

Ordinance 2026 - 01

MARION COUNTY ILLINOIS ANIMAL CONTROL

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Section One: POLICY AND PURPOSE:

The purpose of this ordinance is to provide protection for the people of Marion County, to ensure their health, safety, and welfare, and to provide harmonious relationships between people and animals by:

- A. Protecting the residents of Marion County from rabies by implementing preventative and control measures as may be deemed necessary;
- B. Providing security to residents from annoyance, intimidation, and injury from dogs and other animals;
- C. Protecting animals from improper use, abuse, neglect, inhumane treatment, and health hazards;
- D. Encouraging responsible pet ownership;
- E. Educating the public on rabies and other related issues;
- F. Providing the assessment of penalties for violations and for the enforcement and administration of 510 ILCS 5/1 (Illinois Animal Control Act), 510 ILCS 70/3 (Humane Care for Animals Act), and this Ordinance.

Section Two: COVERAGE AREA:

Marion County Animal Control provides animal control services to all areas of Marion County, Illinois.

Section Three: DEFINITIONS:

As used in this article the following terms shall mean as indicated below:

ANIMAL CONTROL ACT:	The Animal Control Act, 510 ILCS 5/1 through 5/27, as amended.
ADEQUATE CARE:	Shall include but not be limited to medical treatment for illness, injury, disease, excessive parasitism, or any malformations.
ADEQUATE FOOD:	Means food that is not spoiled or contaminated and is of sufficient quantity and quality to meet the normal daily requirements for the condition and size of the animal and the environment in which it is kept. An animal shall be fed or have food available at least once each day, unless a licensed veterinarian instructs otherwise, or withholding is in accordance with accepted agricultural or veterinarian practices.
ADEQUATE WATER:	Means fresh, potable water provided at suitable intervals for the species, and which, in no event, shall exceed 24 hours at any interval. The animal must have access to the water.
ADEQUATE SHELTER:	means a moisture proof structure which has 4 sides, a roof, floor, and bedding of suitable size to allow the pet to stand up, lie down, and turn around in a natural position and allow retention of body heat, made of durable material with a solid floor raised off the ground as to not allow water to pool in the structure and with the entrance protected from direct wind and rain. The shelter shall be placed to provide shade from the sun and protection from the weather.
ADMINISTRATOR 1 :	A veterinarian licensed by the State of Illinois and appointed pursuant to this Act, or in the event a veterinarian cannot be found and appointed pursuant to this Act, a non-veterinarian may serve as administrator under this Act. In the event the administrator is not a veterinarian, the administrator shall defer to a licensed veterinarian regarding all medical decisions.

ANIMAL 2 :	Any living creature, other than man, which may be affected by rabies.
ANIMAL CONTROL FACILITY, COUNTY POUND 3 :	Any facility approved by the administrator for the purpose of enforcing the Act and used as a shelter for seized, stray, homeless, abandoned, or unwanted dogs.
ANIMAL CONTROL WARDEN; ANIMAL CONTROL OFFICER 4 :	Any person appointed by the administrator to perform the duties set forth in the Animal Control Act
BEDDING:	Material that will provide warmth and comfort that can be disposed of when compromised by weather, such as straw or wood shavings.
BACKYARD BREEDER:	A breeder with little or no experience or knowledge who breeds animals with little planning or preparation, often providing only substandard conditions of care and does not engage in selective breeding practices. And does not have a current permit from Marion County Animal Control.
BREEDER 5 :	A person or entity who sells, offers to sell, exchanges, or offers for adoption with or without charge dogs or cats that he or she has produced and raised.
CARETAKER/KEEPER:	Any individual, kennel operator, training facility, boarding facility, or breeder who assumes care of an animal for a period of twenty-four (24) hours or more.
CAT 6 :	All domestic members of the feline family Felis Catus.
COMPANION ANIMAL 7 :	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.
CONFINED 8 :	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.
DANGEROUS DOG 9 :	Any individual dog anywhere other than upon the property of the owner or custodian of the dog and not muzzled, not leashed, 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 a dog that, without justification, bites a person and does not cause serious physical injury.
DEPARTMENT 10 :	The Department of Agriculture of the State of Illinois
DEPUTY ADMINISTRATOR 11 :	A veterinarian licensed by the State of Illinois, appointed by the Administrator.
DIRECTOR 12 :	The director of the department of agriculture of the state, or his duly appointed representative.
DOG 13 :	All domestic members of the canine family Canis familiaris.

