

ARTICLE I - GENERAL REGULATIONS

3-1-1 **SHORT TITLE.** This Chapter shall be known and may be cited as the Animal Control Code. **(See 510 ILCS 5/1)**

3-1-2 **DEFINITIONS.** For the purposes of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ADMINISTRATOR" means a veterinarian licensed by the State and appointed to direct the County Animal Control Department and to carry out the provisions of this Chapter and State statutes appertaining hereto. **(See 510 ILCS 5/2.20)**

"ANIMAL" means any non-human, animate being which is endowed with the power of voluntary motion, especially those animals whose females nurse their young (mammals). **(See 510 ILCS 5/2.02)**

"ANIMAL CONTROL WARDEN" means any person employed by the County and approved by the Board to perform duties as assigned by the Sheriff to effectuate this Chapter. **(See 510 ILCS 5/2.03)**

"BOARD" means the County Board of Adams County. **(See 510 ILCS 5/2.04)**

"CAT" means all members of the family Feline.

"CONFINED" means the restriction of an animal at all times by the owner, or his agent, to an escape-proof building or other enclosure away from other animals and the public. **(See 510 ILCS 5/2.05)**

"DANGEROUS DOG". "Dangerous dog" means any individual dog which when either unmuzzled, unleashed, or unattended by its owner, or a member of its owner's family, in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon streets, sidewalks, or any public grounds or places. **(See 510 ILCS 5/15(2))**

"DEPARTMENT". "Department" means the Department of Agriculture of the State. **(See 510 ILCS 5/2.06)**

"DOG". "Dog" means all members of the family Canidae. (See 510 ILCS 5/2.11)

"DOMESTICATED ANIMALS". Those animals that are tame and who live in or near the habitations of man or by habit or special training in association with man.

"ESCAPE PROOF BUILDING OR OTHER ENCLOSURE". A building or other enclosure of such strength and structure to keep a confined animal away from other animals and the public.

"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.

"INOCULATION AGAINST RABIES" means the injection of an anti-rabies vaccine approved by the Department. (See 510 ILCS 5/2.13)

"LEASH" means a cord, rope, strap, or chain which shall be of sufficient strength to keep such dog or other animal under control. (See 510 ILCS 5/2.14)

"LICENSED VETERINARIAN". "Licensed veterinarian" means a veterinarian licensed by the State in which he engages in the practice of veterinary medicine. (See 510 ILCS 5/2.15)

"OFFICIAL HEALTH CERTIFICATE". A legible record, made on an official form of the state of origin, or the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, and issued by a licensed veterinarian of the state of origin, a veterinarian in the employ of the Animal and Plant Health Inspection Service, or a veterinarian in the employ of the U.S. Armed Services, which shows that the dog(s) or cat(s) listed thereon meet the health requirements of the State.

"OFFICIALLY VACCINATED". The inoculation of a dog with a vaccine, administered by a licensed veterinarian by the route and in the amount recommended by the producer of the vaccine and for which a county rabies vaccination tag has been issued and properly recorded on a certificate as prescribed by the Board.

"OWNER". "Owner" means any person having the right of property in a dog, cat or other animal, or who keeps or harbors a dog, cat or other animal, or who has it in his/her care, or acts as its custodian, or who knowingly permits a dog, cat or other domestic animal to remain on or about any premises occupied by him or her for **seven (7)** days. (See 510 ILCS 5/2.16)

"PERSON". "Person" means any person, 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. **(See 510 ILCS 5/2.17)**

"POUND". "Pound" means any facility approved by the County Board for the purpose of enforcing this Code and used as a shelter for seized, stray, homeless, abandoned, or unwanted dogs, cats or other animals. **(See 510 ILCS 5/2.18)**

"REGISTRATION CERTIFICATE". "Registration Certificate" means a printed form prescribed by the Department for the purpose of recording pertinent information as required by the Department under this Code. **(See 510 ILCS 5/2.19)**

"STRAY". An animal, usually domesticated, for which there is not an owner or apparent owner.

"STRAYING". A dog or other animal not on the premises of the owner or not confined or under control by leash or other recognized control methods.

ARTICLE II - ADMINISTRATION

3-2-1 ADMINISTRATOR.

