



STATE OF ILLINOIS

**PIATT COUNTY**

*in the heart of agricultural America*

Old (Name) – Ordinance Concerning The Registration of Dogs and Animal Control

New (Name)- Piatt County Animal Control Ordinance

Whereas the Board desires to provide consistent policies and procedures for the enforcement and administration of the 510 ILC 5/1 9 Illinois Animal Control Act), 510 ILC 70/3 (Humane Care For Animals Act): and 225 ILC605 (Animal Welfare Act): and

Whereas the Piatt County Board desires to ensure the health, safety, and welfare of its citizens, and protecting the welfare of animals by enforcing responsible pet ownership.

All previous Resolutions, Ordinances, or parts thereof in conflict with this Ordinance are hereby repealed upon the effective date of this Ordinance.

THEREFORE BE IT ORDAINED by the Piatt County Board, the attached updated Piatt County Animal Control Ordinance is adopted and effective upon passage by the Board.

# PIATT COUNTY ANIMAL CONTROL ORDINANCE

Effective: November 13, 2024

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### **5-1-1 POLICY AND PURPOSE**

The purpose of this ordinance is to provide protection for the people of Piatt County, to ensure their health, safety, and welfare, and to provide harmonious relationships between people and animals by:

- A. Protecting the residents of Piatt County from rabies by implementing preventative and control measures as may be deemed necessary.
- B. Providing security to residents from annoyance, intimidation, and injury from dogs and other animals.
- C. Protecting animals from improper use, abuse, neglect, inhumane treatment, and health hazards.
- D. Encouraging responsible pet ownership.
- E. Providing the assessment of penalties for violations and for the enforcement and Administration of 510 ILCS 5/1 ( Illinois Animal Control Act ), 510 ILCS 70/3 ( Humane Care For Animal Act ), and this ordinance.

### **5-1-2 COVERAGE AREA**

Piatt County Animal Control provides animal control field services to the Unincorporated and Rural areas of Piatt County. This does not include municipalities or incorporated villages of Piatt County. Services and enforcement of violations of Section 5-1-5 and 5-1-6 covers all of Piatt County including all municipalities and incorporated villages. 510 ILCS 5/8

### **5-1-3 DEFINITIONS**

As used in this article the following terms shall mean as indicated below:

**ANIMAL CONTROL ACT:** The Animal Control Act, 510 ILCS 5/1 through 5/27, as amended.

**ADEQUATE CARE:** Shall include but not be limited to medical treatment for illness, injury, disease, excessive parasitism, or any malformations.

**ADEQUATE FOOD:** Means food that is not spoiled or contaminated and is of sufficient quantity and quality to meet the normal daily requirements for the condition and size of the animal and the environment in which it is kept. An animal shall be fed or have food available at least once each day, unless a licensed veterinarian instructs otherwise, or withholding is in accordance with accepted agricultural or veterinarian practices.

**ADEQUATE WATER:** Means fresh, potable water provided at suitable intervals for the animal, and which, in no event, shall exceed 24 hours at any interval. The animal must have access to the water.

**ADEQUATE SHELTER:** Means a moisture proof structure which has 4 sides, a roof, floor, and bedding of suitable size to allow the pet to stand up, lie down, and turn around in a natural position and allow retention of body heat, made of durable material with a solid floor raised off the ground as to not allow water to pool in the structure and with the entrance protected from direct wind and rain. The shelter shall be placed to provide shade from the sun and protection from the weather.

**ADMINISTRATOR:** A veterinarian licensed by the State of Illinois and appointed or approved by the Piatt County Board. In the event a veterinarian cannot be found and appointed pursuant to this Act, a non-veterinarian may serve as administrator under this Act. In the event the administrator is not a veterinarian, the administrator shall defer to a veterinarian regarding all medical decisions.

**ANIMAL:** Any animal, other than man, which may be affected by rabies

**ANIMAL CONTROL DEPARTMENT HEAD:** A person approved by the County Board to operate the Piatt County Animal Control Office, oversee the Animal Control Officers, Field Services and all Administrative, Management and Supervisory duties.

**ANIMAL CONTROL OFFICER:** The Animal Control Department Head and any person appointed by the Department Head and approved by the Piatt County Board, to perform the duties set forth in the Animal Control Act and as assigned by the Animal Control Department Head within the County Coverage Areas.

**BOARD:** The Piatt County Board

**CARETAKER/KEEPER:** Any individual, kennel operator, or boarding facility who assumes care of an animal for a period of 24 hours or more.

**CAT:** All domestic members of the feline family Felis Catus

**COMPANION ANIMAL:** An animal that is commonly considered by the owner to be a pet.

**COMPANION ANIMAL HOARDER:** A person who possess a large number of companion animals, who fails or is unable to provide what is required under section 1-16 of this ordinance. A person who keeps the companion animals in a severely overcrowded environment and displays an inability to recognize or understand the nature of, or has a reckless disregard for the conditions under which the animals are living in and the deleterious impact they have on the animals or owners' health and well-being.

**CONFINED:** The restriction of an animal to an escape proof area, room, building or other enclosure away from the public and other animals.

**COUNTY SHELTER, FACILITY, CLINIC:** A county shelter, facility, or veterinary clinic, with whom the county has a contract with, and is licensed with the state as such, and is approved by the Administrator and County Board, for the purpose of enforcing this Act and County Ordinance, that is used as a shelter for seized, stray and homeless dogs within the County Coverage Area.

