

Ordinance No.

AN ORDINANCE ESTABLISHING PIATT COUNTY ANIMAL CONTROL POLICIES AND PROCEDURES

WHEREAS, The County Board of the County of Piatt, Illinois, is vested with the responsibility of establishing and enforcing animal control procedures that protect the public, care for animals, and contribute to the safety of our community;

WHEREAS, the Animal Control Department is charged with protecting the welfare of companion animals in Piatt County and strives to provide education, assistance, and enforcement for the safety and well-being of said animals;

WHEREAS, the services provided by the Animal Control Department are vital to a healthy community;

WHEREAS, An Ordinance Establishing Piatt County Animal Control Policies and Procedures was first established in 1983 and this version replaces Piatt County Ordinance Concerning the Registration of Dogs and Animal Control enacted in 2003.

NOW, THEREFORE BE IT AND IT IS HEREBY ORDAINED by the County Board of the County of Piatt, Illinois, that:

Section 1- STATE LAW REFERENCES

- 1.1 Animal Control Act -- 510 ILCS 5/1 et seq
- 1.2 Animal Welfare Act -- 225 ILCS 605/1 et seq
- 1.3 Humane Care for Animals Act -- 510 ILCS 70/1 et seq.
- 1.4 Humane Euthanasia in Animals Shelters Act -- 510 ILCS 72/1 et seq
- 1.4 Illinois Dead Animals Disposal Act, 225 ILCS 605/1 et seq
- 1.5 Illinois Domestic Animals Running At Large Act, 510 ILCS 55/1 et seq

Section 2 - COVERAGE AREA

2.1 Piatt County Animal Control provides animal control field services and County Ordinance enforcement to the unincorporated and rural areas of Piatt County. This does not include municipalities or incorporated villages in Piatt County. Piatt County Animal Control enforcement of Illinois State Statutes within all of Piatt County, including all municipalities and incorporated villages.

Section 3 - DEFINITIONS

This Ordinance incorporates the definition sections of the following acts and administrative code: Animal Control Act 510 ILCS 5/1 et seq, Humane Care for Animals Act, 510 ILCS 70/1 et seq, Illinois Administrative Code; Agriculture & Animals; Animal Control Act.

Definitions not included in previously referenced statutes and administrative code are listed below.

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

- 3.2 Competent Person: A human being over the age of eighteen years that can control and govern the dog in question, and to whose command the dog is obedient.
- 3.3 Dangerous Dog: (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.
- 3.4 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. 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.
- 3.5 Guide Animal: An animal trained by a recognized organization to lead the legally blind. The term "guide animal" shall also include any service animal trained by a recognized organization to provide services to persons with disabilities.
- 3.6 Impounded: Taken into custody of the public animal control facility in the city, town or county where the animal is found.
- 3.7 Ordinance: The Piatt County Animal Control Ordinance
- 3.8 Pet: Animals customarily kept for pleasure or enjoyment, rather than for utility. Pets have the following characteristics: a special and close relationship with humans; partial or total dependence on humans and bred to live inside a residence in proximity with humans without requiring extraordinary restraint or causing unreasonable disruption. Feral cats are not "pets."
- 3.9 Potentially dangerous dog: A dog that is unsupervised and found running at large unsupervised with three (3) or more other dogs.
- 3.10 Rabies inoculation registration tag: A serially numbered medallion approved by the Department to be issued, as evidence of inoculation against rabies.
- 3.11 Restraint: A dog, off premises of its real property, is under restraint within the meaning of this chapter:

- (1) If it is controlled by a line or leash not more than six feet in length when said line or leash is held by a competent person;
 - (2) When at heel of a competent person;
 - (3) When within a vehicle being driven, parked or stopped; or
 - (4) When utilized in the sport of hunting.
- 3.12 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.
- 3.13 Serious physical injury: 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.
- 3.14 Stray dog: Any dog that is in a public place and not under the direct supervision of the owner. A dog that has no identification of ownership such as a county registration tag, name tag, microchip or any other identifiers.
- 3.15 Vicious dog: A dog that, without justification, attacks a person and causes serious physical injury or death or any individual dog that has been found to be a "dangerous dog" upon three (3) separate occasions.

