATION

3-2-1 APPOINTMENT OF ADMINISTRATION; DEPUTIES; REMOVAL. The Chairman of the Randolph County Board shall appoint with the advice and consent of the Board, an Animal Control Administrator, who shall be a licensed Illinois veterinarian. The appointment shall be for two years. The Administrator's compensation and expenses shall be set annually by the Board and incorporated in the annual budget. The Administrator, with the advice and consent of the Board, may appoint a Deputy Administrator and Animal Control Officers at such compensation and with such expenses as shall be set annually by the Board and incorporated in the annual budget. Such appointments shall be from a list of eligible candidates for those positions kept by the Board. Any other personnel shall be assigned to work for the Animal Control Program by the Board at the discretion of the Board. The Administrator, Deputy Administrator, and Animal Control Officers, may be removed by the Board for cause. Other personnel assigned to work in the Animal Control Program may be reassigned at the discretion of the Board and may be dismissed by the Board for cause.

3-2-2 EQUIPMENT SUPPLIED BY 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 is empowered to, and may from time to time, utilize monies from their General Corporate Fund to effectuate the intent of this Code. 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. (510 ILCS 5/3)

3-2-3 DUTIES OF THE ADMINISTRATOR.

It shall be the duty of the Administrator to control and prevent the spread of rabies through education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary. It shall also be the duty of the Administrator to investigate and substantiate all claims made under Section 19 of the Illinois Animal Control Act.

The Administrator shall also have the following duties:

- (a) Administrator of the Animal Control Program in Randolph County;
- (b) Draft written rules and regulations for the operation of the Randolph County Animal Control Programs;
- (c) Prepare an annual budget for the operation of the Randolph County Animal Control Program
- (d) Direct the activities of and assign duties to the personnel working in the Randolph County Animal Control Program;
- (e) Approve all bills before submission to the oversight committee who will submit said bills for Board authorized payment.
- (f) Make such reports as are required by the Director of the Department of Agriculture of the State of Illinois to his duly appointed representative, the oversight committee, or the Board. It shall also be the duty of the Administrator to investigate and substantiate all claims made on the Animal Control Fund and to approve all expenditures under the Animal Control Program for Board authorized payment.

3-2-4 ENFORCEMENT. The Administrator, Deputy Administrators, and Animal Control Officers, for the purpose of enforcing of the Illinois Animal Control Act and the Randolph County Animal Control Ordinance, have the power of police officers in Randolph County and as peace officers in Randolph County for the purpose of enforcing the provisions of the Illinois Animal Control Act or the Randolph County Animal Control Ordinance, including the issuance and service of citations, summonses, and orders as well as executing and serving all warrants and processes issued by any circuit court. 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 Ordinance.

ARTICLE III - REGISTRATION

3-3-1 REGISTRATION OF DOGS; FEES; CERTIFICATE OF REGISTRATION; FAILURE TO REGISTER DOG.

Every owner of a dog four (4) months or more of age shall cause such a dog to be registered and shall pay an annual fee for such dog at a place designated by the Board. The Board shall provide rabies inoculation tags at the fee of \$6.00 per year or \$18.00 per three years. Rabies inoculation tags shall be in a form and color prescribed by the Illinois Department of Agriculture. The method of distributing said tags and collection of fees for said tags shall be determined by the Administrator. All fees collected for the issuance of rabies inoculation tags shall be remitted to the County Treasurer, who shall place such monies in the Animal Control Fund.

3-3-2 FAILURE TO REGISTER. When an owner fails to register his dog, as prescribed herein, the Animal Control Department shall cause the annual registration to be collected from the owner, plus an additional late fee of five dollars (\$5.00) per dog. (Ill. Rev. Stat., Ch.8; Par. 356)

3-3-3 REGISTRATION FORMS. The Animal Control Administrator shall provide licensed veterinarians with appropriate registration forms which shall be distributed to dog owners by such licensed veterinarians upon the occasion of the rabies inoculation required by the Animal Control Act and this Code. The veterinarians shall send completed inoculation forms to the Animal Control Administrator as soon as practicable, preferably monthly.