(A) **Appointment of Administrator; Removal.** The County Board shall appoint, at its first regular meeting in December of every even numbered year, an Animal Control Administrator, who shall be a licensed Illinois veterinarian. The Administrator's duties shall include those prescribed by statutes, this Code, and the Rules and Regulations relating to the Animal Control Act as have been or may hereafter be adopted by the Department of Agriculture of the State of Illinois pursuant to **Illinois Compiled Statutes, Chapter 510, Section 5/1**. The Administrator's salary and expenses shall be established annually by the County Board in the annual budget prior to the appointment. The Administrator may be removed from office by the County Board Chairperson with the advice and consent of the County Board.

(B) **Administrator Agreement.** The Chairman of the Board and the Administrator shall enter into a signed agreement in substantially the following form **(Pursuant to past practice beginning in March, 1990)**:

In consideration of the covenants, agreements and payments hereinafter specified, the parties hereto agree as follows:

- (1) That veterinarian shall accept and maintain custody of animals brought to it for impounding by the Administrator, Deputy Administrator, Animal Control Warden or Law Enforcement officer of Adams County and shall accept and dispose of animals delivered by such officer.
- (2) The veterinarians shall assume the responsibility for the care, disposition and destruction of animals coming into its custody in accordance with the laws of the State of Illinois, the ordinances of the County and the terms of this agreement.
- (3) The veterinarians shall maintain suitable hours for the convenience of the public for the purpose of accepting applications for the redemption of impounded animals.
- (4) The veterinarians shall provide access at all times to the Animal Control Warden to enable the Animal Control Warden to deposit animals with the veterinarians.
- (5) The veterinarians shall keep a full and complete record of each animal impounded by, for or on behalf of the County. Such record shall include a description of the animal, the date of its impoundment, and date of its destruction or other disposition.

- (6) The County, through the Administrator or Animal Control Warden, shall for each animal brought for impoundment, provide the veterinarians with a description of the animal, the date of its impoundment, whether the owner of the animal is known, and the date that the animal may be humanely dispatched if any.
- (7) The veterinarians shall be considered independent contractors and at its sole cost shall pay damages, costs, fees and judgments arising out of any claims due to the willful or negligent acts or omissions of the veterinarians or its agents or employees.

(C) **Sheriff Designated as Supervisor of Animal Control Wardens.**

The Board designates the County Sheriff as supervisor of the County Animal Control Warden(s) as county employees, the Sheriff is to coordinate with the Administrator to provide Animal Control functions and services as required. The Sheriff's Department shall be responsible for the daily supervision of the Animal Control Warden(s) and the Animal Control Warden(s) shall report to the Sheriff's Department in executing his authority granted by the Administrator and County Board. **(Ord. No. 2006-06-009-002)**

3-2-2 AUTHORIZATION FOR REQUIRING REGISTRATION. The Board is authorized by ordinance **(Ord. No. 1988-07-001-001, Section 12. This Ordinance to be known as the Animal Control Program)** to require the registration of dogs and may impose an individual animal registration fee. All persons selling dogs or keeping registries of dogs shall cooperate and provide information as required by the Board, including sales, number of litters, and ownership of dogs.

3-2-3 DUTIES.

(A) **Enforcement of Chapter.** The Administrator and the Administrator's deputies and agents and employees of the County Animal Control Department shall enforce and abide by all provision of this Code.

(B) **Enforcement of State Animal Control Laws.** The Administrator and the Administrator's deputies and agents or employees of the County Animal Control Department shall enforce and abide by all sections of the Illinois Animal Control Act and the Illinois Humane Care for Animals Act, including the rules and regulations relating to the same as duly promulgated by the State Department of Agriculture.

(C) **Control and Prevention of Rabies.** It shall be the duty of the Administrator, through education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary, to control and prevent the spread of rabies in the County.

3-2-4 POLICE POWER; COOPERATION OF POLICE DEPARTMENT.

(A) **Police Power.** The Administrator, Deputy Administrators, and Animal Control Wardens are, for the purpose of enforcing this Chapter, clothed with power of police officers in the County and with the County are peace officers in the enforcement of this Chapter, and of the similar provisions of the State statutes relating to animals and rabies, including issuance and service of citations and orders, and to execute and serve all warrants and processes issued by any Circuit Court.

(B) **Cooperation of Police Department.** The Sheriff and his deputies shall cooperate with the Administrator in carrying out the provisions of this Chapter and the State statutes.

3-2-5 CAUSES FOR REMOVAL OF ADMINISTRATOR FROM OFFICE.