**DANGEROUS DOG:** Any individual dog anywhere other than upon the property of the owner or custodian of the dog and not muzzled, not leashed, 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

DEPARTMENT HEAD: The Piatt County Animal Control Department Head

DEPUTY ADMINISTRATOR: A veterinarian licensed by the State of Illinois, appointed by the Administrator and approved by the County Board.

DIRECTOR: The director of the department of agriculture of the State of Illinois, or his duly appointed representative.

DOG: All domestic members of the canine family *Canis familiaris*.

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 which may be taken by the owner or keeper, such as tethering of a vicious dog within the enclosure. Such 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. Such enclosure must be approved by the Administrator or Animal Control Department Head. 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.

EUTHANIZED: The painless administration of a lethal dose of an agent or method of euthanasia, that causes death of an animal.

FERAL CAT; BARN CAT: A cat that is born in the wild or is the offspring of an owned or feral cat and is not socialized. It is a formerly owned cat that has been abandoned and is no longer socialized, or lives on a farm.

HAS BEEN BITTEN: Has been seized with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced. The phrase further includes contact with saliva with any break or abrasion of the skin.

HUMANE CARE FOR ANIMALS ACT: The Humane Care for Animals Act, 510 ILCS 70/1 through 70/3, as amended.

IMPOUNDED: Taken into custody by County Animal Control and taken to the Shelter/Facility that is contracted with the Piatt County Animal Control.

INOCULATIONS/ VACCINATION AGAINST RABIES: The injection of an anti-rabies vaccine approved by the department.

INTACT ANIMAL; UNALTERED ANIMAL: Means 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 a dog or other animal under control.

**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 domestic animal to remain on or about any premises occupied by him. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program approved by the Administrator.

**PHYSICAL INJURY:** The impairment of physical condition.

**POTENTIALLY DANGEROUS DOG:** A dog that is unsupervised and found running at large unsupervised with three (3) or more other dogs, or any dog while off the property of its owner and not under the owner's restraint, that has bitten a companion animal or a human and does not cause serious physical injury or death, on more than one occasion.

**PUPPY:** All members of the canine family *Canis familiaris*, whether male or female, under four (4) months of age.

**QUARANTINE AT HOME:** When an animal is placed in an escape proof area and isolated from other people and animals, to be observed by the owner for a specific amount of time.

**QUARANTINE AT LICENSED VETERINARIAN:** When an animal is placed in a licensed facility, that's escape proof and in an isolated area away from other people and animals, to be observed by a veterinarian for a specific amount of time.

**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 or animal that results in that dog being deemed a dangerous dog under the Animal Control Act and who knowingly allows the dog to violate Section 9 of the Animal Control 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 12 months of the original dangerous determination.

**RABIES CERTIFICATE; INNOCULATION CERTIFICATE:** A printed form prescribed by a licensed veterinarian for the purpose of recording pertinent information as required by the department under this Act. The certificate must include the animal's species, name, breed, sex, color, identifying markers, age, weight, and microchip number if applicable. The certificate must also include the animal owner's physical address and the date that the vaccination was given along with the duration of the vaccination, either a 1-year or 3-year rabies vaccination.

**REGISTRATION TAG:** A serial numbered medallion issued and recorded annually by Piatt County Animal Control as evidence of a dog being registered within the county. The tag must be attached to the dog's collar or harness and worn at all times.

**RESTRAINT:** An owned animal, off the premises of its owner's real property, is under restraint within the meaning of this chapter: If it is controlled on a sufficient strength leash of 8 feet or less and held by a competent person capable of controlling the dog or animal.

**RUNNING AT LARGE:** A dog shall be deemed at large when it is off the premises of its owner's real property and not restrained by a competent person.

**SERIOUS PHYSICAL INJURY:** A physical injury that creates a substantial risk of death or that causes death, serious or protracted disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

**STRAY DOG; DOG AT LARGE:** Any dog that is in a public place and not under the direct supervision of the owner. Has no identification of ownership such as a county registration tag, name tag, microchip, or any other identifiers.

**VICIOUS DOG:** A dog that bites a person, attacks a person or causes physical injury, serious physical injury or death without justification, or any individual dog that has been found to be a “dangerous dog” upon three (3) separate occasions or any individual dog that has killed a companion animal while off the premises of its owner.

## **5-1-4 DOG AND CAT BITES**

- A. Dog or Cat Bites: Proceedings against the Owner on all reported dog or cat bites will be initiated against the animal’s owner by the Administrator, Animal Control Department Head or Animal Control Officers. 510 ILCS 5/13
- B. The owner of any dog or cat which exhibits symptoms of rabies and any dog or cat in direct contact with such dog or cat, whether or not such dog or cat has been vaccinated, shall immediately notify the administrator, and shall promptly confine such dog or cat, 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.
- C. Confinement: Dog or Cat That Has Bitten

When the Animal Control Department Head or Animal Control Officers receive information that any person has been bitten by a dog or cat, that does not have current rabies inoculation vaccination, the Department Head or her authorized representative, shall inform the owner of the dog or cat; It is the responsibility of the owner to have the dog or cat quarantined at a licensed animal facility, shelter or clinic, where it is under the observation of a licensed veterinarian for a period of 10 days. At the end of the 10 days the dog or cat will then be required to receive either a 1-year or a 3-year rabies vaccination before being released from quarantine. All fees are the responsibility of the owner.