3-3-4 REMITTANCE OF FEES – ANIMAL CONTROL FUND – USE OF FUND. The Animal Control Fund is an account administered by the County Treasurer for the purpose of paying the cost of the Animal Control Program. One third (1/3) of all fees collected for the issuance of rabies inoculation tags shall be retained in the fund until the first Monday in the March of each year for the purpose of paying claims for loss of livestock or poultry.

- a) All fines and fees collected pursuant to the Ordinance and this Chapter shall be deposited in the Animal Control Fund.
- b) All fines and fees deposited in the Animal Control Fund shall be used for the following purposes:
 - 1) paying for the costs of the Animal Control Program; and
 - 2) paying for cost of education on animal control and rabies; and
 - 3) paying other cost incurred in carrying out the provisions of the Ordinance and Act.

The remaining two thirds (2/3) shall be used in paying the cost of operating the Animal Control Program.

ARTICLE IV – REGULATIONS

3-4-1 INOCULATION AGAINST RABIES REQUIRED – RABIES INOCULATION TAGS – SALE AND DISTRIBUTION OF VACCINE.

Every owner of a dog four (4) months or more of age shall have each dog inoculated against rabies by a licensed veterinarian annually or every three years depending on the type of vaccine used. Every dog shall have a second rabies vaccination within one year of the first annual vaccination. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used. A veterinarian immunizing a dog against rabies shall provide the Administrator of the county in which the dog resides with a certificate of immunization. The Administrator shall provide licensed veterinarians with rabies inoculation certificates in a form approved by the Board, which shall be signed by the veterinarian administering the rabies inoculation vaccines. A copy of said certificate shall be issued to the owner of the dog which has been inoculated and a copy of the certificate shall be returned to the Administrator or his designated representative. Only one dog 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. There is no recognized vaccine approved for use on wild animals, therefore, wild animals shall not be vaccinated 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. (510 ILCS 5/8)

3-4-2 COLLAR AND IDENTIFICATION REQUIREMENTS. Every owner of a dog four months of age or more shall cause a current, valid rabies inoculation tag to be attached to a collar or harness and worn by the dog to which such tag was issued at all times. Every owner of a dog under four months of age shall have a tag specifying the owner's name, address, and telephone number attached to a collar or harness which shall be worn by the dog at all times.

3-4-3 DOGS RUNNING AT LARGE; IMPOUNDMENT. Any dog found running at large contrary to provisions of this Code and the Animal Control Act, Illinois Revised Statutes, Ch. 8, par. 351, et seq., shall be 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. The Animal Control Officers shall and any peace officer may apprehend and impound the following dogs:

- a) Dogs which have bitten a person;
- b) Dogs four months or more of age which have not been inoculated against rabies by a licensed veterinarian, only after a warning letter has been mailed or hand delivered to owner of dog;
- c) Dogs four months or more of age not on the premises of their owner and which do not have current, valid rabies inoculation tag attached to their collar or harness;
- d) Dogs under four months of age not on the premises of their owner and which do not have an identification tag specifying the owner's name, address, and telephone number attached to their collar or harness.
- e) Dogs wearing a current valid rabies inoculation tag or identification tag which are not on the premises occupied by the dog's owner and are not accompanied or supervised by the owner and are not on leash when a written complaint has been received by the Animal Control Officers.
- f) Any animal found in such condition or circumstances which pose or create a danger to the animal's health or well-being which pose or create a danger to the health or well-being of any person or the public.
- g) Any animal found in such condition or circumstances that would constitute a violation of the Act or this Ordinance.
- h) Any wild animal rabies vaccinated shall not be recognized as an official vaccinate and such animal shall be impounded.