Section 4 -ADMINISTRATOR

- 4.1 Administrator Appointment 55 ILCS 5/2-5009 (f-5)
- The County Board shall appoint a licensed veterinarian as Administrator or if a veterinarian cannot be found and appointed pursuant to this ordinance, a non-veterinarian may serve as Administrator under this ordinance.
- a. In the event the Administrator is not a veterinarian, the Administrator shall defer to the Deputy Administrator regarding all medical decisions.
- 4.2 Administrator Day-to-Day Responsibilities
- The Administrator is responsible for the day-to-day operations of the Animal Control Department ("Department"), within the limits of the County Board approved Department budget, and the requirements and expectations of this Ordinance, the Animal Control Act, and the Humane Treatment of Animals Act.
- 4.3 Department Reports
- The Administrator shall make a monthly and annual report to the County Board. The report shall include information determined by the Administrator with the input of the County Board.

Section 5 - ENFORCEMENT

- 5.1 It is the duty of the Administrator, subject to general supervision by the County Board and the regulations of the Department, to enforce the provisions of the Animal Control Act, the Humane Care of Animals Act, and this Ordinance.

5.2 Peace Officer Designation - 510 ILCS 5/5 (b)

Animal Control Wardens ("Wardens") are, in accordance with the Ordinance and for the purpose of enforcing it, clothed with the power of peace officers in the County and within such County are peace officers in the enforcement of the provisions of this Ordinance, including issuance and service of citations and orders. As peace officers, they have the power to make arrests, on view or on warrants, for violation of the Ordinance and to execute and serve all warrants and processes issued by any circuit court.

5.3 Multi-jurisdiction Cooperation 510 - ILCS 5/5 (c)

However, such peace officers are prohibited from carrying concealed weapons. The Sheriff and his or her deputies and municipal police officers shall cooperate with the Administrator in carrying out the provisions of the Ordinance.

5.4 The Department aids in the enforcement of the entire Humane Care for Animals Act ("HCA Act") and can impound animals and petition the Court to apply for security posting for any violation of that Act. While the Department enforces the entire HCA Act, of specific note are the following areas of humane animal care:

- a. Every pet owner is responsible for providing sufficient quality food and fresh water, a shelter with four sides, roof, floor, and bedding, and be of sufficient size for the animal to stand up and turn around and placed in an area with shade and protection from the weather, regular and sufficient veterinarian care to prevent suffering and maintain health, and humane care and treatment.
- b. If a dog is tethered outside, it must not suffer from a condition that would be exacerbated by tethering. It must be tethered in a manner that will prevent it from becoming entangled with other tethered dogs and not tethered on a lead that is excess one-eighth of its body weight or is a tow or log chain. Any chaining Dogs must be tethered with a lead that measures at least 10 feet in length, tethered with a properly fitting harness or collar that is not a pinch, prong, or choke collar, and not be tethered in a manner that will allow it to reach within the property of another person, public walkway, or road. A tethered dog must have access to adequate water, shelter, and dry ground.
- c. A dog may not be left in a crate for an extended period of time that causes undue discomfort for the dog.
- d. No animal may be confined in such a manner that it must lie in its own excrement.
- e. No person or owner may beat, cruelly treat, torment, starve, overwork, or otherwise abuse an animal.
- f. No owner may abandon an animal where it may become a public charge or may suffer injury, hunger, or exposure.
- g. 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 proper ventilation or other

protection from such heat and cold. To protect the health and safety of an animal, appropriate law enforcement with probable cause has the authority to enter such vehicles by reasonable means after making a reasonable effort to locate the owner or person responsible.

- h. No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
 - (i) No person may surrender his own animal as a stray dog or present a dog whose owner is known as an unknown dog for the purpose of surrendering the dog.
 - (ii) Any owner who does not reclaim his animal from impound or pay the required fee may be charged with abandoning the animal. The minimum fine for animal abandonment is \$350.00 The maximum fine is \$950.00.

- 5.5 The Administrator, Deputy Administrators, Wardens, or other Department employees under the direction of the Administration enforcing the provisions of this article shall not be held responsible for any accident or disease that may happen to any animal.

