

## ADMINISTRATION AND ENFORCEMENT

### Chapter 6.08

#### ADMINISTRATION AND ENFORCEMENT<sup>3</sup>

##### Sections:

|          |  |
|----------|--|
| 6.08.010 | Authority designated.                                    |
| 6.08.020 | Repository for animals.                                  |
| 6.08.030 | Holding periods-Designated.                              |
| 6.08.040 | Holding periods-Exception.                               |
| 6.08.050 | Impoundment-Notification to owners.                      |
| 6.08.060 | Schedule of charges and redemption of impounded animals. |
| 6.08.070 | State or federal approval required for redemption when.  |
| 6.08.080 | Redemption fee.  |
| 6.08.090 | Disposal of unredeemed animals.                          |
| 6.08.100 | Violation-Penalty.                                       |

##### **6.08.010 Authority designated.**

The animal control officer under the city's superintendent of public works is responsible for the administration and enforcement of this title, in cooperation with the city police department and such agencies of county, state and federal government as may be involved in the care and control of animals. (Ord. 1977-M-11 (part): prior code § 20.21.)

##### **6.08.020 Repository for animals.**

The Humane Society of North Central Illinois, Inc., is designated as an animal control center for the purposes of serving as a repository for animals apprehended or otherwise coming within the impounding authority of the city and for collecting such fees and penalties and rendering such other services within the confines of its headquarters on Route 31, South Elgin, Kane County, Illinois, as are or shall be assigned to it by mutual consent between the city and the society. (Ord. 1977-M-11 (part): prior code § 20.22.)

##### **6.08.030 Holding periods - Designated.**

Upon arrival at the animal control center, impounded animals, other than biter animals placed under rabies observation as provided for in Chapter 6.24, shall be held at said center for the following period of time:

- A. Dogs.
  1. Seven days if wearing current licenses or if wearing other readily traceable means of identification, unless sooner redeemed;
  2. Five days if not wearing any current, readily traceable means of identification, unless sooner redeemed.
- B. Cats.
  1. Seven days if wearing current license tags, unless sooner redeemed;
  2. Five days if wearing any other readily traceable means of identification, unless sooner redeemed;
  3. One day if apprehended under the classification "feral and unprotected" as subsequently set forth in this title.
- C. Other Animals. Animals other than dogs and cats shall be held for a minimum of twenty-four hours from the time of apprehension and delivery to the animal control center, except that if the animal control officer shall be furnished with information that will permit prompt tracing of rightful ownership and redemption of such impounded animals, the animal control officer may authorize a reasonable extension of the holding period for same.

(Ord. 1977-M-11 (part): prior code § 20.26.)

## ADMINISTRATION AND ENFORCEMENT

### **6.08.040 Holding periods - Exception.**

Holding periods shall not apply as to the prescribed length of time in the case of animals received for impounding in obviously critical physical condition or to animals for which immediate euthanasia shall be prescribed for humane reasons or for other valid reasons by a licensed veterinarian. (Ord. 1977-M-11 (part): prior code § 20.27.)

### **6.08.050 Impoundment - Notification to owners.**

If directly traceable, owners of impounded dogs and cats, and owners of such other species of impounded animals as shall be promptly and directly traceable as to ownership shall be given notice of the impoundment of such animals within forty-eight hours of said impoundment. Such notice may be mailed or shall be otherwise delivered by the animal control officer to the last known address of the owner of record and shall state the place of impoundment and the date after which the animal may be disposed of according to ordinance. (Ord. 1977-M-11 (part): prior code § 20.28.)

### **6.08.060 Schedule of charges and redemption of impounded animals.**

Each person applying for redemption of an impounded animal and furnishing the animal control center with acceptable evidence of his right to reclaim said animal shall be required to pay, in cash at said center, the following charges before the animal shall be released to him:

- A. Dog. A penalty of ten dollars for each animal's first-time impoundment, twenty-five dollars for each animal's second or any subsequent impoundment, plus a deposit of seven dollars, more or less, to cover the prevailing fee for rabies vaccination at any Kane County veterinary hospital of the owner's choice unless proof of prior such vaccination is furnished the animal control center at time of release or unless the claimant is not a resident of Kane County, plus deposit to cover the applicable city license fee, as elsewhere prescribed in this title, unless evidence of such license is furnished at time of release or unless the claimant is not a resident of the city, plus board of the dog during the period of impoundment on the basis of the following charges: first day or any part of first day of impoundment, five dollars; each subsequent day or part of day, three dollars. The animal control center shall furnish the redeemer with an itemized receipt of a type approved by the city treasurer and shall retain a duplicate of said receipt for such audit as the city may conduct.
- B. Cat. A penalty of ten dollars for each animal's first-time impoundment, twenty-five dollars for each animal's second or any subsequent impoundment, plus deposit of seven dollars, more or less, to cover the prevailing fee for rabies vaccination at any Kane County veterinary hospital of the owner's choice unless proof of prior such vaccination is furnished the animal control center at time of release or unless the claimant is not a resident of Kane County, plus deposit to cover the applicable city license fee, as elsewhere provided in this title, unless evidence of such license is furnished at time of release or unless the claimant is not a resident of the city, plus board of the cat during the period of impoundment on the basis of the following charges: first day or any part of first day impoundment, five dollars; each subsequent day or part of day, two dollars and twenty-five cents.
- C. Other Animal. No native wild animal whose owner is subject to statutes and regulations enforced by the Illinois Department of Conservation shall be redeemable without the owner's first providing the animal control center with a state-issued permit or other proof of compliance with Illinois requirements. (Ord. 1977-M-11 (part): prior code § 20.29.)

### **6.08.070 State or federal approval required for redemption when.**

No animal the ownership of which is limited or prohibited by Illinois statute or federal law shall be released from impoundment without appropriate state or federal approval. (Ord. 1977-M-11 (part): prior code § 20.30.)

## ADMINISTRATION AND ENFORCEMENT

### **6.08.080 Redemption fee.**

If no legal barriers to redemption are posed by the state or federal government, or if all legal requirements have been fulfilled, the claimant shall be granted the right to redeem the animal upon payment of a penalty of ten dollars plus board at the rate of three dollars, more or less, per day of impoundment. (Ord. 1977-M-11 (part): prior code § 20.31.)

### **6.08.090 Disposal of unredeemed animals.**

Each animal remaining unredeemed after the prescribed holding period shall at once become the property of the animal control center, which is empowered and authorized to offer it for adoption into a new home if such be deemed advisable by the animal control center or otherwise to dispose of it in a humane manner. Such shall apply irrespective of whether the animal control center is operated directly by the city or whether it is operated under an agreement with the Humane Society of North Central Illinois, Inc., or any other agency independent of city government. (Ord. 1977-M-11 (part): prior code § 20.32.)

### **6.08.100 Violation - Penalty.**

Any person violating any provision of this title shall be fined not less than five dollars nor more than five hundred dollars for each offense. (Ord. 1977-M-11 (part): prior code § 20.52.)