When a dog whose owner is known is impounded, notice shall be immediately given to the owner by the Administrator or his authorized representative. Notice shall be mailed to the owner at the last known mailing address and attempt to serve a copy of that notice personally to the owner. If the copy of the notice cannot be served personally to the owner, the copy shall be left with any person thirteen (13) years or older residing at the last known mailing address of the owner or by attaching the notice to the main entrance to the owner's residence. An affidavit or testimony of the Administrator or his authorized representative who mails the notice shall be prima facie evidence of the receipt of such notice by the owner. In the case of dogs impounded pursuant to section 3-4-3a through 3-4-3e of this Ordinance, if the dog is not redeemed within seven (7) days from the

date the notice was mailed or the dog impounded, if the owner is unknown, the impounded dog shall be humanely euthanized, offered for adoption, or otherwise disposed of by the impounding facility as a stray dog in accordance with the laws that exist or may hereafter exist. This Code shall not prevent humane societies from engaging in activities set forth by their charters; provided, they are not inconsistent with provisions of this Code and other existing laws. Any person purchasing or adopting such dog, with or without charge or donation, shall pay for the registration and rabies inoculation of such dog. (See Ill. Rev. Stat., Ch. 8, par. 361)

When a dog is apprehended and impounded after running at large and contains no method of identification which includes but is not limited to microchip, tattoo, identification tag, or rabies inoculation tag, the dog shall be confined for five (5) days. If no person claims the dog within five days of being apprehended, then the impounded dog shall be humanely euthanized, offered for adoption, or otherwise disposed of by the impounding facility as a stray dog in accordance with the laws that exist or may hereafter exist. This Code shall not prevent humane societies from engaging in activities set forth by their charters; provided, they are not inconsistent with provisions of this Code and other existing laws. Any person purchasing or adopting such dog, with or without charge or donation, shall pay for the registration and rabies inoculation of such dog. (See Ill. Rev. Stat., Ch. 8, par. 361)

3-4-4 REDEMPTION. When the owner of any dog impounded pursuant to section 3-4-3a through 3-4-3e of this Ordinance desires to redeem the dog, he or she may do so by doing the following:

- a) At the time of impoundment the Animal Control Officer shall prepare an impoundment form to be approved by the Administrator indicating the impoundment fee of \$30.00 with space provided for the total amount of board; and 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. Each subsequent offense will increase by \$30.00. (Ex: 1st offense - \$30.00; 2nd offense - \$60.00; 3rd offense - \$90.00; etc...)
- b) The impounding authority shall place on the impoundment form previously prepared by the Animal Control Officer, a charge of \$10.00 per day for boarding for each day or part thereof which the dog was impounded; and
- c) At the time of release, the owner shall present a current rabies inoculation certificate.
- d) If no current rabies inoculation certificate is available a warning ticket is to be issued and the owner must sign the warning ticket acknowledging ownership of the dog, and pay for the rabies inoculation of the dog and registration.
- e) Pay a \$25 public safety fine to be deposited into the Pet Population Control Fund; the fine shall be waived if it is the dog's first impoundment and the owner, agent, or caretaker has the animal spayed or neutered within 14 days.
- f) Pay for microchipping and registration if not already done.

All amounts collected by the County Treasurer pursuant to this paragraph shall be placed in the Animal Control Fund and shall be used in paying the cost of operating the Animal Control Program. When not redeemed by the owner, agent, or caretaker, a dog must be scanned for a microchip. If a microchip is present, the registered owner 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 humane society or rescue group. If no placement is available, it shall be humanely dispatched pursuant to the Humane Euthanasia in Animal Shelters Act. An animal pound or animal shelter shall not adopt or release any dog or cat to anyone other than the owner unless the animal has been rendered incapable of reproduction and microchipped, or the person wishing to adopt an animal prior to the surgical procedures having been performed shall have executed a written agreement promising to have such service performed, including microchipping, within a specified period of time not to exceed 30 days.