Section 6- FINES, FEES, LICENSING, and CERTIFICATIONS

6.1 Fines and Fees - 510 ILCS 5/7, 510 ILCS 5/9

- a. All fines, forfeitures, penalties, and fees collected as result of the enforcement of this Ordinance shall be paid into the appropriate animal control fund as designated by statute.
- b. The Department shall accept payment of fines, penalties, and fees enumerated in this Ordinance and issue receipts for said payments.
- c. The Department will maintain records of all violations of this Ordinance in compliance with the Illinois Local Records Act, 50 ILCS 205, whether such guilt was established in court or by payment of a fine per this Ordinance.
- d. Whenever any person charged with an offense which is payable at the Department shall fail to appear and pay his fine in the time prescribed, the Department may cause a complaint in the circuit court in the name of the People of Illinois to be filed against such person for such violation.
- e. Any person violating or aiding the violation of this Article, except Section 4, or counterfeiting or forging any certificate, permit or tag, or making any misrepresentation in regard to any matter prescribed by the Ordinance, or refusing to produce for inoculation any dog in his possession, or who removes a tag from a dog for the purposes of destroying or concealing its identity, shall pay a penalty of \$100.00 dollars for each offense. 510 ILCS 5/26; 55 ILCS 5/5-1113.

6.2 Cost of Animal impoundment - 510 ILCS 5/10

- a. The cost of any animal being impounded by the Department is \$18.00 per day or any part of a day.

- b. Animals impounded without a current rabies registration tag attached to the collar of the animal or microchip shall have an impoundment fee of \$50.00 for the first offense, \$100.00 for the second offense and \$200.00 for each subsequent offense within a twelve-month period.
- c. Animals impounded for bite quarantine may have additional charges for boarding requirements.

6.3 Registration Fees

- a. In addition to regular registration fee, Animal Control shall collect an additional annual registration fee of \$50.00 per dog that has been declared dangerous and \$100.00 per dog that has been declared vicious under the provisions of the Animal Control Act.

6.4 Animals At Large - 510 ILCS 5/5

- a. Any owner found to be in violation of Section 7 shall be fined \$50.00 for the first offense by the owner, \$100.00 for the second offense by the owner, and \$200.00 for each subsequent offense by the owner.
- b. If an owner owns more than one dog found to be in violation of Section 7, it shall constitute as a separate offense.
- c. On the second offense by the same animal, the owner shall be required to pay the fine and reimburse the Department for the cost to spay/neuter the animal, if it is not already, before the animal is released to the owner.
- d. All costs incurred because of this violation shall be the owner's responsibility.

6.5 Repayment for Destroyed livestock- 510 ILCS 5/18; 510 ILCS 5/19; 55 ILCS 5/-1113

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

- a. For goats killed or injured, \$30.00 per head.
- b. For cattle killed or injured, \$300.00 per head.
- c. For horses or mules, killed or injured, \$200.00 per head.
- d. For swine killed or injured, \$50.00 per head.
- e. For turkeys killed or injured, \$5.00 per head.
- f. For sheep killed or injured, \$30.00 per head.
- g. For all poultry, other than turkey, \$1.00 per head.
- h. For livestock not specifically listed, \$20.00 per head.
- i. For exotic animals, \$50.00 per head.

6.6 Costs Due to Animal Attacks - 510 ILCS 5/16

- a. If a dog or other animal, without provocation, attacks, attempts to attack, or injures any person who is peaceably conducting himself or herself in a 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.

Section 7 - Rabies Vaccination Registration 510 ILCS 5/7; 510 ILCS 5/8, 55 ILCS 5/-1113

- 7.1 All dogs over the age of 4 months residing within Piatt County shall be vaccinated against rabies by a licensed veterinarian. Subsequent vaccinations must comply with vaccine licenses and recommendations. At the time of the vaccination, a rabies certificate will be completed by the veterinarian and forwarded to the Piatt County Animal Control Department. Vaccination certificates must include the dog's name, breed, sex, color, age, weight, microchip number (if applicable), and whether the dog is spayed or neutered. The certificate must also include the owner's name, physical address, and telephone number. 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 vaccination date.
- a. Vaccination reminders will be sent out for the month that the dog is due for a rabies vaccination. The new rabies vaccination is due by the 1st of the following month. A \$10 late fee will be assessed if the dog is not vaccinated by the due date or if proof of vaccination is not received by Animal Control within 30 days of the most recent vaccination.
 - b. Vaccination certificates from other jurisdictions will be honored for up to 30 days after a dog is moved into Piatt County. Any owner that moves a dog into Piatt County must show proof of current rabies vaccination and pay registration fees within 30 days of residency.
 - c. Any person that acquires a dog through adoption or purchase must remit proof of vaccination and pay the required registration fees within 10 days of acquiring the dog. Registration must include the new owner's full name, address, and telephone number.
 - d. The annual registration tag fee is \$15 per dog for spayed/neutered dogs and \$30 for non-spayed/neutered dogs. Tag fees are due in the same month as vaccinations. For example, if a dog is vaccinated in October with a 3-year vaccination, the annual tag fee will be due during the month of October (no later than October 31st). A \$10 late fee will be assessed if the registration tag is not paid by the last day of the month in which it is due. Failure to comply with registration requirements may result in the filing of Ordinance Violation in the Circuit Court.
 - e. Owners or caretakers, including foster homes, training facilities, or boarding kennels, are required to show proof of current rabies vaccination upon request of Piatt County Animal Control or law enforcement.
 - f. A licensed veterinarian may determine a companion animal should not receive a rabies vaccination. Any such exemption must be submitted via approved form to the Administrator. Exemptions must be renewed annually. Registration fees apply to exempted dogs.
 - g. Failure to comply with County rabies inoculation registration tag requirements may result in impoundment of the dog. The owner will be responsible for all costs associated with the impoundment.

