

ORDINANCE

**WHEREAS**, the Menard County Board of Commissioners enacted "An Ordinance with Regard to the Control of Animals" (hereinafter the "Animal Control Ordinance") on March 14, 2006, in order to provide rules, regulations and standards to promote responsible pet ownership, to protect animals from neglect and abuse, to protect residents from annoyance, injury and property damage from animals, and to provide for education in the responsible ownership of pets;

**WHEREAS**, the Menard County Board of Commissioners has the authority under Illinois Law to amend an Ordinance should the Menard County Board of Commissioners deem it necessary and proper; and


**WHEREAS**, the Menard County Board of Commissioners believes it in the best interests of Menard County residents to amend the Animal Control Ordinance by adding language to Section 5 so that Section 5 will read in its entirety:

In addition to those provisions set forth in Sections 2 through 32, this Ordinance shall be interpreted and enforced in accordance with provisions set forth in the "Animal Control Act" (510 ILCS 5/1 et.seq.). To ensure compliance with this Ordinance, the state's attorney may petition the Court for Temporary Restraining Orders, Injunctions or other remedies as authorized by law in addition to any penalty or other provision. The Court may issue such remedy. Three (3) copies of any subsequent amendments or revisions shall be on file in the office of the Menard County Clerk.

**WHEREFORE**, Animal Control Ordinance is amended as stated herein.

DATED this 31st day of July, 2007.

Menard County Board of Commissioners

  
By: Merle Kirby, Chairman

ATTEST:

  
Gene Treseler, County Clerk

AN ORDINANCE WITH REGARD TO THE CONTROL OF ANIMALS

Providing for the care, protection, and control of animals in Menard County, Illinois

WHEREAS: It is in the best interest of the residents of Menard County that provision be made for the care, protection, and control of animals in Menard County;

WHEREAS: Any prior Ordinance providing for the care, protection, and control of animals in Menard County, including any amendments thereto, are hereby repealed;

BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF MENARD, AS FOLLOWS:

Section 1. Short Title

This Ordinance shall be known and cited as the "Animal Control Ordinance."

Section 2. Intent and Purpose

It is the intent and purpose of the Ordinance to promote responsible pet ownership, to protect animals from neglect and abuse, to protect residents from annoyance, injury and property damage from animals, and to provide for education in the responsible ownership of pets.

Section 3. DEFINITIONS

- A. Administrator – means a veterinarian licensed by the State of Illinois and appointed pursuant to the provisions of the Ordinance, or his duly authorized representative.
- B. Animal – means any animal other than man, which may be affected by rabies.
- C. Animal Control Facility – means any lot, premises, and/or building maintained by or under contract with the Menard County Health Department for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals.
- D. Animal Control Officer – an employee of Menard County Animal Division and/or any law enforcement authority charged with the enforcement of this ordinance.
- E. Board – means the County Board of Menard County as defined by Section 5-1004 of counties code.
- F. Cat – means *Felix Catus*.
- G. Dog – means all members of the family *Canidae*.
- H. Dangerous Animal – means any individual animal 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.
- I. Enclosure – means a fence or structure of at least 6 feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious animal in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious animal within the enclosure. The enclosure shall be securely enclosed and locked at all times 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 approved outside enclosure and the door must be locked.
- J. Feral Cat – means any cat that exists in a wild or untamed state, either due to birth or reversion to a wild state from domestication. The usual and consistent temperament of a feral cat is extreme fear and resistance to contact with humans. Feral cats are completely or substantially unsocialized to humans
- K. Has Been Bitten – means has been seized with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced and further includes contact of saliva

- with any break or abrasion of the skin.
- L. Inoculation Against Rabies – means an injection of an antirabies vaccine approved by the Department of Agriculture of the State of Illinois.
  - M. Leash – means a cord, rope, strap, or chain which shall be securely fastened to the collar or harness of a dog, or other animal, and shall be of sufficient strength to keep such dog or other animal under control.
  - N. Owner – means any person having a right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits an animal to remain on any premises occupied by him or her.
  - O. Person – means any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution, the State of Illinois, municipal corporation or political subdivision of the State, or any other business unit
  - P. Pound – means any facility approved by the administrator for the purpose of enforcing this ordinance and used as a shelter for seized, stray, homeless, abandoned, or unwanted dogs or other animals.
  - Q. PUBLIC AREA – Any public street, alley, sidewalk, parkway, or easement; and any school, park, recreational, or other public and church properties..
  - R. Registration Certificate – means a printed form prescribed by the Department of Agriculture for the purpose of recording pertinent information as required under this ordinance.
  - S. Running at Large – means any dog found running at large which is not secured by a leash, or not confined within the real property limits of its owner.
  - T. Vicious Animal – means an animal that, without justification, attacks a person and causes serious physical injury or death or any individual animal that has been found to be a “dangerous animal” upon three (3) separate occasions.

#### Section 4. ADMINISTRATION

It shall be the duties of the Administrator, Animal Control Officer, and the Menard County Health Department to administer and enforce this Ordinance. The Ordinance may be enforced in any Incorporated Village or Town within the County which has an agreement authorizing the County to enforce this Ordinance within the corporate limits of that Village or Town.

#### Section 5. RULES AND REGULATIONS

In addition to those provisions set forth in Sections 2 through 32, this Ordinance shall be interpreted and enforced in accordance with provisions set forth in the “Animal Control Act,” (510 ILCS 5/1). Three (3) copies of any subsequent amendments or revisions shall be on file in the office of the Menard County Clerk.

#### Section 6. ENFORCEMENT

Actions to recover penalties for violations may be instituted by serving a Notice of Violation upon the owner by the Administrator, his/her designee, an Animal Control Officer, or a law enforcement officer.

#### Section 7. INTERFERENCE WITH ENFORCEMENT OFFICERS

No persons shall resist or molest the Administrator, his/her designee, law enforcement officers, Animal Control Officer, or other personnel of the Menard County Health Department while engaged in the discharge of any duty placed upon him or her by any of the provisions of this Ordinance

#### Section 8. ANIMAL CONTROL PROGRAM