The Administrator may, by regulation, permit the quarantine to be reduced to a period of less than 10 days if election of euthanasia is chosen, at the expense of the owner.

When evidence has been presented that the dog or cat was inoculated against rabies within the time prescribed by law, the dog or cat may be quarantined in the home of its owner, or in a manner which will prohibit it from biting any person for a period of 10 days, if the Department Head adjudges such confinement satisfactory.

When the dog or cat is required to be quarantined at a licensed facility, the veterinarian shall report the clinical condition of the dog or cat with confirmation of Quarantine at the approved facility to the Animal Control Department Head within 24 hours after the dog or cat is presented for examination, giving the owner's name,

address, the date of confinement, the breed, description, age, and sex of the dog or cat, on appropriate forms approved by the Piatt County Animal Control Office.

At the end of the quarantine period, either at the home or at a licensed facility, the dog or cat shall be examined by the Administrator, or a licensed veterinarian. At the time of release from quarantine the Administrator or a licensed veterinarian will sign and date the Quarantine Release Card. The dog or cat owner is responsible for returning the Quarantine Release Card to the Piatt County Animal Control Office within 7 days of the release date. Failure to do so shall be subject to a \$25 fine.

- D. It is unlawful for any person having knowledge that any person or domestic animal that has been bitten by a dog or cat refuses to notify the Animal Control Office immediately. It is unlawful for the owner of such dog or cat to euthanize, sell, give away or otherwise dispose of any such dog or cat known to have bitten a person until it is released from the required quarantine period or by the administrator or her authorized representative. For the purpose of this section, the word "immediately" means by telephone, in person, or by some other means but does not include the use of the mail.
- E. Any person convicted of violating 510 ILCS 5/13 of The Animal Control Act is guilty of a Class A misdemeanor for a first violation. A second or subsequent violation is a Class 4 felony.

## **5-1-5 RABIES VACCINATION & REGISTRATION**

- A. **VACCINATIONS:** All dogs four (4) months of age or older will be properly vaccinated against rabies by a licensed veterinarian. At the time of vaccination, a rabies certificate will be completed by the veterinarian and forwarded to the Piatt County Animal Control. Terms of subsequent vaccine administration and duration of immunity must follow USDA licenses of vaccines used. Evidence of such rabies vaccination shall be entered on a certificate, the form of which shall be approved by the Department Head and shall be signed by the licensed veterinarian administering the vaccine. A new rabies vaccine supersedes any previous vaccine. Vaccination certificates must include the animal's species, name, breed, sex, color, age, weight, and microchip number if applicable. The certificate must also include if the dog is spayed or neutered, the animal owner's name, physical address and telephone number. Certificates that are not complete will not be honored as valid certificates. Veterinarians will submit rabies certificates of all vaccinated dogs no less than once every 14 days. It is the responsibility of the owner to provide documentation of the vaccination and remit payment of the registration fees to Piatt County Animal Control within 30 days of the new vaccination date.
- B. **VACCINATION REMINDERS:** Vaccination reminders will be sent out for the month that the dog is due for a new rabies vaccination. The new rabies vaccination is due by the 1<sup>st</sup> of the following month. There is a \$10 late fee if the dog is not vaccinated by the due date or done earlier than last vaccination due date and did not submit new vaccination records to the Piatt County Animal Control Office within the 30 days of new vaccination. If the dog is vaccinated before the due date, it is the responsibility of the dog owner to submit new vaccination and fees within 30 days of the new vaccination date to the Piatt County Animal Control Office.



- C. Valid rabies vaccination certificates and tags from other counties will be honored while the dog is in transit or is being kept in the county for 30 days or less. Any dog residing in the county for more than 30 days or relocates residency within the county will need to show proof of current rabies vaccination and pay the registration fees within 30 days of residency.
- D. Registration Tag: All dogs residing in the county are to be registered with a rabies vaccination tag that is furnished by the county. The Piatt County Animal Control Department Head will keep a record to whom the tags are issued to, and the serial numbers of the tags issued. The tag shall be attached to the dog's collar or harness and worn by the dog at all times. Any person in violation of this section shall be fined \$25.00 and doubled for each violation after.
- E. Registration Tag Fee: Annual registration tag fee is \$15 per dog for spayed/neutered dogs and \$30 per dog for non-spayed/neutered dogs. The month in which the tag fee is due (vaccination month) will begin with the first day of that month and the tag fee will be due no later than 30 days from the 1<sup>st</sup> day of that month. For example, if the dog is normally vaccinated or was vaccinated with a 3yr. vaccination, in the month of October, the annual tag fee will then be due during the month of October and no later than October 30<sup>th</sup>.
- F. A \$10 late fee will be added when the registration tag is not paid by the due date. In which case the fee will be \$25 per dog that is spayed/neutered and \$40 per dog that is not spayed/neutered. For a dog not registered within the relevant period as stated above, the States Attorney may file an ordinance violation against the owner or custodian of the dog, or at the discretion of the Animal Control Department Head.
- G. Any dog owner who relocates to Piatt County must submit proof of rabies vaccination and pay the proper registration fees within 30 days of said residency within Piatt County.
- H. Any person in Piatt County accepting ownership of any dog over 4 months of age whether by adoption, person to person transfer, or purchase from a breeder must remit proof of inoculation and pay the required registration fees within 10 days of such transfer. The owner must provide the new owner's full name, address and phone number.
- I. Exhibition of Certificate on Request – At any reasonable time upon request of Animal Control Department Head, Animal Control Officers or Law Enforcement, the owner, caretaker, or keeper of any dog shall exhibit any current, valid certificate required under the provisions of this chapter, certifying the vaccination against rabies of any dog owned or kept by him. This includes any animal being held in any foster home, training facility, or boarding kennel. This shall not apply to a state licensed animal shelter.
- J. Exemption from Inoculation: A licensed veterinarian may determine a companion animal should not receive a rabies vaccination. The exemption must be reported on a form approved by the Animal Control Department Head and shall bear the identifying detail of said animal as well as the signature of the veterinarian exempting the animal. Exemptions must be renewed one year from the date the exemption was issued, or the animal shall be vaccinated if able to receive the vaccine within that time. The owner of an exempted animal shall be required to pay the annual year registration fee and a tag will be issued.
- K. If a dog is not vaccinated for rabies and/or registered, such dog may be impounded by the Animal Control Department Head or Animal Control Officers and may be redeemed or disposed of