FERAL CAT; BARN CAT 14 :	A cat that: A. Is born of the wild or is the offspring of an owned or feral cat and is not socialized; B. Is a formerly owned cat that has been abandoned and is no longer socialized; or C. Lives on a farm.
FOSTER HOME 15 :	An entity that accepts the responsibility for stewardship of animals that are the obligation of an animal shelter or animal control facility, not to exceed four (4) foster animals or two (2) litters less than eight (8) weeks of age at any given time. A written agreement to operate as a "foster home" shall be contracted with the animal shelter or animal control facility.
HAS BEEN BITTEN 16 :	Has been seized with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced. The phrase further includes contact of saliva with any break or abrasion of the skin.
HUMANE CARE FOR ANIMALS ACT:	The Humane Care for Animals Act, 510 ILCS 70/1 through 70/3, as amended.
IMPOUNDED 17 :	Taken into custody by Marion County Animal Control in the city, town, or county where the animal was found.
INOCULATIONS AGAINST RABIES 18 :	The injection of an anti-rabies vaccine approved by the department.
INTACT ANIMAL; UNALTERED ANIMAL 19 :	An animal that has not been spayed or neutered.
KITTEN:	All members of the feline family <i>Felis Catus</i> , whether male or female, under four (4) months of age.
LEASH 20 :	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.
OWNER 21 :	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 a domestic animal to remain on or about any premises occupied by him. "Owner" does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program approved by the Administrator.
PHYSICAL INJURY 22 :	The impairment of physical condition.

POTENTIALLY DANGEROUS
DOG 23 :

- A. A dog that is unsupervised and found running at large unsupervised with three (3) or more other dogs; or
- B. Any dog, while off the property of its owner and not under the owner's restraint that has bitten a companion animal or a human and does not cause serious injury or death on more than one occasion.

PUPPY:

All members of the canine family *Canis familiaris*, whether male or female, under four (4) months of age.

RECKLESS DOG OWNER 24 :

"Reckless dog owner" means a person who owns a dog that while anywhere other than upon the property of the owner, and without justification, kills another dog that results in that dog being deemed a dangerous dog under Section 15.1 of the Animal Control Act and who knowingly allows the dog to violate Section 9 of the Animal Control Act on two (2) occasions within twelve (12) months of the incident for which the dog was deemed dangerous or is involved in another incident that results in the dog being deemed dangerous on a second occasion within twenty-four (24) months of the original dangerous determination.

REGISTRATION CERTIFICATE;
INNOCULATION CERTIFICATE;
RABIES CERTIFICATE 25 :

A printed form prescribed by the department for the purpose of recording pertinent information as required by the department under this Act. The certificate must include the animal's species, name, breed, sex, color, identifying markers, age, weight, and microchip number (if applicable). The certificate must also include the animal owner's physical address. Any cat considered feral shall be marked "ear-tipped" on the certificate.

RESTRAINT:

An owned animal, off the premises of its owner's real property, is under restraint within the meaning of this ordinance:

- A. If it is controlled by a leash when said leash is held by a competent person;
- B. Controlled by a leash of fifty (50) feet or less during a training session conducted by a competent person;
- C. When contained within a vehicle being driven, parked, or stopped; or
- D. While utilized in the sport of hunting.

SECURE ENCLOSURE 26 :

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. Such 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. Such enclosure must be approved by the administrator. 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.

SERIOUS PHYSICAL INJURY 27 : A physical injury that creates a substantial risk of death or that causes death, serious or protracted disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

STRAY ANIMAL: Any dog or cat that is in a public place and not under the direct supervision of a keeper which has no indication of ownership such as a collar, county registration tax tag, name tag, microchip, or any other identifiers.

**STRAYING DOG OR CAT;
RUNNING AT LARGE:** Any dog shall be deemed to be at large where it is off the premises of its owner's real property and not restrained or under voice control by a competent person.

TETHERING 28 : To restrain a dog by tying the dog to any object or structure, including, without limitation, a house, tree, fence, post, garage, shed, (or) clothes line by any means, including, without limitation, a chain, rope, cord, leash, or running line. Tethering shall not include using a leash to walk a dog.

TNR: Trap-Neuter-Return of feral cats.

TNR PROGRAM: The process of humanely trapping (in a live trap) community cats, bringing them to a veterinarian to be spayed or neutered, vaccinated, ear-tipped, and then returned to the same property they were trapped from.