(A) **Notification.** Upon cause, the Administrator shall be informed by the Board as to the reason or reasons which would constitute a basis for removing the Administrator.

(B) **Removal by Board Chairperson.** The Administrator may be removed by the County Board Chairperson with the advice and consent of the County Board after being informed as to the causes which would constitute a basis for his/her removal.

(C) **Appointment of Replacement.** Upon the expiration of his/her term as Administrator, the County Board Chairperson may appoint another person as Administrator or may reappoint the current Administrator for a new term, according to law.

3-2-6 INSPECTIONS; ENTRY. For the purpose of carrying out the provisions of this Chapter and the State Animal Control Act and the State Human Care for Animals Act, and making inspections hereunder, the Administrator, or his authorized representatives, agents or deputies, or any officer of the law, may enter upon private premises to apprehend a straying dog or other animal, a dangerous dog or other animal, a vicious dog, or a dog or other animal thought to be infected with rabies. If after request therefore, the owner of such dog or other animal shall refuse to deliver the dog or other animal to the officer, the owner shall be in violation of this Chapter and of the State Animal Control Act.

3-2-7 DOG REGISTRATION. Each dog in the County shall be registered by its owner (as defined in Chapter 510, Illinois Compiled Statutes, Section 5/2.16) within **thirty (30) days** after inoculation against rabies and said registration is to be effected at the office of the Animal Control Warden, Adams County Courthouse. **(Ord. No. 1988-08-001-001, Section 12)**

3-2-8 **FEEES FOR REGISTRATION OF DOGS.** The following fees are imposed for the registration of dogs (See Ordinance #1988-08-001-001, Section 13, as amended by Ordinance #2006-06-009-001):

- (1) **Seventy-Five Dollars (\$75.00)** for improper registration, and
- (2) **Seventy-Five Dollars (\$75.00)** for no inoculating for rabies, and
- (3) **Seven Dollars Fifty Cents (\$7.50)** rabies registration fee.

ARTICLE III - IMPOUNDMENT

3-3-1 IMPOUNDMENT OF DOGS RUNNING AT LARGE.

(A) No person shall cause or permit any dog owned or kept by him to run at large at any time within unincorporated areas of the County which have been subdivided for residence purposes, provided however, that the provisions of this Section shall not prohibit the owner or keeper from permitting such dog to run at large on the private premises of such owner or keeper, or upon the private premises of another person with such person's consent. It shall be the duty of the owner or keeper of any dog to keep such dog from running at large. **(See Ord. No. 1988-07-001-001, Section 1)**

(B) **Exceptions.**

- (1) Dogs may be permitted to run upon public ways, including streets and sidewalks, but only when on a leash not exceeding **ten (10) feet** in length and when controlled by the owner or keeper of the dog; or **(See Ord. No. 1988-07-001-001, Section 2(a))**
- (2) If a dog is running at large through the act or intervention of a third person not a member of the owner's household and without the owner's consent, such fact shall constitute an affirmative defense to any proceeding brought under Section 1 of said ordinance. **(See Ord. No. 1988-07-001-001, Section 2(b))**

(C) Any dog found running at large contrary to the provisions of Section 1 of said ordinance shall be apprehended and impounded at any existing or available public pound. **(See Ord. No. 1988-07-001-001, Section 3)**

3-3-2 NOTICE OF IMPOUNDMENT.

(A) When a dog is apprehended pursuant to the terms of this Article, the Animal Control Warden shall give notice of not less than **seven (7) days** to the owner, if known. Such notice may be delivered personally or mailed to the last known address of the owner. An affidavit or testimony of the Animal Control Warden, or his authorized agent, who delivers or mails such notice shall be prima facie evidence of the receipt of such notice by the owner of such dog. **(See Ord. No. 1988-07-001-001, Section 5)**

(B) Whenever a violation of **Section 3-3-1** of this Article occurs, in addition to, or in lieu of impounding any dog running at large, the Sheriff, any Deputy Sheriff or Animal Control Warden, as the case may be, shall promptly issue to any person violating any provision of this Article, a citation or notice of violation charging such offense. Such citation or notice of violation shall be in the form set forth herein below and advise such person that a penalty of **Seventy-Five Dollars (\$75.00)** for the first violation may, at the discretion of such person, be paid to the Adams County Circuit Clerk within **fourteen (14) days** from the date of such citation or notice of violation. The second and subsequent violations will include a penalty of

One Hundred Fifty Dollars (\$150.00). In the event of a third violation the animal must be spayed or neutered at the owner's expense. Said penalty shall be increased to **One Hundred Fifty Dollars (\$150.00)** for each and every subsequent violation. In the event that such penalty is timely paid, that payment shall be in full satisfaction of any penalty for such violation. In the event that such payment is not made within the time period prescribed, a complaint may be initiated by the Animal Control Warden or other appropriate person before a court of proper jurisdiction charging such offense.