in accordance with the provisions of this chapter. The owner of said animal will be responsible for all costs associated with the impoundment.

*510 ILCS 5/8*

### **5-1-6: PENALTY FOR FAILURE TO VACCINATE AND REGISTER**

Any person, who owns a dog located within Piatt County without proper rabies vaccination and registration pursuant to this section, shall be subject to a two-hundred dollar (\$200) fine for such violation. If the owner complies within 10 days from the date the citation was issued, the fine may be reduced to fifty dollars (\$50.00). After the 10-day period to pay the fines has expired, the citation shall immediately be turned over to the Piatt County State Attorney for prosecution and the defendant shall be required to appear in court on the date provided on the citation. If a second offense occurs, the fine will be doubled. Each day a dog is not vaccinated and registered may constitute a separate offense.

### **5-1-7 DOG RUNNING AT LARGE**

- A. Pursuant to Section 9 of the Animal Control Act, it is unlawful for any dog to run at large. Every owner of a dog shall be contained to the confines of the owner's real property or keep the dog under restraint when it is off the premises of the owner's real property. No dog shall run at large. Any dog found running at large in the County Coverage Areas may be apprehended and impounded by the Piatt County Animal Control and County Law Enforcement.

The provisions of subsection (A) shall not apply to; Dogs being used in hunting, field trials and under the control of the owner or handler. Dog shows while on public lands set aside for those purposes. Dog parks or Dogs used for tracking in conjunction with police activities.

- B. To prevent a dog from running at large, all dogs must be under the control of a competent person who is physically able to control the dog.

- C. Possession Of Dog or Running At Large:

- i. Owner Consent Required: It shall be unlawful for any person, without the knowledge and consent of the owner, to harbor, keep, care for, feed or allow to remain on their property any running at large dog for more than 24 (twenty-four) hours or immediately, on the next business day, whichever comes first, without first reporting such possession to Piatt County Animal Control and providing his or her name, address, a description of the dog, and a statement of the circumstances under which possession of the animal was obtained.
- ii. Surrender Required: It shall be unlawful for any person who obtains possession of a dog running at large to refuse to surrender such animal to a Piatt County Animal Control officer when requested to do so.
- iii. It shall be required for any person who finds a dog running at large and who takes possession of said animal to notify Piatt County Animal Control within 24 hours if no owner can be ascertained.
- iv. Failure to follow any part of this section will result in a fine of no less than \$50 per dog and will increase in increments of \$50 for each subsequent offence.

## **5-1-8 NOTIFICATION OF IMPOUNDMENT**

When a dog has been impounded, the administrator or Animal Control Department Head shall give written notice to the owner of the dog, if known. Such notice may be given by personal service, by leaving such notice on the main entrance of the residence of the last known address of the owner, or by certified mail to the last known address of the owner. The notice shall advise the owner that the redemption of the dog must occur immediately and no later than seven (7) days from the impoundment of the dog. The testimony of the Administrator, Animal Control Department Head or her authorized agent who delivers or mails such notice shall be evidence of the receipt of such notice by the owner of the animal.