Section 8 - IMPOUNDMENT

8.1 Stray Animals

When the Department has contact with stray animals, all reasonable efforts will be made to identify the owner, including scanning for a microchip, providing notice to any contact information associated with the microchip, and sharing information about the stray animal through appropriate networks.

8.2 Stray Animal Hold Length

The Department will hold stray animals for 7 business days for the owner to claim.

8.3 To Redeem Impounded Animals - 510 ILCS 5/10

- a. Present proof of current rabies inoculation and registration or reimburse the Department for said inoculation and register the rabies inoculation.
- b. Pay all fines and fees associated with the collection and impoundment of the animal, including but not limited to daily impoundment costs, medical costs, microchipping, rabies inoculation and registration, and the public safety fine. The fine for impoundment under this subsection is \$50.00 for the first offense and \$100.00 for any subsequent offense.

Section 9 -ANIMALS AT LARGE

9.1 Running At Large - 510 ILCS 5/9

All owners of companion animals and livestock shall prevent said animal from running at large in any unincorporated areas of the County. Any animal found to be running at large in such an area shall be deemed a nuisance and may be impounded.

9.2 Running At Large Exemptions - 510 ILCS 5/9

This provision does not apply to:

- a. Dogs being used in legal hunting or field trials.
- b. Dogs that are in dog-friendly areas or dog parks, if being monitored and supervised.
- c. Dogs participating in dog shows while on public lands set aside for those purposes.
- d. Dogs on private property with the actual, implied, customary, or constructive consent of the owner of such private property.
- e. Dogs owned by any law enforcement agency while the dog is being used to conduct official business or being or being used for official purposes.

9.3 Multiple Offenses- 510 ILCS 5/9

On the second offense of any dog running at large, the dog will be spayed/neuter before being returned to the owner. If the owner fails to comply with the requirements of Section 7, said animal will be impounded.

- a. The Department has the option of allowing the owner to take the pet to the veterinarian of the owner's choice. The Department will deliver the animal to

the veterinarian's office.

9.4 Financial Responsibility- 55 ILCS 5/5-1113

All costs incurred because of this violation shall be the owner's responsibility.

Section 10 - RESPONSIBLE POPULATION CONTROL

10.1 Owner Responsibility- 510 ILCS 5/5(a); 55 ILCS 5/5-1113

Every owner of a female dog shall cause such animal to be securely confined in an area that is inaccessible to other dogs while in heat. Violation of this section two times in a twelve-month period shall result in a fine and a requirement that the dog or cat be spayed.

Section 11 - RIGHT OF ENTRY

11.1 Access To Private Property- 510 ILCS 5/17

For the purpose of making inspections hereunder, the Administrator, or his or her authorized representative, or any law enforcement officer may enter upon private premises, provided that the entry shall not be made into any building that is a person's residence, to apprehend a stray animal, dangerous or vicious dog or other animal, or an animal thought to be infected with rabies. If, after request therefore, the owner of the dog or other animal shall refuse to deliver the dog or other animal to the officer, the owner shall be in violation of this Ordinance.

Section 12 - DISEASED OR INJURED ANIMALS

12.1 Non-Rabies Diseases or Injuries

Any animal which does not exhibit a valid vaccination or registration tag, and which reveals the symptoms of an injury or disease, clearly not those of rabies, as determined by the Department may be subjected to disposal as provided in Section 6 of this Ordinance.