The notice of violation required by this Section shall be served personally or by certified mail, return receipt requested, and may be in substantially the following form:

NOTICE OF VIOLATION

Pursuant to Section 4 of an ordinance entitled "Animal Control Ordinance" of Adams County, Illinois, you are hereby notified that you are charged with having violated said ordinance by not having your dog controlled in accordance with Section 1 of said ordinance.

In accordance therewith, you are hereby assessed a penalty of (amount of penalty) dollars for violating said ordinance, which sum may be paid to the Adams County Circuit Clerk at 521 Vermont Street, Quincy, Illinois, within **fourteen (14) days** from the receipt of this notice.

The penalty provided is **Seventy-Five Dollars (\$75.00)** for the first violation and is increased to **One Hundred and Fifty Dollars (\$150.00)** for each and every subsequent violation. In the event that you fail to pay such penalty within the time prescribed, you may be charged by a complaint for violating Section 1 of said ordinance and upon conviction may be fined not less than **Seventy-Five Dollars (\$25.00)** nor more than **One Hundred and Fifty Dollars (\$150.00)**.

Any person, firm or corporation who violates Section 1 of said ordinance shall be fined not less than **Seventy-Five Dollars (\$75.00)** nor more than **One Hundred and Fifty Dollars (\$150.00)**. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder as such. **(Ord. No. 1988-07-001-001, Section 7)**

3-3-3 **IMPOUNDMENT FEES.** Any owner or other person reclaiming an impounded dog shall pay a fee of **Twenty Five Dollars (\$25.00)** for neutered dogs, and **Thirty Dollars (\$30.00)** for unaltered dogs, except that a fee of **Twenty-Two Dollars (\$22.00)** shall be charged for each subsequent impoundment within **twenty-four (24) months** of any previous impoundment. In addition thereto, any owner or other person reclaiming an impounded dog shall pay a fee of **Ten Dollars (\$10.00)** for each and every

day, or portion thereof, that the animal has been impounded. All of the above fee shall be payable to the County Shelter. In the event that the owner or other person reclaiming an animal has been charged with violating **Section 3-3-1** of this Article and such charge is dismissed or the owner or other person is found not guilty of such charge, any impoundment fees assessed hereunder shall be refunded. **(Ord. No. 1988-07-001-001, Section 4, as amended by Ord. No. 2001-11-001-001)**

3-3-4 **FEES TO VETERINARIAN CLINIC FOR ANIMAL CARE.** The County will reimburse the Administrator the following:

(A) **Ten Dollars (\$10.00)** per day per animal for the cost and care of each animal until such animal is humanely dispatched, redeemed by its owner or otherwise disposed of;

(B) **Twenty Dollars (\$20.00)** for the cost of humanely dispatching each animal; and

(C) The cost of the veterinarian for the pick-up and disposal of dead animals. **(Ord. No. 1990-03-001-002, as amended by Ord. No. 2001-11-001-001, as further amended with this code)**

3-3-5 **REDEMPTION OF IMPOUNDED DOG.** An owner of an impounded dog may reclaim such dog within **three (3) days** of its impoundment upon payment of **Twenty-Five Dollars (\$25.00)** for altered dogs or **Thirty Dollars (\$30.00)** for unaltered dogs. **(Ord. No. 1988-07-001-001, Section 6, as amended with this code).**

3-3-6 **DOGS NOT REDEEMED.** In the event that any dog is not reclaimed within **three (3) days** of its impoundment, it shall be humanely dispatched, or offered for adoption or otherwise disposed of in accordance with **510 ILCS 5/10**, as amended. **(Ord. No. 1990-03-001-001, Section 6)**

Unknown Owners. Notwithstanding the above notice and disposal provisions in Ord. No. 1990-03-001-001, Section 6, in the event that the owner of an impounded dog is not known, the dog may be humanely dispatched after **three (3) days** which shall under no circumstances be less than **seventy-two (72) hours**. Furthermore, Saturdays and Sundays, as well as State and Federal holidays shall be excluded from the computation of the **three (3) day** or **seventy-two (72) hour** period. **(Ord. No. 1990-03-001-001, Section 7)**

ARTICLE IV - RABIES AND RABIES VACCINATIONS

3-4-1 GENERAL GOVERNMENT POWERS IN PREVENTION OF SPREAD OF RABIES.