## **5-1-9 REDEMPTION OF IMPOUNDED DOG; FINES AND FEES**

- A. Upon receiving notice from the Animal Control Department Head, Administrator or her authorized representative, it shall be the duty of the owner or delegate of such impounded dog to immediately redeem the same, unless such dog has been impounded for:
  - i. Biting some person;
  - ii. Being afflicted with rabies; Being suspected of being afflicted with rabies; or
  - iii. Being a dangerous or vicious animal pursuant to this chapter
  - iv. Being held as part of a suspected violation of The Humane Care for Animals Act
- B. The owner of the impounded dog may redeem such dog upon compliance of the following within 7 days, unless the animal is being held for reasons under 5-1-9A, of the date and time of impoundment, including weekends and holidays, by presenting to the impoundment facility the following:
  - i. Proof of Vaccination and Registration: The owner must present proof of current rabies vaccine, and registration, or
  - ii. Pay Vaccination and Registration: Dog owner must pay for the rabies vaccination of the animal, and registration before being released, and
  - iii. Payment of Fines and Fees: A dog owner must pay the Shelter/Facility and Piatt County Animal Control all applicable impound fines and fees for the period the animal was impounded, until such time as the animal is redeemed.
  - iv. Fines and Fees include:
    1. The first offence of a seized stray dog is \$50.00 per dog. The second offence is \$100.00 per dog, and \$200.00 per dog for each offence thereafter.
    2. Daily boarding, feeding, and care of the animal
    3. Other fines and fees mandated by the Animal Control Act, including, but not limited to veterinarian expenses, vaccination, flea treatment, and microchip insertion and documentation.
- C. Failure to redeem an animal will result in a violation of abandonment and a fine of no less than \$350.00 and no more than \$950.00 in accordance with 5-1-16.

## **5-1-10 ADOPTION POLICY**

- A. A dog that has been unclaimed and has been deemed suitable for adoption by the Administrator, may be adopted by any person other than the owner upon payment to the shelter facility the adoption fee.
- B. The Administrator shall not adopt or release any dog to anyone other than the owner unless or until the animal has been rendered incapable of reproduction and microchipped
- C. Pursuant to 225 ILCS 605/3.5 (Animal Welfare Act), the administrator shall provide to the adopter information to the best of the administrator's knowledge, on the animal offered for adoption, including the details of any vaccination or medical treatment received while in the possession of the shelter or facility.
- D. Piatt County Animal Control shall not be responsible for the animal after adoption. There will be no guarantees or refunds with regard to adoptions and Piatt County Animal Control will not accept an animal back once a period of seven 7 days has gone by since adoption.

## **5-1-11 POLICY ON EUTHANIZING**

- A. Ownership unknown: If a stray dog is apprehended it shall be impounded for a period of seven 7 days. If unclaimed, the dog may be euthanized unless the administrator believes the animal could be adopted out. The administrator shall use professional and humane discretion in making the decision.
- B. Ownership Known: If the owner of a straying dog is known and properly notified as provided for in the Animal Control Act, it will be impounded for seven 7 days, and if unclaimed the dog may be euthanized unless the administrator believes the animal could be adopted out. The administrator shall use professional and humane discretion in making this decision. The owner is responsible for all fees and fines.
- C. Failure to redeem a dog will result in a violation of abandonment and a fine of no less than \$350 and no more than \$500 per dog in accordance with 5-1-16 of this ordinance. There shall be a fee assessed for euthanasia to any known dog owner who has been notified that their dog has been apprehended by Piatt County Animal Control but fails to reclaim it.

## **5-1-12 DISTURBING NOISES**

- A. Noise Prohibited: It shall be unlawful to keep or harbor a dog that barks and/or howls continuously for a period exceeding 15 minutes on the premises of any residence and/or business located within three hundred feet (300') of the premises of another residence and/or business within any unincorporated area of Piatt County, outside the corporate limits of any city, village or town. A Livestock Guardian Dog or Working Dog is exempt from this Section if barking for the purpose of protecting livestock/property.
- B. Penalty: Any violation of this section shall be punishable by a fine of not less than twenty-five dollars (\$25.00) not more than one hundred dollars (\$100.00). Subsequent offenses will be fined a minimum of one hundred dollars (\$100.00) or a maximum of two hundred dollars (\$200.00)

## 5-1-13 DANGEROUS AND VICIOUS DOGS

Dangerous and Vicious dogs shall be subject to regulations pursuant to and as provided in the Animal Control Act 510 ILCS 5/15

- A. In addition to 510 ILCS 5/15, All owners and/or keepers of any animal found to be dangerous or vicious, shall display in a prominent place of their premises a clearly visible sign. Any animal found to have been deemed dangerous or vicious prior to the passing of this ordinance shall also be required to display a sign. Sign(s) need to be in a highly visible area and replaced if the sign cannot be read at a distance of 50 feet. Sign(s) are required at each entrance of the home and/or all gates on a fence barrier. If the entrance to a home is within a gated fence, that entrance will be exempt from the sign requirement. Animals deemed vicious must also display a sign on the entrance to the secure enclosure.
- B. Any dog deemed dangerous or vicious in any other state or county may not be moved into Piatt County without the express, written consent of the administrator or the Animal Control Department Head.
- C. Any owner of any dog deemed dangerous or vicious may not transfer, sell, or give away any dog deemed dangerous or vicious without first:
  - i. Contacting Piatt County Animal Control a minimum of 72 hours before such transfer would take place
  - ii. Providing Piatt County Animal Control with the name, address, and phone number of the new owner
  - iii. Piatt County Animal Control serves the new owner with a dangerous or vicious dog declaration and all conditions of housing a dangerous or vicious dog being met.
- D. When a dog is deemed dangerous or vicious the Administrator or Department Head may set forth reasonable restrictions to ensure the safety of the public including, but not limited to:
  - i. The dog must be muzzled when outside the confines of the residence, even if on the property of the owner
  - ii. The dog must be tethered when outside, even if within the confines of a fenced area
  - iii. The dog may not be tethered in the front yard of a home.
  - iv. The dog must be secured while in transport while in a vehicle by a tether to a secure point within the vehicle.
- E. Any dog that is declared dangerous or vicious and is found running at large according to 510 ILCS 5/9 or Section 5-1-7 of this ordinance shall be impounded by Piatt County Animal Control and the owner's rights will be relinquished.
- F. Any owner of a dangerous or vicious dog who moves premises shall notify Piatt County Animal Control within 24 hours of said move.
- G. Dangerous dog – The Piatt County Animal Control shall collect an additional annual registration fee of \$50.00 for each dog that has been declared a dangerous dog under the Illinois Animal Control Act.