TOW CHAIN OR LOG CHAIN 29 : Any chain that is more than one-quarter of an inch in width.

VICIOUS DOG 30 : A dog that bites a person, attacks a person or causes physical injury, serious physical injury or death or any individual dog that has been found to be a "dangerous dog" upon three (3) separate occasions or any individual dog that has killed a companion animal while off the premises of its owner.

VOICE CONTROL: The immediate recall of an animal at the sound of the voice of the owner.

Notes

- 1 State Law reference - Similar provisions, 510 ILCS 5/2.01
- 2 State Law reference - Similar provisions, 510 ILCS 5/2.02
- 3 State Law reference - Similar provisions, 510 ILCS 5/2.18
- 4 State Law reference - Similar provisions, 510 ILCS 5/2.03
- 5 State Law reference - similar provisions, 225 ILCS 605/2
- 6 State Law reference - 510ILCS 5/2.04a
- 7 State Law reference - Similar provisions, 510 ILCS 70/2.01a
- 8 State Law reference - Similar provisions, 510 ILCS 5/2.05
- 9 State Law reference - Similar provisions, 510 ILCS 5/2.05A
- 10 State Law reference - Similar provisions, 510 ILCS 5/2.06
- 11 State Law reference - Similar provisions, 510 ILCS 5/2.07
- 12 State Law reference - Similar provisions, 510 ILCS 5/2.08
- 13 State Law reference - Similar provisions, 510 ILCS 5/2.11
- 14 State Law reference - Similar provisions, 510 ILCS 5/2.11b
- 15 State Law reference - Similar provisions, 225 ILCS 605/2
- 16 State Law reference - Similar provisions, 510 ILCS 5/2.12
- 17 State Law reference - Similar provisions, 510 ILCS 5/2.12a
- 18 State Law provisions - Similar provisions, 510 ILCS 5/2.13
- 19 State Law provisions - Similar provisions, 510 ILCS 5/2.11c
- 20 State Law reference - Similar provisions, 510 ILCS 5/2.14
- 21 State Law reference - Similar provisions, 510 ILCS 5/2.16
- 22 State Law reference - Similar provisions, 510 ILCS 5/2.18A
- 23 State Law reference - Similar provisions, 510 ILCS 5/2.17C
- 24 State Law reference - Similar provisions, 510 ILCS 5/2.18b
- 25 State Law reference - Similar provisions 510 ILCS 5/2.19
- 26 State Law reference - Similar provisions, 510 ILCS 5/2.11A
- 27 State Law reference - Similar provisions, 510 ILCS 5/2.19A
- 28 State Law reference - Similar provisions, 510 ILCS 70/3
- 29 State Law reference - Similar provisions, 510 ILCS 70/3
- 30 State Law reference - Similar provisions, 510 ILCS 5/2.19b

Section Four: RABIES CONTROL 1 :

A. Dog or Cat Bites: Proceedings against the Owner: On all reported dog or cat bites, proceeding will be initiated against the animal's owner by the administrator or warden pursuant to 510 ILCS 5/13: Dog or Other Animal bites; Observation of Animal.

B. The owner of any dog or other animal which exhibits symptoms of rabies and any dog or other animal in direct contact with such dog or other animal, whether or not such dog or other animal has been vaccinated, shall immediately notify the administrator, and shall promptly confine such dog or other animal, or have it confined under suitable observation for a period of at least ten (10) days unless officially authorized by the administrator in writing to release it sooner.

C. Confinement of an animal that has bitten:

1. When the Administrator receives information that any person has been bitten by a dog or other animal, the Administrator or his authorized representative, shall have that dog or other animal confined under the observation of a licensed veterinarian for a period of ten (10) days. The Department may, by regulation, permit the confinement to be reduced to a period of less than ten (10) days if election of euthanasia is chosen.

2. The veterinarian shall report the clinical condition of the dog or other animal immediately with confirmation in writing to the Administrator within twenty-four (24) hours after the dog or other animal is presented for examination, giving the owner's name, address, the date of confinement, the breed, description, age, and sex of the dog or other animal, on appropriate forms approved by the Department.

3. When evidence is presented that the dog or other animal was inoculated against rabies within the time prescribed by law, it may be confined in the house of its owner, or in a manner which will prohibit it from biting any person for a period of ten (10) days, if the Administrator, or licensed veterinarian, adjudges such confinement satisfactory.