Failure to fulfill the terms of the agreement shall result in seizure and impoundment of the animal and any offspring by the animal pound or shelter, and any monies which have been deposited shall be forfeited and submitted to the Pet Population Control Fund on a yearly basis. 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 or has a foster care permit issued by the Illinois Department of Agriculture or is a representative of a not-for profit out-of-state organization. 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 each year. (510 ILCS 5/11)

3-4-5 DOGS EXHIBITING SIGNS OF RABIES; NOTICE TO ADMINISTRATOR; CONFINEMENT OF DOG; ANIMALS EXPOSED; CONFINEMENT. The owner of any dog or other animal which exhibits clinical signs of rabies whether or not such dog or other animal has been inoculated against rabies, shall immediately notify the Administrator, and shall promptly confine such dog or other animal, or have it confined, under suitable observation for a period of at least ten (10) days, unless officially authorized by the Administrator, in writing, to release it sooner. Any dog or other animal in direct contact with such dog or other animal, whether or not the exposed dog or other animal has been inoculated against rabies, shall be confined as recommended by the Administrator. (See Ill. Rev. Stat., Ch. 8, par. 362.)

3-4-6 REPORT OF BITE BY DOG OR OTHER ANIMAL; CONFINEMENT; REPORT ADMINISTRATOR; REPORT AT END OF CONFINEMENT; CONFINEMENT IN OWNER'S HOUSE; REDUCTION OF PERIOD; VIOLATIONS; EXPENSES. 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. Any individual having knowledge that a person has been bitten by a dog or other animal and who fails to report such incident to the Administrator is in violation of this Ordinance. It is the duty of any person conducting or operating a medical facility or any physician or nurse to report to the local law enforcement agency or the Administrator when a person is treated for any injury resulting from an animal bite. It is the duty of any law enforcement or nurse to report to the local law enforcement agency or the Administrator when a person is treated for any injury resulting from an animal bite. It is the duty of any law enforcement personnel to report to the Administrator any reports which are received concerning a person being bitten by an animal.

When the Administrator receives information that a person other than a family member has been bitten by a dog or other animal, the Administrator or his authorized representative shall have such dog or other animal quarantined with a licensed veterinarian for a period of ten (10) days or for animals that are currently vaccinated against Rabies, quarantine can be done at the owner's residence provided a visual inspection of the premises is deemed satisfactory by an Animal Control Officer. When a dog or other animal is quarantined for biting a person, the following steps shall be followed:

- a) 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.
- b) The Administrator or his authorized representative shall, in writing, notify the owner of the dog or animal to be quarantined that the owner is responsible for all quarantine costs and if the dog or animal is not retrieved in ten (10) days and all costs be paid at that time, the animal shall be humanely destroyed.
- c) 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 animal has not been already, at the expense of the owner. If the animal is already rabies vaccinated and quarantined at home, the animal will need to be microchipped after the 10 day quarantine period is finished. The owner is responsible for the microchip expense. If owner doesn't comply, the dog or animal will be impounded and the owner charged for the impoundment fee, any boarding fees, and microchip fee.
- d) The veterinarian observing the quarantined dog or other animal shall report the clinical condition of the dog or other animal immediately to the Administrator with conformation in writing within twenty-four (24) hours giving the owner's name, address, date of confinement, breed, description, age, and sex of such dog or other animal on forms approved by the Illinois Department of Agriculture.
- e) At the end of the quarantine period, the veterinarian observing the quarantined dog or other animal shall submit a written report to the Administrator advising him of the final disposition of such dog or other animal on forms approved by the Illinois Department of Agriculture.

f) 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/her authorized representative.

Any person convicted of violating this subsection of this Ordinance is guilty of a Class A misdemeanor for the first violation. A second or subsequent violation is a Class 4 felony. (510 ILCS 5/13)

3-4-7 VICIOUS DOG; NECESSITY OF LEASH FOR DANGEROUS DOG OR OTHER ANIMAL; GUIDE DOGS EXEMPTED; INJUNCTION TO ENFORCE; NUISANCE. 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. A vicious dog shall mean a dog as defined in Section 15 of the Animal Control Act (510 ILCS 5/15). Guide dogs for the blind, 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 and shall be registered annually with the Administrator. 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. (510 ILCS 5/15)