- H. Vicious Dog – The Piatt County Animal Control shall collect an additional annual registration fee of one hundred dollars \$100.00 for each dog that has been declared a vicious dog under the Illinois Animal Control Act.
- I. Any owner of a dog deemed dangerous or vicious shall not allow rabies vaccination to lapse. Any dog deemed dangerous or vicious and who does not have a current rabies vaccination and registration will be subject to impoundment by Piatt County Animal Control.
- J. Failure to comply with these requirements, the Animal Control Department Head, Animal Control Officers and County Law Enforcement shall order the dog impounded and the owner shall pay a fine of no less than \$100.00 and not to exceed \$300.00 plus impoundment fees.

### **5-1-14 POTENTIALLY DANGEROUS DOG**

- A. 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 Department Head.
- B. Any dog that on two (2) separate occasions while off property and not under the owner's restraint bites another human or companion animal and does not cause serious bodily harm.
- C. Potentially dangerous dogs shall be spayed or neutered and microchipped within 14 days of the dog being declared potentially dangerous. The designation of "potentially dangerous dog" shall expire 12 months after the most recent violation of this Section.
- D. Failure to comply with this Section will result in impoundment of the dog and/or a fine of no less than \$100.00 and no more than \$300.00

*510 ILCS 5/15.4*

### **5-1-15 RECKLESS DOG OWNER**

The Administrator, State's Attorney, Animal Control Department Head, 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. 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 \$500.00 for each dog. Each day a person fails to comply with forfeiture or prohibition ordered under this Section shall constitute a separate offense. 510 ILC 5/15.5

## 5-1-16 HUMANE CARE FOR ANIMALS

- A. No person shall be permitted to keep animals in violation of the Humane Care for Animal Act (510 ILCS 70/1 et seq.) or the Animal Welfare Act (225 ILCS 605/1).
- B. No owner shall fail to provide his/her animal with:
- i. Adequate Food
  - ii. Adequate Water
  - iii. Adequate Shelter
  - iv. Adequate care: Regular and sufficient veterinary care to prevent suffering and maintain health.
  - v. No person shall keep any animal within a building or upon any premises without food, water, or proper care and attention for a period 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, Animal Control Department Head, or a Humane Investigator to act upon the complaint as directed by the Humane Care for Animals Act 510 ILCS 70/1
  - vi. A dog may not be left in a crate for an extended period of time that causes undue discomfort for the dog
  - vii. No animal may be confined in such a manner that it must lie in its' own excrement.
- C. Restrictions on tethering a dog: It shall be unlawful for an owner to tether a dog outdoors unless the following conditions are met:
- viii. A tethered dog must have access at all times to adequate water and shelter, and dry ground.
  - ix. If there are multiple dogs, each dog must be tethered separately and each dog must have separate food, water and shelter.
  - x. A dog must be tethered in such a manner as to prevent injury, strangulation or entanglement, and the tether must be at least ten 10 feet long.
  - xi. The tether must be attached to the dog by a properly fitting collar or harness with a rotating toggle attachment. Pinch, prong, or choke collars shall not be used. The tether shall not wrap directly around the dog's neck.
  - xii. No dog shall be tethered with a log chain or a tow chain. Chain not to exceed 1/8 of the weight of the tethered dog.
  - xiii. No dog shall be tethered in such a manner to allow it to reach within five (5) feet on public property or public right-of-way, such as a sidewalk or street.

D. Abandonment of animal unlawful

- i. No owner shall knowingly abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
- ii. It is unlawful to surrender a person's own animal as a stray dog or to present a dog whose owner is known as an unknown dog for the purpose of surrendering the dog.
- iii. Any dog whose owner is known and does not reclaim said animal from impound or pay the required fee is guilty of abandoning an animal.
- iv. Any person in violation of this section shall be fined no less than \$350.00 and no more than \$950.00.

### 5-1-17 HOARDING

- A. No person may possess, lodge, or maintain companion animals if such a person displays a general disregard for the conditions under which the animals are living, including, but not limited to, failing to provide all of the following to all of the companion animals in his care: adequate food, water, shelter, and care as set forth in the Illinois Humane Care for Animals Act.
- B. Upon conviction for companion animal hoarding, the court may order the person to do any or all the following:
  - i. Be precluded from owning, harboring, or having custody or control of companion animals for a period that the court deems reasonable.
  - ii. Participate in available animal cruelty prevention program(s) or educational program(s), or both.
  - iii. Undergo a behavioral health evaluation and comply with any recommendations resulting from the evaluation.
  - iv. Forfeit to Piatt County Animal Control the dogs that are the basis of conviction.
  - v. Sterilize the dogs, with sterilization being mandatory upon a second violation.
  - vi. Pay appropriate fees and fines.
- C. Any person violating or aiding in the violation of any provision of this section, or resisting, obstructing, impeding the animal control authority or any authorized officer in enforcing this section, shall be fined no less than \$250.00 or no more than \$950.00. *510 ILCS 70/2.10*