4. At the end of the confinement period, the dog or other animal shall be examined by the licensed veterinarian. At the time of release from observation, the animal must be microchipped and such number be reported to animal control.

5. When a person has been bitten by a police dog that is currently vaccinated against rabies, the police dog may continue to perform its duties for the peace officer or law enforcement agency and any period of observation of the police dog may be under the supervision of a peace officer. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a police vehicle, or remaining under the constant supervision of its police handler. Exams (first and tenth day) and microchipping will remain in force.

6. When a person has been bitten by a search and rescue dog or a guardian/working dog that is currently vaccinated against rabies, the search and rescue dog may continue to perform its duties for the handler or owner or agency and any period of observation of the dog may be under the supervision of its handler or owner. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a vehicle, or remaining under the constant supervision of its handler or owner. Exams (First and tenth day) and microchipping will remain in force.

D. It is unlawful for any person having knowledge that any person or domestic animal has been bitten by a dog or other animal to refuse to notify the administrator immediately. It is unlawful for the owner of such dog or other animal to euthanize, sell, give away or otherwise dispose of any such dog or other animal known to have bitten a person until it is released by the administrator or his authorized representative. For the purpose of this section, the word "immediately" means by telephone, in person, or by some other means but does not include the use of the mail.

E. Any expense in the handling of a dog, or any other animal under this section shall be paid for by the owner.

F. Any person convicted of violating 510 ILCS 5/13 subsection (a-20) of The Animal Control Act is guilty of a Class A misdemeanor for a first violation. A second or subsequent violation is a Class 4 felony.

Notes

- 1 State Law reference - Similar provisions, 510 ILCS 5/12, 510 ILCS 5/13.

Section Five: RABIES INNOCULATION (VACCINATION) AND REGISTRATION 1 :

A. Vaccination and Registration: All dogs and cats four (4) months of age or older, and all feral cats presented to a licensed veterinarian for sterilization, unless the person presenting the feral cat for care provides a vaccination certificate showing the feral cat has been vaccinated against rabies, will be properly vaccinated against rabies by a licensed veterinarian. At the time of vaccination, registration certificates will be completed by the veterinarian and forwarded to the Marion County Animal Control. Terms of subsequent vaccine administration and duration of immunity must be in compliance with USDA licenses of vaccines used. Evidence of such rabies inoculation shall be entered on a certificate the form of which shall be approved by the county board and which shall contain the microchip number of the animal if it has one and which shall be signed by the licensed veterinarian administering the vaccine. A new rabies vaccine supersedes any previous vaccine. A new rabies tag (registration) will be purchased at that time.

1. Registration certificates must include; the animal's species, name, breed, sex, color, identifying markers, age, weight, and microchip number (if applicable). The certificate must also include the animal owner's name and physical address. Certificates that are not complete will not be honored as valid certificates.

B. Registration Fees: Registration fees may be collected at the time of the inoculation by any veterinarian, located within Marion County, who inoculates a dog or cat which resides within Marion County. If the registration fees are not collected at the time of inoculation by the veterinarian, because the veterinarian is not located within Marion County, it is the responsibility of the owner to provide documentation of the vaccination and remit payment of the registration fees to Marion County Animal Control within thirty (30) business days from the date of inoculation.

1. Veterinarians authorized to collect registration fees and distribute inoculation tags on behalf of the county must remit all certificates of those animals inoculated along with all monies due to Marion County Animal Control no later than the 5th of every month following the month of inoculation. A veterinarian clinic inoculating more than forty (40) animals a month must remit certificates and monies due no later than the fifth and the twentieth of each month.

2. Veterinarians not authorized by the county to collect registration fees and distribute inoculation tags shall submit certificates of all animals inoculated no less than once every fourteen (14) calendar days.

C. Senior Citizen Exemption: Persons sixty-five (65) years of age or older shall be exempt from the rabies registration fees collected by the veterinarian for one dog and one cat per household.

D. Three (3) year Vaccination and Registration: If a dog or cat owner elects to have a three-year vaccination, a three-year registration fee will be collected at the time of registration by any veterinarian within Marion County who vaccinates a dog or cat, which resides within Marion County. If registration fees are not collected by the veterinarian at the time of vaccination, because the veterinarian is not located within Marion County, it is the responsibility of the owner to provide documentation of vaccination and remit payment of registration fees directly to Marion County Animal Control within ten (10) business days from the date of vaccination.