(A) Whenever a case of rabies has occurred in the locality, or when the proper officials of a government unit are apprehensive of the spread of rabies, the State Department of Agriculture and the County Animal Control Department shall act to prevent its spread among dogs and other animals. The Department of Agriculture may order:

- (1) that all dogs or other animals in the locality be:
 - (a) kept confined within an enclosure, or
 - (b) kept muzzled and restrained by a leash.
- (2) that all owners or keepers of dogs or other animals take prophylactic measures as it deems necessary to prevent the spread of rabies. The Administrator and the County Animal Control Department shall assist in the implementation and enforcement of the aforesaid orders.
- (3) other measures as may be necessary to control the spread of rabies.

(B) The County Animal Control Department or the Administrator may also determine the area of the locality in which, and the period of time during which, such orders shall be effective.

3-4-2 INOCULATION AGAINST RABIES REQUIRED. Every owner of a dog **four (4) months** or more of age shall cause such dog to be inoculated against rabies by a licensed veterinarian and inoculated at such intervals as may hereafter be established by regulations established by the Department of Agriculture of the State of Illinois. Evidence of such rabies inoculation shall be entered on a certificate, the form of which is attached hereto, and said form shall be signed by the licensed veterinarian administering the vaccine. **(Ord. No. 1988-07-001-001, Section 8)**

3-4-3 SALE AND DISTRIBUTION OF VACCINE. Rabies vaccine for use on animals shall be sold or distributed only to and used only by licensed veterinarians. Such rabies vaccine shall be licensed by the U.S. Department of Agriculture and approved by the Department of Agriculture of the State of Illinois. **(Ord. No. 1988-07-001-001, Section 9)**

3-4-4 VACCINATION TAGS PROVIDED BY ANIMAL WARDEN.

(A) All Adams County veterinarians shall issue county rabies tags for Adams County residents at the time of inoculation, in accordance with Section 8 of the Animal Control Act. **(Ord. No. 2004-04-001-001, Section 1)**

(B) Evidence of such rabies tag shall be entered on inoculation certificates which shall be provided by the Animal Control Warden. **(Ord. No. 2004-04-001-001, Section 2)**

(C) The Animal Control Warden shall provide to County veterinarians certificates requesting proper identification information for those dogs vaccinated. The information requested shall include but not be limited to the age, sex, breed, name, color, date of vaccination, and type of vaccination, the day received, as well as the name of owner, current address, city or town, phone number, and signature of the veterinarian. **(Ord. No. 2004-04-001-001, Section 3)**

(D) Adams County veterinarians shall properly record the information requested on each certificate for each dog vaccinated. **(Ord. No. 2004-04-001-001, Section 4)**

(E) The Animal Control Warden shall provide to the Adams County veterinarians serially numbered tags which shall be issued to dog owners who have their dog vaccinated at a cost of **Seven Dollars and Fifty Cents (\$7.500)** per dog. **(Ord. No. 2004-04-001-001, Section 5)**

(F) Adams County veterinarians shall collect, on behalf of Adams County, for each dog owner **Seven Dollars and Fifty Cents (\$7.50)** for the distribution of the rabies tag and the recordation of information required by the certificate. **(Ord. No. 2004-04-001-001, Section 6)**

(G) Each veterinarian shall be allowed to retain **One Dollar and Fifty Cents (\$1.50)** from each rabies registration fee to defray the cost of administering the program. **(Ord. No. 2004-04-001-001, Section 7)**

(H) The Animal Control Warden shall obtain at least weekly the completed vaccination certificates and shall also collect the rabies vaccination fees less the administrative costs which shall be deposited into the County General Fund. **(Ord. No. 2004-04-001-001, Section 8)**