Section 13- REQUIRED INOCULATIONS AND REGISTRATION

Costs associated with rabies inoculations are addressed in Section 5.

13.1 Age Requirement - 510 ILCS 5/8(a-b)

Every owner of a dog or cat residing within Piatt County and is four or more months of age shall cause such dog or cat to be inoculated against rabies by a licensed veterinarian annually and register said dog or cat with the Department.

13.2 Tag Requirement - 510 ILCS 5/8(d-e)

Veterinarians who inoculate a dog or cat shall procure from the Department serially numbered tags, one to be issued with each inoculation certificate.

13.3 Registration Requirement - 510 ILCS 5/8(c)

Evidence of such inoculation shall be entered upon a certificate, the form of which

shall be approved by the Department, and the certificate, one per animal, shall be signed by the licensed veterinarian administering the vaccine and include the immunization record, rabies tag number, and microchip number and contact information.

12.4 Vaccine Licensing Requirement - 510 ILCS 5/8(f)

The type and brand of rabies vaccine used shall be licensed by the U.S. Department of Agriculture.

12.5 Rabies inoculation exemptions - 510 ILCS 5/8(b); 510 ILCS 5/8(g)

- a. 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 inoculation, the owner is still to be responsible for purchasing the tag and providing the exemption documentation to the Department.

Section 14 - RABIES SYMPTOMS

14.1 Notification - 510 ILCS 5/12

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

14.2 Confinement - 510 ILCS 5/12

The Administrator or Deputy Administrator will determine if the animal needs to be confined at the Department or by the owner, for a period of at least 10 days, unless the Administrator or Deputy Administrator ends the confinement earlier in writing.

Section 15 - BITE PROCEDURE

15.1 Reporting - 510 ILCS 5/13(a-15)

A bite from any animal subject to rabies must be reported to the Department within 24 hours.

15.2 Notification of Procedure - 510 ILCS 5/13(a-5)

The owner of any animal subject to rabies that is alleged to have bit a human, must comply with the instructions from the Department regarding the bite procedure.

- a. Those instructions may be transmitted to the owner via in-person conversation, email, telephone call, or by mail.
- b. Any expense incurred in the handling of the animal in compliance with the outlined bite procedures is the responsibility of the animal owner.

15.3 Bite Procedure - 510 ILCS 5/13(a, a-10, 1-15)

Those procedures are as outlined below.

- a. The animal shall not be euthanized, sold, given away, or otherwise disposed of, If it has bitten a human until it is released by the Department.
- b. Animals that have bit a human are required to be quarantined for 10 days. The Administrator will determine and communicate to the owner the appropriate quarantine procedure and length for the animal, as consistent with the Animal Control Act. This can be confinement with a licensed vet, at the expense of the owner, or at the owner's home, as approved by the Administrator. It is the discretion of the Department based on concerns for public safety and health.
- c. To release the animal from bite quarantine, it must be examined by a veterinarian. If it is examined by a veterinarian outside the Department, the veterinarian must provide the Department with a written report on the clinical condition of the animal.

15.4 Police and Search and Rescue Dogs - 510 ILCS 5/13(b)lc)

The procedure for bites by police dogs and/or search and rescue dogs shall abide by the requirements stated in 510 ILCS 5/13(b) and (c).

15.5 Exempt Animal- 510 ILCS 5/8(h)

The procedure for bites from exempt animals shall abide by the requirements stated in 510 ILCS 5/8(h).

Section 16 - DANGEROUS AND/OR VICIOUS DOGS

16.1 Destruction of Dangerous or Vicious Dogs Running At Large

Any dog running at large within the county whose capture endangers or threatens the safety of an animal control officer, police officer, sheriff or deputy sheriff, or endangers the safety of any person within the county, may be destroyed by an animal control officer, police officer, sheriff, or deputy sheriff.

16.2 Determination of Dangerous or Vicious Dog - 510 ILCS 5/15; 510 ILCS 5/15.1

A dog is determined dangerous or vicious by a thorough investigation by the Department, abiding by Animal Control Act requirements.

16.3 Appealing A Dangerous Dog Determination - 510 ILCS 5/15.3

Appeals to a dangerous dog determination shall follow the procedure set forth in 510 ILCS 5/15.3

16.4 Management of A Dangerous Dog - 510 ILCS 5/15.2

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.