E. Registration Fees: The cost of registration shall be set forth in the fee schedule. Any animal owner who is over thirty (30) days past due on either the vaccination or registration portion of the requirement shall pay double the registration fee.

F. Valid rabies inoculation tags and certificates from other counties shall be honored while the animal is in transit or while the dog is being kept in the County for thirty (30) days or less. Any dog residing in the county for more than thirty (30) days shall be registered with Marion County Animal Control.

G. Any dog or cat owner who relocates to Marion County must submit proof of inoculation and pay the proper registration fees within thirty (30) business days of said residency within Marion County. This section shall not apply to veterinary clinics, state licensed animal shelters, or state licensed boarding facilities.

1. A licensed foster home or a state licensed boarding facility must pay registration if the animal is within the county for more than ninety (90) days. This is not to apply to veterinary clinics, or animals kept on the physical premises of a state licensed animal shelter.

H. Any dog or cat owner within the county must notify Marion County Animal Control within five (5) business days of any transfer of ownership of their dog or cat. The owner must provide the new owner's full name, address, and phone number.

I. Any person in Marion County accepting ownership of any cat or dog over four (4) months of age whether by adoption, person to person transfer, or purchase from a breeder must remit proof of inoculation and pay the required registration fees within ten (10) business days of such transfer.

J. Exhibition of Certificate on Request - At any reasonable time upon request of any law enforcement officer or animal control officer, the owner, caretaker, or keeper of any dog and/or cat shall exhibit any current, valid certificate required under the provisions of this ordinance, certifying the inoculation against rabies of any dog owned or kept by him. This includes any animal being held in any foster home, training facility, boarding kennel, or breeding facility. This shall not apply to a state licensed animal shelter.

K. Exemption from Inoculation: Pursuant to 510 ILCS 5/8 (g); (h) a licensed veterinarian may determine a companion animal should not receive a rabies vaccination. The exemption must be reported on a form approved by the Administrator and shall bear the identifying detail of said animal as well as the signature of the owner(s) and the veterinarian exempting the animal. Exemptions must be renewed one year from the date the exemption was issued, or the animal shall be vaccinated if able to receive the vaccine at that time. The owner of an exempted animal shall be required to pay the one year registration fee and a one year tag shall be issued.

L. If an animal is not vaccinated for rabies and/or registered, such dog or cat may be impounded by the Administrator or his or her delegate and may be redeemed or disposed of in accordance with the provisions of this ordinance. The owner of said animal will be responsible for all costs associated with the impoundment.

Notes

- 1 State Law reference - Rabies Inoculation, 510 ILCS 5/8

Section Six: PENALTY FOR FAILURE TO VACCINATE AND REGISTER:

Any person, who owns a dog or cat located in Marion County without proper rabies vaccination and registration pursuant to this section, shall be subject to a two-hundred dollar (\$200.00) fine for such violation. If the owner complies within 14 days of notice of violation, the fine may be reduced to fifty dollars (\$50.00) and paid to Marion County Animal Control to avoid prosecution. If a second offense occurs, the fine will be doubled. Each day an animal is not vaccinated and registered may constitute a separate offense.

Section Seven: ANIMALS RUNNING AT LARGE:

A. Pursuant to Section 9 of the Animal Control Act, it is unlawful for any dog to run at large. Every owner of an animal shall contain such animal to the confines of the owner's real property or keep the animal under restraint or voice command at all times when it is off the premises of the owner's real property. No animal shall run at large. Any animal found running at large in the county may be apprehended by, and also impounded at, Marion County Animal Control and its Facility.

B. The provisions of subsection (A) shall not apply to;

1. Dogs being used in hunting, field trials and under the control of the owner or handler;
and

2. Dog shows while on public lands set aside for those purposes;

3. Dog parks;

4. Blood hounds or other dogs used for tracking in conjunction with police activities;

5. Dogs of the Canine Corps of any police force, the state police, any federal law enforcement agency, or the Armed Forces while being used to conduct official business or being used for official purposes.

6. Livestock Guardian dog or Working dog that is off property for the purpose of herding animals back to their designated property.

C. To prevent a dog from running at large, all dogs must be under the control of a competent person who is physically able to control the dog.

D. Possession Of Running At Large Animals:

1. Owner Consent Required: It shall be unlawful for any person, without the knowledge and consent of the owner, to harbor, keep, care for, feed or allow to remain on their property any running at large animal for more than twenty-four (24) hours or immediately, on the next business day, whichever comes first, without first reporting such possession to Marion County Animal Control and providing his or her name, address, a description of the animal, and a statement of the circumstances under which possession of the animal was obtained.