3-4-5 NOTICE OF VIOLATION; PENALTY. Whenever a violation of this Code occurs, the Sheriff, any Deputy Sheriff or Animal Control Warden, as the case may be, shall promptly issue to any person violating such sections of this Code, a citation or notice of violation charging such offense. Such citation or notice of violation shall be in the form set forth hereinbelow and advise such person that a penalty of **Seventy Five Dollars (\$75.00)** for the first violation may, at the discretion of such person be paid to the Adams County Circuit Clerk within **fourteen (14) days** from the date of such citation or notice of violation. Said penalty shall be increased to **One Hundred and Fifty Dollars (\$150.00)** upon the second violation of this Code and shall be **One Hundred Fifty Dollars (\$150.00)** for each and every subsequent violation. In the event that such penalty is not made within the time period prescribed, a complaint may be initiated by the Animal Control Warden or other appropriate person before a court of proper jurisdiction charging such offense.

The notice of violation required by this Section shall be served personally or by certified mail, return receipt required, and may be in substantially the following form:

NOTICE OF VIOLATION

Pursuant to Section (cite section violated) of an ordinance entitled "Animal Control Ordinance" of Adams County, Illinois, you are hereby notified that you are charged with having violated said section by (describe offense, i.e. failure to cause dog to be inoculated against rabies).

In accordance therewith, you are hereby assessed a penalty of (amount of penalty) for violating said ordinance, which sum may be paid to the Adams County Circuit Clerk at 521 Vermont Street, Quincy, Illinois, within **fourteen (14) days** from the receipt of this notice.

The penalty provided is **Seventy Five Dollars (\$75.00)** for the first violation and is increased to **One Hundred and Fifty Dollars (\$150.00)** for the second violation, and **One Hundred Fifty Dollars (\$150.00)** for each and every subsequent violation. In the event that you fail to pay such penalty within the time prescribed, you may be charged by a complaint for violating this said ordinance and upon conviction may be

fined not less than the applicable fine, applicable court costs, and may be subject to criminal prosecution.

Any person, firm or corporation who violates any of the provisions of this ordinance shall be fined not less than **Seventy Five Dollars (\$75.00)** nor more than **One Hundred Fifty Dollars (\$150.00)**. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder as such. **(Ord. No. 1988-07-001-001, Section 14, as amended by Ord. No. 2004-05-001-001)**

ARTICLE V - NUISANCE

3-5-1 ANIMAL NUISANCE BASED UPON NOISE. Pursuant to the Animal Control Act (**See ILCS 5/5**) the policing powers below may be exercised by the Animal Control Warden to control animal noises that create a public nuisance between the hours of 10:00 P.M. and 6:00 A.M.:

(A) The owner or keeper shall not suffer or permit any animal to bark, howl, cry or make other distressing or loud or unusual noise or to disturb the peace and quiet of any place, neighborhood, family, or person in the County in a substantially consistent manner. The disturbing of any neighborhood or persons by any such animal is declared to be a nuisance.

(B) If the owner or keeper of an animal causing a repetitious disturbance cannot be located after a reasonable search, or if the owner shall be known to be absent due to illness, incarceration or other circumstances, the animal may be removed by the Animal Control Warden or Sheriff's Department and impounded, provided, however, that the Animal Control Warden or Sheriff's Department shall obtain necessary legal process to enter into any premises used as a residence to take possession and remove such animal. Further, the owner or keeper of said animal shall be held strictly liable for all expenses incurred.

(C) The repetitious disturbance of any place or neighborhood or person in the County is hereby declared as nuisance and no person shall suffer or permit any nuisance to exist. This offense carries a **Seventy-Five Dollar (\$75.00)** fine. In the case of a repeat offense, the Animal Control Warden may petition the Circuit Court for an order to destroy the animal.

(#2006-06-009-003)

ARTICLE VI – ANIMAL TREATMENT

3-6-1 **OWNER’S DUTIES.** It shall be unlawful for any owner to knowingly fail to provide for each of his animals any of the following:

- (A) Sufficient quantity of good quality, wholesome food or water;
- (B) Adequate shelter and protection from the weather;
- (C) Veterinary care when needed to prevent suffering; or
- (D) Humane care and treatment.

3-6-2 **CRUEL TREATMENT.** No person or owner may knowingly beat, cruelly treat, torment, starve, overwork or otherwise abuse any animal.

No owner may knowingly abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.

3-6-3 **NOTICE OF VIOLATION; PENALTY.** Whenever a violation of 3-6-1 or 3-6-2 occurs, the Notice of Violation and Penalty shall be the same as prescribed in section 3-4-5 of this Code.