15.5 Determination of A Vicious Dog - 510 ILCS 5/15

In addition to the statute requirements, if, at the hearing on the violation of this section, the circuit court finds in favor of a defendant regarding the alleged violation or otherwise dismisses the charge, then such dog shall be released to any person who can establish being an owner of the dog, subject to payment of any fees owed for the impoundment of such dogs in accordance with Section 5. If no one attempts to reclaim such dog within seven working days of the circuit court's finding in favor of a defendant on the violation of this section, then such dogs shall be disposed of in accordance with Section 6.

16.5 Additional Requirements for Dangerous or Vicious Dogs

- 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. Signs need to be in a highly visible area and be able to be read at a distance of 50 feet. Sign(s) are required at all gates on a fence barrier. If there is no gate or fence, signs are required at each entrance to the home. 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:
 1. Contacting Piatt County Animal Control a minimum of 72 hours before such transfer would take place
 2. Providing Piatt County Animal Control with the name, address, and phone number of the new owner
 3. 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 may set forth reasonable restrictions to ensure the safety of the public including, but not limited to:
 1. The dog must be muzzled when outside the confines of the residence, even if on the property of the owner
 2. The dog must be tethered when outside, even if within the confines of a fenced area
 3. The dog may not be tethered in the front yard of a home.
 4. The dog must be secured while in transport while in a vehicle by a tether to a secure point within the vehicle.
- e. Failure to comply with any of these requirements may result in impoundment of

the dog and a fine of no less than \$100.00 and no more than \$300.00, plus impoundment fees.

Section 17- PROHIBITION OF USE OF DOGS IN CONJUNCTION WITH CRIMINAL ACTS

17.1 Prohibited Acts

It shall be unlawful and a violation of this section for the owner of any dog to use any such dog to further a criminal act, or to suffer or permit any such to be so used. If the dog's behavior impedes law enforcement efforts to investigate or stop criminal behavior, to make any stop or arrest, to serve any warrant or to execute any search or seizure, any such dog shall be irrefutably presumed to have been so used.

17.2 Impoundment

Any dog used in violation of this section shall be impounded and held for final disposition by the circuit court at a hearing on the alleged violation of this section. If the name and address of any owner of such dog can be readily ascertained, then the Department shall give written notice to the owner by mail, service of summons, personal service, or other means reasonably calculated to give actual notice, at least ten days prior to any hearing on the violation of this section, informing the owner that such dog may be subject to forfeiture because of the violation of this section.

17.3 Forfeiture of Dog

If the circuit court finds that such dog was used in violation of this section, then such dog shall be forfeited, and shall either be humanely destroyed, offered for adoption, or otherwise disposed of in accordance with the provisions of the laws of the state.

17.4 Release of Dog

If, at the hearing on the violation of this section, the circuit court finds in favor of a defendant regarding the alleged violation or otherwise dismisses the charge, then such dog shall be released to any person who can establish being an owner of the dog, subject to the payment of any fees owed for impoundment of such dog in accordance with Section 6.

17.5 Abandonment of Dog

If no one attempts to reclaim such dog within seven working days of the circuit court's finding in favor of the defendant, on the violation of this section, then such dog shall be disposed of pursuant to Section 6.

Section 18 - MISCELLANEOUS

18.1 Effective Date

This Ordinance shall go into full force and effect upon its passage and approval.

18.2 Court Determinations

In the event that any provision of this Ordinance or any part or application thereof

to any person or circumstance, is for any reason held to be unconstitutional or otherwise invalid or ineffective by any court of competent jurisdiction on its face or as applied, such holding shall not affect the validity or effectiveness of any of the remaining provisions of this Ordinance or any part or application thereof to any person or circumstance of said provision as applied to any other person or circumstance. It is hereby declared to be the legislative intent of the County Board that this Ordinance would have been adopted had such unconstitutional, invalid, or ineffective provisions not been included herein.

18.3 Void Previous Resolutions and Ordinances

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

18.4 Municipality Autonomy

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

PRESENTED, ADOPTED, APPROVED, and RECORDED this ^{9th} ~~20th~~ day of ~~June~~ ^{September 2026} 2024



Todd Henricks, Chair Piatt
County Board

Date:

ATTEST:



Jennifer Harper, County Clerk and
Ex-Officio Clerk of the Piatt
County Board