2. Surrender Required: It shall be unlawful for any person who obtains possession of a running at large animal to refuse to surrender such animal to a Marion County Animal Control officer when requested to do so.

3. It shall be required for any person who finds an animal running at large and who takes possession of said animal to notify Marion County Animal Control within twenty-four (24) hours if no owner can be ascertained.

4. It shall be unlawful for any person to transport an animal found running at large in another county or state to retain possession of said animal for a period of more than twenty-four (24) hours without contacting both Marion County Animal Control and the law enforcement agency having jurisdiction of the locality wherein the animal was found by the next business day.

5. Each day an individual fails to comply with this section will constitute a separate offense.

E. Penalty: Failure to follow any part of this section will result in a fine no less than one hundred dollars (\$100.00), to increase in increments of one hundred dollars (\$100.00) for each subsequent offense and a public safety fine of twenty-five dollars (\$25.00), and fees associated with violation of rabies, microchipping, and spaying/neutering.

Section Eight: NOTIFICATION OF IMPOUNDMENT:

When a dog has been impounded, the administrator shall give written notice to the owner of the animal, if known. Such notice may be given by personal service, by leaving such notice on the main entrance of the residence of the last known address of the owner, or by certified mail to the last known address of the owner. If the address is unknown, electronic methods of communication may be used and documented. The notice shall advise the owner that the redemption of the animal must occur no later than seven (7) business days from the impoundment of the animal. Testimony of the administrator or his/her authorized agent who delivers, mails, or communicates such notice shall be evidence of the receipt of such notice by the owner of the animal.

Section Nine: REDEMPTION OF IMPOUNDED DOG; FINES AND FEES:

A. Upon receiving notice from the administrator or his authorized representative, it shall be the duty of the owner or delegate of such impounded dog to immediately redeem same, unless such dog or cat has been impounded for:

1. Biting some person;
2. Being afflicted with rabies;
3. Being suspected of being afflicted with rabies; or
4. Being a dangerous, vicious, or nuisance animal pursuant to this chapter.

5. Being held as part of a suspected violation of The Humane Care for Animals Act or a violation of any section of the ordinances excluding **Section Seven**.

B. If the owner of the impounded dog(s) desires to make redemption thereof, they shall redeem their animals within seven (7) business days of the date and time of impoundment, including weekends and holidays, by presenting to the animal control facility the following:

1. Proof of Vaccination and Registration. Owner must present proof of current rabies vaccine, and registration or
2. Pay Vaccination and Registration: Owner must pay for the rabies vaccination of the animal, and registration; and

3. Payment of Fines and Fees: Owner must pay Marion County Animal Control all applicable impound fines and fees for the period the animal was impounded, until such time as the animal is either redeemed or relinquished by the owner. Fines and Fees include:

- a. Apprehension or subsequent apprehension of the same straying dog
- b. Daily boarding, feeding, and care of the animal
- c. Other fines and fees mandated by the Animal Control Act, including, but not limited to veterinarian expenses, vaccinations, flea treatment, parasiticides, and microchip insertion and documentation.
- d. Animals not redeemed by the owner in accordance with these provisions shall be offered for adoption, sent to rescue, or if all live outcomes fail, humanely euthanized as defined under the Animal Control Act.

C. Failure to redeem an animal will result in a fine of no less than two hundred fifty dollars (\$250.00) and no more than five hundred dollars (\$500.00) in accordance with **Section Seventeen (D)**.

Section Ten: ADOPTION POLICY:

A. A dog or cat that has been relinquished, or upon expiration of seven (7) days, including weekends and holidays from the date of impoundment, an unclaimed dog or cat which has been deemed suitable for adoption by the animal control facility, may be adopted by any person, upon adoption application approval, other than the owner upon payment to the animal control facility the adoption fee.

B. The Administrator shall not adopt or release any dog to anyone other than the owner unless or until the animal has been rendered incapable of reproduction and microchipped

C. Pursuant to 225 ILCS 605/3.5 (Animal Welfare Act), the administrator shall provide to the adopter information to the best of the administrator's knowledge, on the animal offered for adoption, including the details of any vaccination or medical treatment received while in the possession of Marion County Animal Control.

D. Marion County Animal Control shall not be responsible for the animal after adoption. There will be no guarantees or refunds with regards to adoptions and Marion County Animal Control.