The Administrator, the State's Attorney, or any citizen of the county in which a vicious or dangerous dog or other animal exists may maintain a complaint in the name of the People of the State of Illinois to enjoin all persons from maintaining or permitting such, to abate the same, and to enjoin the owner of such dog or other animal from permitting same to leave his premises when not under control by leash or other recognized control methods and muzzle. Upon the filing of a complaint in any court of competent jurisdiction, the court is satisfied that this nuisance may exist, shall allow a temporary writ of jurisdiction with bond in such amount as the court may determine enjoining the defendant from maintaining such nuisance. If the existence of the nuisance is established, the owner of such dog or other animal shall be in violation of this code, and in addition, the court shall enter a decree restraining the owner from maintaining such nuisance and may decree that such dog or other animal be humanely euthanized. (510 ILCS 5/15)

3-4-8 DANGEROUS DOG DETERMINATION; CONFINEMENT. 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. 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.

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.

If deemed dangerous, the Administrator, or his or her designee, or the Director shall:

- 1) order the dog's owner to pay a \$50 public safety fine to be deposited into the Pet Population Control Fund,
- 2) the dog to be spayed or neutered within 14 days at the owner's expense and microchipped, if not already, and
- 3) one or more of the following as deemed appropriate under the circumstances and necessary for the protection of the public:
 - a. 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
 - b. Direct supervision by an adult 18 years of age or older whenever the animal is on public premises.

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. All registered dangerous dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as above provided. Such pen, kennel, or structure must have secure sides and a secure top attached to the sides. All structures used to confine registered dangerous dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than one (1) foot. All structures erected to house such dogs must comply with all zoning and building regulations of the County. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

No registered dangerous dog may be kept on a porch, patio, or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

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. An animal control agency has the right to impound a dangerous dog if the owner fails to comply with the requirements of this Act. (510 ILCS 5/15.3)

3-4-9 DANGEROUS DOG APPEAL. 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.

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.

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. At any time after a final order has been entered, the owner may petition the circuit court to reverse the designation of dangerous dog. (510 ILCS 5/15.1)

3-4-10 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. (510 ILCS 5/16)

3-4-11 APPREHENSION AND INVESTIGATION. For the purpose of carrying out the provisions of this Ordinance, the Administrator or his/her authorized representative or any law enforcement officer may enter onto private property that the entry shall not be made into any building that is a person's residence, to apprehend a dog or other animal thought to be infected with rabies; to apprehend a straying dog or other animal; or, to apprehend a dog or other animal that has bitten any person. At the request of the owner or occupier of private property the Administrator or his authorized representative may enter onto such property to apprehend any dog whether or not said dog is wearing a rabies inoculation tag or an identification tag. If, after request therefor, the owner of the dog or other animal shall refuse to deliver the dog or other animal to the authorized representative/peace officer, the owner shall be in violation of this Ordinance. (510 ILCS 5/17)

3-4-12 OWNER LIABLE FOR LIVESTOCK DAMAGE. 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. (510 ILCS 5/18.1)

3-4-13 REIMBURSEMENT OF OWNER OF DOMESTIC ANIMALS KILLED OR INJURED BY DOG; PROCEDURE. Any owner having sheep, goats, cattle, horses, mules, swine or poultry killed or injured by a dog shall, according to the provisions of this Code and upon filing claim and making proper proof, be entitled to receive reimbursement for such losses from the Animal Control Fund; provided, he is a resident of this State and such injury or killing is reported to the Administrator within twenty-four (24) hours after such injury or killing occurs, and he shall have appeared before a member of the County Board of the county in which such killing or injury occurred 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. Members of the County Board are authorized to administer oaths in such cases.

The damages referred to in this Section shall be substantiated by the Administrator through prompt investigation and by not less than two (2) witnesses who shall be freeholders of the county. The member of the Board 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 member of the Board shall file a written report with the County Treasurer as to the right of an owner of sheep, goats, cattle, horses, mules, swine or poultry 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 is entitled. Except as otherwise determined herein, compensation shall not exceed the amounts in the following schedule:

- A) For goats killed or injured, \$30.00 per head
- B) For cattle 6 months or older in age killed or injured, \$300.00 per head
- C) For cattle 6 months or younger in age killed or injured, \$150.00 per head
- D) For horses or mules killed or injured, \$200.00 per head
- E) For swine killed or injured, \$50.00 per head
- F) For turkeys killed or injured, \$5.00 per head
- G) For sheep killed or injured, \$25.00 per head
- H) For all poultry other than turkeys killed or injured, \$1.00 per head

If there is not sufficient money in the portion of the fund set aside as stated in Section 3-3-4 to pay all claims for damages in full, then the County Treasurer shall pay to such owner of animals or poultry his pro rata share of the money available.

