

**FILED**

JUL 03 2008

*Joe Aiello*  
Sangamon County Clerk

Resolution 14-1

WHEREAS, The Sangamon County Board has the authority to regulate animal control within the unincorporated areas of Sangamon County; and

WHEREAS, The Sangamon County Board has delegated this authority for enforcement of animal control to the Sangamon County Department of Public Health; and

WHEREAS, The Sangamon County Citizen's Advisory Committee on Animal Control has been working on a comprehensive revision of the County's Animal Control Ordinance; and

WHEREAS, recent events have made it necessary to expedite the revision of certain sections of the County's Animal Control Ordinance to assure the public's safety; and

WHEREAS, Sangamon County desires to establish the authority to issue citations in the unincorporated areas of the County; and

WHEREAS, Sangamon County further desires to define circumstances in which an animal can be considered a nuisance; and

WHEREAS, 510 ILCS 5/24 establishes the authority for any municipality or any political subdivision to control and regulate dogs, cats, or other animals in such municipality of political subdivision; and

WHEREAS, 720 ILCS 5/47 further establishes the authority for County Boards to declare what are nuisances within their jurisdiction;

NOW THEREFORE, be it ordained by the Sangamon County Board, at its regular meeting of July 8, 2008, approves the repeal of Section 6.04.090 of Chapter 6.04 of the Sangamon County Code, and hereby replaces it with the following sections:

**Section 6.04.090 Issuance of Citations to Persons in Violation**

A. Sangamon County animal control officers and peace officers of Sangamon County are authorized to issue citations on a reasonable belief that any person has violated any provision of this Chapter or the Illinois Animal Control Act. Violations of this chapter shall be punishable by a fine of not less than fifty dollars nor more than eight hundred dollars.

B. Citations shall be issued on forms approved by the Director of the Sangamon County Department of Public Health.

C. Citations shall be issued personally to the violator, left with a responsible family member of at least 13 years of age at the home of the violator, or mailed to the residence of the violator.

D. Persons issuing citations shall ensure that a copy of the citation is filed at the Sangamon County Circuit Clerks office on the same day that the citation is issued or as soon as practical after issuance of such citation.

**Section 6.04.095 Animal considered a nuisance**

A. No person owning, possessing, or harboring any animal within unincorporated Sangamon County shall permit said animal to become a nuisance. An animal, other than a dog trained for law enforcement in the performance of its duty, shall be considered a nuisance if said animal:

- 1. substantially damages real or personal property other than the owner's;
- 2. causes unsanitary, dangerous, or unreasonably offensive conditions.  
This subsection does not apply to animals defined as 'livestock' in Chapters 505 through 510 ILCS;
- 3. chases vehicles;
- 4. chases, molests, attacks, bites, interferes with or physically intimidates any person while on or off the premises of the owner; or
- 5. chases, molests, attacks, bites, interferes with other domestic animals while off the premises of the owner.

B. The Director of Animal Control Operations, or delegate, upon reasonable grounds, shall impound any animal creating a nuisance by being in violation of subsections A (4) or (5) of this section and not restrained by a competent person. Any person found to be in violation of subsections A (4) or (5) of this section shall pay a penalty of \$200.00 for the first violation, \$400.00 for the second violation, and \$800.00 for the third and subsequent violation.

These amendments shall take effect immediately upon passage. The Sangamon County Board also further directs the Citizens Advisory Committee on Animal Control to include these amendments in their final review of their recommendations for the comprehensive revision of the County's Animal Control Ordinance, and report back to the County Board before its regular August meeting.

Respectfully Submitted

Sarah Musgrave  
Ann Bull  
Jennifer Gillman