Section Eleven: POLICY ON EUTHANIZING:

A. Ownership unknown: If a stray dog is apprehended it shall be impounded for a period of seven (7) days. If unclaimed, the dog may be euthanized unless the administrator believes the animal could be adopted out or accepted at a rescue organization. The administrator shall use professional and humane discretion in making the decision.

B. Ownership Known: If the owner of a straying dog is known and properly notified as provided for in the Animal Control Act, it will be impounded for seven (7) days, and if unclaimed may be euthanized unless the administrator believes the animal could be adopted out or accepted at a rescue organization. The administrator shall use professional and humane discretion in making this decision,

C. There shall be a fee assessed for euthanasia to any known dog owner who has been notified that their animals have been apprehended by Marion County Animal Control but fails to reclaim it.

Section Twelve: DISTURBING NOISES:

A. Noise Prohibited: It shall be unlawful to keep or harbor a dog that barks and/or howls continuously for a period exceeding ten (10) minutes on the premises of any residence and/or business located within five hundred feet (500') of the premises of another residence and/or business within any area of Marion County.

B. Penalty: Any violation of this section shall be punishable by a fine of not less than twenty-five dollars (\$25.00) not more than one hundred dollars (\$100.00). Subsequent offenses will be fined minimum of one hundred dollars (\$100.00) or maximum of two hundred dollars (\$200.00).

Section Thirteen: VICIOUS AND DANGEROUS DOGS:

Vicious and dangerous dogs shall be subject to regulations pursuant to and as provided in the Animal Control Act (510 ILCS 5/15 et. seq)

A. In addition to 510 ILCS 5/15 et. seq, 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 which is to be purchased through Marion County Animal Control at a cost determined in the fee schedule. Any animal found to have been deemed dangerous or vicious prior to the passing of this ordinance shall also be required to purchase a sign. Sign(s) are required to be purchased initially then every three (3) years or when the sign cannot be read at a distance of fifty (50) feet. Sign(s) are required at each entrance of the home and/or all gates on a fence barrier. If the entrance to a home is within a gated fence, that entrance will be exempt from the sign requirement. Animals deemed vicious must also display a sign on the entrance to the secure enclosure.

1. Once the owner of a dog deemed dangerous no longer needs to display the sign due to moving out of the county or death of the dog, signs that are in good condition with no defects may be returned to Marion County Animal Control

B. Any dog deemed dangerous or vicious in any other state or county may not be moved into Marion County without the express, written consent of the administrator, paying the required registration fees, and purchasing the required dangerous or vicious dog sign(s).

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 Marion County Animal Control a minimum of seventy-two (72) hours before such transfer would take place;
2. Providing Marion County Animal Control with the name, address, and phone number of the new owner; and
3. Marion County Animal Control serving 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 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. Any dog that is declared dangerous and is found running at large contrary to 510 ILCS 5/9 or Section Seven of this chapter shall be impounded by Marion County Animal Control and the owner's rights will be relinquished.

F. Any owner of a dangerous or vicious dog who moves premises shall notify Marion County Animal Control within twenty-four (24) hours of said move.

G. Dangerous dog - The Marion County Animal Control office shall collect a fifty dollar (\$50.00) public safety fine to be deposited into the Marion County Animal Control Fund for each dog that has been declared a vicious dog under the Illinois Animal Control Act.

H. Vicious Dog - The Marion County Animal Control office shall collect a one hundred dollar (\$100.00) public safety fine to be deposited into the Marion County Animal Control Fund for each dog that has been declared a vicious dog under the Illinois Animal Control Act.

I. Any owner of a dog deemed dangerous or vicious shall not allow rabies inoculation to lapse. Any dog deemed dangerous or vicious and who does not have a current rabies inoculation will be subject to impoundment at Marion County Animal Control.

J. Failure to comply with these requirements the Administrator shall order the dog impounded and the owner shall pay a fine of no less than one hundred dollars (\$100.00) and not to exceed three hundred dollars (\$300.00) fine plus impoundment fees payable to Marion County Animal Control.

Section Fourteen: ASSISTANCE FEE:

There shall be an assistance fee for requesting the assistance of the Marion County Animal Control in tranquilizing and/or transporting an animal to the veterinarian. The fee shall be set forth in the fee schedule.

Section Fifteen: POTENTIALLY DANGEROUS DOG 1 :

A. Potentially dangerous dog. A dog found running at large and unsupervised with three (3) or more other dogs may be deemed a potentially dangerous dog by the animal control warden or administrator.