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 Code. (510 ILCS 5/19)

3-4-14 PAYMENT TO OWNER OF DOMESTIC ANIMALS; NO BAR TO ACTION FOR DAMAGES; REPAYMENT TO ANIMAL CONTROL FUND.

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 aforesaid, for the use of the Animal Control Fund, for the full amount of such recovery. Writs of execution issued upon such judgment shall show on their 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. (510 ILCS 5/20)

3-4-15 DANGEROUS ANIMALS. No person shall keep, harbor, care for, act as custodian of or maintain in his possession any dangerous animal except at a properly maintained zoological park, federally licensed exhibit, circus, scientific or educational institution, research laboratory, veterinary hospital, hound running area, or animal refuge in an escape-proof enclosure. It is no defense to a violation of this Section that the person violating such Section has attempted to domesticate the dangerous animal.

3-4-16 ANNUAL REPORT TO DEPARTMENT. Each Board shall make an annual report to the Department showing the number of dogs registered, number of dogs inoculated against rabies, fees collected, animal bites investigated, cases of rabies and such other information as the Department shall request. The Department shall be kept advised of the name and address of the Administrator. (510 ILCS 5/3)

3-4-17 IMMUNITY FROM DAMAGES OCCURRING IN ENFORCEMENT OF CODE. Repealed in favor of the provisions now set forth in Article 510, Section 5, Paragraph 35 of the Illinois Compiled Statutes (510 ILCS 5/35).

3-4-18 POWERS OF MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS TO REGULATE DOGS AND OTHER ANIMALS. Nothing in this Code shall be held to limit in any manner the power of any municipality or other political subdivision to prohibit the animals from running at large, nor shall anything in this Code be construed to, in any manner, limit the power of any municipality or other political subdivision to further control and regulate dogs or other animals in such municipality or other political subdivision including a requirement of inoculation against rabies. (510 ILCS 5/24)

3-4-19 VIOLATIONS – PENALTY. Any person violating or aiding in or abetting the violation of any provision of this Chapter or counterfeiting or forging any certificate, permit, or tag, or making any misrepresentation in regard to any matter prescribed by this Chapter, or resisting, or obstructing, or impeding the Administrator or any authorized officer in enforcing this Chapter, or refusing to produce for inoculation any dog in his possession not confined at all times to an enclosed area, or who removes a tag from a dog for purpose of destroying or concealing its identity shall be fined not less than one hundred (100) dollars nor more than five hundred (500) dollars. Each day a person fails to comply constitutes a separate offense. (510 ILCS 5/26)

3-4-20 CITATIONS. Animal Control Officers and peace officers of the county may issue citations to the owners of dogs for violations of Sections 3-4-1, 3-4-2, and/or 3-4-3 of this Ordinance in lieu of or in addition to impounding the dog. The penalty for violation of sections 3-4-1, 3-4-2, and/or 3-4-3 shall be in addition to any other fee, charges, or penalties payable pursuant to this Ordinance. When such a citation is issued an appearance date of not less than ten (10) days and not more than forty-five (45) days shall be entered by the officer of the citation. The owner of the dog receiving the citation may plead guilty to the offense charged in the citation prior to the scheduled appearance date by so indicating on the citation and paying a fine of \$25.00 for the first offense; \$50.00 for the second offense; \$75.00 for the third offense; and \$500.00 for each additional offense plus costs to the Circuit Clerk.

3-4-21 SEVERABILITY. The invalidity of provision or parts of provisions of this Ordinance or any rule or regulation pursuant thereto shall not affect the validity of the remainder of this Ordinance.