### 5-1-18 NUISANCE DOG

- A. A dog may be declared a nuisance when any of the following conditions are met:
  - i. Any dog found to be at large six (6) or more times in a 24-month period.
  - ii. Any citations issued by a municipal entity within the county shall count towards the number of times a dog has been at large.
  - iii. Impoundment shall count against the number of times the dog has been at large
- B. Any dog, whether alone or in a pack with other dogs, threatens, bites, attacks, or preys on human beings, game animals, domestic animals, or fowl. A dog declared a nuisance must be turned over to Piatt County Animal Control and the owner's rights will be relinquished.



## **5-1-19 NUISANCE DOG OWNER**

Excessive or habitual violations.

- A. When a pet owner has three or more violations of the same type or violations in combination, regarding one or more pets, the Department Head or Officers may have one or more such pets removed from an owner or custodian and placed for adoption, or otherwise dispose of such animals in a humane manner.
- B. When the violation is regarding inhumane treatment of animals, the administrator or Department Head may deem the owner unfit and banned from owning or having pets in his care for a set period of time. After that time has elapsed, he will again be allowed to own or care for animals after a thorough investigation by the Administrator, Department Head or State Humane Investigator
- C. When an owner has been banned from owning or having animals in his care, information shall be provided to all other animal control officers, shelters, and humane investigators.

*510 ILCS 5/2.16*

## **5-1-20 VIOLATIONS OF THE HUMANE CARE FOR ANIMALS ACT**

Upon receiving a complaint of a suspected violation of Section 70/3-70/3.03 of the Humane Care for Animal Act 510 ILCS 70/10, the Administrator, Animal Control Department Head or her authorized representative, or any law enforcement officer may, for the purpose of investigating the allegations of the complaint, enter during normal business hours upon any premises where the animal or animals described in the complaint are housed or kept, provided such entry shall not be made into any building which is a person's residence, except by search warrant or court order. When the animal control Administrator or Department Head finds that a violation of Sections 70/3-70/3.03 Of the Humane Care for Animal Act has rendered an animal in such a condition that no remedy or corrective action by the owner is possible, the animal may be impounded. If impounded, the animal shall be impounded in a shelter facility or at another location where the elements of good care as set forth in Section 3 of the Humane Care for Animals Act can be provided and where such animals shall be examined and treated by a licensed veterinarian or, if the animal is severely injured, diseased, or suffering, humanely euthanized. Any expense incurred in the impoundment shall become the responsibility of the owner of the animal.

## **5-1-21 DEAD ANIMALS PROHIBITED**

Piatt County Animal Control adopts all regulations of the Illinois Dead Animal Disposal Act 225 ILCS Part 90, Section 90.110

- A. The owner or keeper of an animal shall be responsible for the disposal of such animal's remains on its death, from whatever cause, and regardless of the location of the remains of such animal.
- B. Animal remains shall be disposed of:
  - i. By burial beneath at least 18 inches of compacted soil on the property of the animals' owner or keeper or any other location, with the express permission of the owner of the property;

- ii. By cremation in a licensed crematorium; or through a licensed veterinarian.
- C. Animal Control Department Head or officers may issue a written notice to any owner or keeper who has failed to properly dispose of the remains of an animal as prescribed herein. Such person shall have 24 hours from receipt of such notice to properly dispose of such remains. The notice shall be served on the violator personally or by leaving such notice at his usual place of abode with some person of the family, of the age of 13 years or older and informing that person of the contents thereof.
- D. Any person found guilty of this section shall pay a fine of not less than one hundred dollars (\$100.00), or more than three hundred dollars (\$300.00)

### **5-1-23 BREEDERS**

- A. The owner of any female animal in heat (estrus) shall confine such animal in a building or secure enclosure and shall attend the animal in such a manner that such female animal cannot come into contact with a male of the same species except for planned breeding.
- B. A breeder who owns, has possession of, or harbors more than five (5) females capable of reproduction, and who sells, offers to sell, exchanges, or offers for adoption with or without charge dogs or cats that he or she has produced and raised, shall obtain a license from the Illinois Department of Agriculture. 225 ILCS 605/3(a)
- C. Holders of a breeder license must comply with the Piatt County Animal Control Ordinance and all applicable state regulations.

No individual, breeder, or kennel operator, or business entity may sell, give away, or otherwise separate any puppy or kitten 8 weeks of age or younger from its mother or its littermates. Separation from mother can be done under the supervision of a licensed veterinarian when doing so is in the best interest of the mother and the liter.

Any person violating or aiding in the violation of any provision of this section, or resisting, obstructing, impeding the animal control authority or any authorized officer in enforcing this section, shall be fined no less than one hundred dollars (\$100.00) or no more than five hundred dollars (\$500.00) per occurrence.

### **5-1-24 LIVESTOCK RUNNING AT LARGE**

No person or owner of livestock shall allow livestock to run at large. All owners of livestock shall provide the necessary restraints to prevent such livestock from running at large. A notice of violation of this ordinance shall be given to the person or owner of the livestock running at large if known and a maximum of 24 hours may be granted in which to make the necessary corrections if the violation is an accidental occurrence and an investigation reveals no identifiable individual at fault. A Livestock or Working dog that is off property for the purpose of herding the animals back to their designated property is exempt from this Section. Violation of this section is a minimum fine of one hundred dollars (\$100.00) to increase by fifty dollars (\$50.00) with each subsequent offense. 510 ILCS 55

## **5-1-25 FOSTER HOMES**

- A. It shall be unlawful for any person to operate as a foster home within Piatt County without possessing the proper licenses pursuant to (225 ILCS 605/3.2) of the Animal Welfare Act.
- B. All licensed foster homes must remit a copy of their license to Piatt County Animal Control.
- C. All person's responsible for any animal in their possession as a foster home, must be able to produce a rabies certificate and registration tag upon request to Piatt County Animal Control.
- D. It shall be unlawful for any person to present themselves as a foster home to another member of the public without holding the proper license to operate such home.
- E. Any violation of this section will result in a fine no less than fifty dollars (\$50.00) to increase by fifty dollars (\$50.00) for each subsequent offense

## **5-1-26 NUISANCE WILDLIFE REMOVAL AND TESTING**

Any person wishing to remove nuisance wildlife from his or her property must obtain a license or permit from the Illinois Department of Natural Resources or hire a licensed wildlife trapper. Animal Control does not remove wildlife and is not responsible for any testing done on wildlife. The county is not obligated to pay to any person any amount for the purchase of human rabies serum or vaccine or any amount of medical care which may have been provided to human bite victims.

## **5-1-27 TRAPPING PROHIBITED**

It shall be unlawful to trap dogs, cats and wildlife for relocation within Piatt County. Violation of this ordinance will result in a fine of no less than one hundred dollars (\$100.00) and no more than three hundred dollars (\$300.00).

## **5-1-28 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 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 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, Animal Control Department Head and Animal Control Officers, which powers shall pertain only to this Act. The Administrator, Animal Control Department Head and Animal Control Officers may issue and serve citations and orders for violations of this Act. The Administrator, Animal Control Department Head and Animal Control Officers may not carry weapons unless they have been specifically authorized to carry weapons by county ordinance. Animal Control Department Head and County Law Enforcement, however, may use

tranquilizer and taser guns and other nonlethal weapons and equipment without specific weapons authorization.

- C. The sheriff and all sheriff's deputies and municipal police officers shall cooperate with the Administrator, Animal Control Department Head and her representatives in carrying out the provisions of this Act.
- D. The Administrator and Animal Control Department Head and representatives shall aid in the enforcement of the Humane Care for Animals Act and have the right to impound animals and apply for security posting for violation of that Act. 510 ILC 5/5

### **5-1-29 ENFORCEMENT**

Right of entry; inspections; refusal to deliver dog or other animal – The Administrator, Animal Control Department Head, or her authorized representative, or any officer of the law may enter upon private premises, provided that entry is not made into any building that is a person's residence to apprehend a straying dog, a dangerous dog, or other animal, or a dog or other animal thought to be infected with rabies. If, after a request by the Administrator, Department Head or authorized representative, the owner of such dog or other animal refuses to deliver the dog or other animal to the officer, the owner shall be in violation of this chapter. *510 ILCS 5/17*

### **5-1-30 ENFORCEMENT OFFICERS NOT RESPONSIBLE FOR ACCIDENT, INJURY, OR DISEASE**

The Administrator, Animal Control Department Head, or Animal Control Officers or anyone enforcing provisions of this ordinance shall not be held responsible for any accident, injury, disease, or death that may happen to any animal.

### **5-1-31 ISSUANCE OF CITATIONS TO PERSONS IN VIOLATION**

- A. Piatt County Animal Control Department Head and Animal Control Officers are authorized to issue citations on a reasonable belief that any person has violated any provision of this ordinance or the Illinois Animal Control Act. Violations of the county ordinance shall be punishable by a fine of not less than twenty-five (\$25.00) dollars and not more than nine hundred fifty dollars (\$950.00) for each violation.
- B. Citations shall be issued personally to the violator, left with a family member of at least 13 years of age at the home of the violator or by certified mail.
- C. Persons issuing citations shall ensure that a copy of the citation is filed at the Piatt County Courthouse on the same day that the citation is issued or as soon as practical after issuance of such citation unless otherwise stated that fines/fees be paid to Piatt County Animal Control.
- D. Any citation issued for a violation of this Ordinance shall be given a court date for at least 21 days from the date the citation was written.

## **5-1-32 PAYMENT TO AVOID PROSECUTION**

- A. Upon receipt of a citation alleging a violation of any section of this Ordinance, the violation fine may be paid at Piatt County Animal Control Office, provided that the said amount is paid in full within 10 days of the date the citation was issued.
- B. After the 10-day period to pay the fines had expired, the citation shall be immediately turned over to the Piatt County States Attorney for prosecution and the defendant shall be required to appear in court on the date provided on the citation
- C. All fines and fees shall be collected at the Piatt County Animal Control Office then remitted to the County Treasure, which shall be placed in the Animal Control Fund, or as designated, into the Pet Population Control Fund.