3-4-22 FAILURE, REFUSAL, OR NEGLECT OF OFFICER TO CARRY OUT CODE – PUNISHMENT. Any officer failing, refusing, or neglecting to carry out the provisions of this Chapter shall be guilty of a petty offense and shall be fined not less than twenty-five (25) dollars nor more than one hundred (100) dollars for each offense. (510 ILCS 5/27)

3-4-23 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 at the animal control facility, animal shelter, or other central location within the county. (510 ILCS 5/16.5)

ARTICLE V – PREVENTION OF CRUELTY TO ANIMALS

3-5-1 HUMANE CARE FOR ANIMALS (510 ILCS 70/3)

Owner's Duties:

- a) Each owner shall provide for each of his or her animals:
 - 1) A sufficient quantity of good quality, wholesome food and water;
 - 2) Adequate shelter and protection from the weather;
 - 3) Veterinary care when needed to prevent suffering; and
 - 4) Humane care and treatment.
- b) To lawfully tether a dog outdoors, an owner must ensure that the dog:

- 1) Does not suffer from a condition that is known, by that person, to be exacerbated by tethering;
 - 2) Is tethered in a manner that will prevent it from becoming entangled with other tethered dogs;
 - 3) Is not tethered with a lead that (i) exceeds one-eighth of the dog's body weight or (ii) is a tow chain or a log chain;
 - 4) Is tethered with a lead that measures, when rounded to the nearest foot, at least 10 feet in length;
 - 5) Is tethered with a properly fitting harness or collar other than the lead or a pinch, prong, or choke-type collar; and
 - 6) Is not tethered in a manner that will allow it to reach within the property of another person, a public walkway, or a road.
- c) Subsection (b) of this Section shall not be construed to prohibit:
- 1) A person from walking a dog with a hand-held leash;
 - 2) Conduct that is directly related to the cultivating of agricultural products, including shepherding or herding cattle or livestock, if the restraint is reasonably necessary for the safety of the dog;
 - 3) The tethering of a dog while at an organized and lawful animal function, such as hunting, obedience training, performance and conformance events, or law enforcement training, or while in the pursuit of working or competing in those endeavors; or
 - 4) A dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, State, or local authority or jurisdiction.
- d) A person convicted of violating subsection (a) of this Section is guilty of a Class B misdemeanor. A second or subsequent violation of subsection (a) of this Section is a Class 4 felony with every day that a violation continues constituting a separate offense. In addition to any other penalty provided by law, upon conviction for violating subsection (a) of this Section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evaluation. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.
- e) A person convicted of violating subsection (b) of this Section is guilty of a Class B misdemeanor.
- f) As used in this Section, "tether" means to restrain by tying to an object or structure, including, without limitation, a house, tree, fence, post, garage, shed, or clothes line at a person's residence or business, by any means, including, without limitation, a chain, rope, leash, or running line.

3-5-2 ACTS OF CRUELTY TO ANIMALS PROHIBITED

- a) No person or owner may beat, cruelly treat, torment, starve, wound, molest, overwork or otherwise abuse any animal.
- b) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
- c) No person or owner shall crop an animal's ears, an animal's tail or perform similar surgeries except as a licensed veterinarian of the State of Illinois.
- d) No person shall expose an animal to any known poisonous substance, whether mixed with food or not, so that the same may be digested by the animal; provided, that it shall not be unlawful for a person to use poison mixed with vegetable substances for the purpose of exterminating rats or mice.
- e) No owner of a dog or cat that is a companion animal may expose the dog or cat in a manner that places the dog or cat in a life-threatening situation for a prolonged period of time in extreme heat or cold conditions that:
 - 1) Results in injury to or death of the animal; or
 - 2) Results in hypothermia, hyperthermia, frostbite, heatstroke or similar condition as diagnosed by a doctor of veterinary medicine.

Nothing in this Section shall prohibit an animal from being impounded in an emergency situation.

- f) A person convicted of violating this Section is guilty of a Class A misdemeanor. A second or subsequent conviction for a violation of this Section is a Class 4 felony. In addition to any other penalty provided by law, a

person who is convicted of violating subsection (a) upon a companion animal in the presence of a child, as defined in Section 12-0.1 of the Criminal Code of 2012, shall be subject to a fine of \$250 and ordered to perform community service for not less than 100 hours. In addition to any other penalty provided by law, upon conviction for violating this Section, the court may order the convicted person to undergo a psychological or psychiatric evaluation and to undergo any treatment at the convicted person's expense that the court determines to be appropriate after due consideration of the evidence. If the convicted person is a juvenile or a companion animal hoarder, the court must order the convicted person to undergo a psychological or psychiatric evaluation and to undergo treatment that the court determines to be appropriate after due consideration of the evaluation.

3-5-3 CONFINEMENT IN MOTOR VEHICLE (510 ILCS 70/7.1) No owner or person shall confine any animal in a motor vehicle in such a manner that places it in a life or health threatening situation by exposure to a prolonged period of extreme heat or cold, without ventilation or other protection from such heat or cold. In order to protect the health and safety of an animal, the animal control officer or peace officer, who has probable cause to believe this subsection is being violated, may enter such motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or person. A person convicted of violating this Section is guilty of a Class C misdemeanor. A second or subsequent violation is a Class B misdemeanor.

3-5-4 PROHIBITED ACTS (510 ILCS 70/4)

- a) No person may sell, offer for sale, barter, or give away as a pet or a novelty any rabbit or any baby chick, duckling or other fowl which has been dyed, colored, or otherwise treated to impart an artificial color thereto. Rabbits, ducklings or baby chicks shall not be awarded as prizes.
 - b) No person shall give away animals, other than fish, as a prize, or as an inducement to enter any competition, contest or place of amusement, or offer such as an incentive to any business agreement for the purpose of attracting trade.
- A person convicted of violating this Section is guilty of a Class B misdemeanor. A second or subsequent violation is a Class 4 felony, with every day that a violation continues constituting a separate offense.

RANDOLPH COUNTY ANIMAL CONTROL FEES & FINES

FEES:

REGISTRATION/RABIES TAG & CERTIFICATE FEES

1 Year

- Sterile \$6
- Intact \$16 (\$10 to PPCF)

3 Year

- Sterile \$18
- Intact \$48 (\$30 to PPCF)

MICROCHIPPING FEE

Mandatory on adopted animals, claimed animals, and biting animals \$20

BOARDING FEE

All dogs impounded by Animal Control \$10/day

FINES:

NON-VACCINATION PENALTY

Fine is enforced and animal must be vaccinated within 7 days or non-compliance could result in the impoundment of animal and additional fines and fees will be assessed.

- 1st Offense Warning – Owner will be given 7 days to comply
- 2nd Offense \$25.00
- 3rd Offense \$50.00

RUNNING AT LARGE/IMPOUNDMENT

- 1st Offense
- 2nd Offense**
- 3rd Offense
- 4th Offense

County Fine

\$30
\$60
\$90
\$120

Public Safety Fine

\$25
\$25
\$25

**Must spay or neuter & microchip animal within 14 days after 2nd Offense at the Owner's Expense

OTHER FINES

- Deemed Dangerous Animal: \$50 (\$25 to PPCF) Must spay or neuter & microchip at owner's expense within 14 days
- Deemed Vicious Animal: \$100 (\$25 to PPCF) Must spay or neuter & microchip at owner's expense within 10 days
- Abandonment of Animal: \$50
- Non-compliance for Vicious Animal: \$500 and impoundment

ILLEGAL DUMPING OF ANIMALS OR NEGLECT OF OWNER'S DUTIES OR ANIMAL CRUELTY OR AGGRAVATED ANIMAL CRUELTY IS A \$250.00-500.00 FINE FOR EACH OFFENSE AND VIOLATORS WILL BE PROSECUTED.

Fines & Fee Charges:

Randolph County Board reserves the right to make necessary increases to the Fines & Fee charges. Fine or Fee increases will become effective the next day after approval at the full Board meeting.