B. Any dog that on two (2) separate occasions while off property and not under the owner's restraint or voice control bites another companion animal or human and does not cause serious bodily harm.

C. Potentially dangerous dogs shall be spayed or neutered and microchipped within fourteen (14) days of the dog being declared potentially dangerous. The designation of "potentially dangerous dog" shall expire twelve (12) months after the most recent violation of this Section.

D. Failure to comply with this Section will result in impoundment of the dog and/or a fine of no less than one hundred dollars (\$100.00) and no more than three hundred dollars (\$300.00).

Notes

- 1 State Law reference - Similar provisions, 510 ILCS 5/15.4

Section Sixteen: RECKLESS DOG OWNER 1 :

The Administrator, State's Attorney, Director, or any citizen may file a complaint in circuit court to determine whether a person is a reckless dog owner. If an owner is determined to be a reckless dog owner by clear and convincing evidence, the court shall order the immediate impoundment and forfeiture of all dogs the reckless dog owner has a property right in. Forfeiture may be to any licensed shelter, rescue, or sanctuary. The court shall further prohibit the property right ownership of a dog by the person determined to be a reckless dog owner for a period of at least twelve (12) months, but not more than thirty-six (36) months for the first reckless dog owner determination.

A. A dog's history during ownership by a person found to be a reckless dog owner shall not be considered conclusive of the dog's temperament and qualification for adoption or transfer.

The dog's temperament shall be independently evaluated by a person qualified to conduct behavioral assessments and, if the dog is deemed adoptable, the receiving facility shall make a reasonable attempt to place the dog in another home, transfer the dog to rescue, or place the dog in a sanctuary.

B. A person who refuses to forfeit a dog under this Section is in violation which carries a public safety fine of five hundred dollars (\$500.00) for each dog. The fine shall be deposited into the Pet Population Control Fund. Each day a person fails to comply with forfeiture or prohibition ordered under this Section shall constitute a separate offense.

Notes

- 1 State Law reference - Similar provisions, 510 ILCS 5/15.5

Section Seventeen: HUMANE CARE FOR ANIMALS:

A. No person shall be permitted to keep animals in violation of the Humane Care for Animal Act (510 ILCS 70/1 et seq.) or the Animal Welfare Act (225 ILCS 605/1 et seq.).

B. No owner shall fail to provide his/her animal with:

1. Adequate Food
2. Adequate Water

3. Adequate Shelter: means a moisture proof structure which has four (4) sides, a roof, floor, and bedding of suitable size to allow the pet to stand up, lie down, and turn around in a natural position and allow retention of body heat, made of durable material with a solid floor raised off the ground as to not allow water to pool in the structure and protected from direct wind and rain. The shelter shall be placed to provide shade from the sun and protection from the weather.

4. Adequate care: Regular and sufficient veterinary care to prevent suffering and maintain health.

5. No person shall keep any animal within a building or upon any premises without food, water, or proper care and attention for a period of time sufficient to cause undue discomfort or suffering. If the owner cannot be located after reasonable search, or if the owner shall be known to be absent due to injury, illness, incarceration or other involuntary circumstances, it shall be the duty of the Administrator or a Humane Investigator to act upon the complaint as directed by the Humane Care for Animals Act (510 ILCS 70/1 et seq.).

6. A dog may not be left in a crate for an extended period of time that causes undue discomfort for the dog

7. No animal may be confined in such a manner that it must lie in its' own excrement.

C. Restrictions on tethering a dog: It shall be unlawful for an owner to tether a dog outdoors unless the following conditions are met:

1. A tethered dog must have access at all times to water, adequate shelter, and dry ground.
2. If there are multiple dogs, each dog must be tethered separately and each dog must have separate food, water and shelter.
3. A dog must be tethered in such a manner as to prevent injury, strangulation or entanglement, and the tether must be at least ten (15) feet long.
4. The tether must be attached to the dog by a properly fitting collar or harness with a rotating toggle attachment. Pinch, prong, or choke collars shall not be used. The tether shall not wrap directly around the dog's neck.
5. No dog shall be tethered with a log chain or a tow chain.
6. Tether may not exceed one eighth (1/8) of the weight of the dog being tethered
7. No dog shall be tethered in such a manner so as to allow it to reach within five (5) feet on public property or public right-of-way, such as a sidewalk or street.
8. No dog may be tethered in the case of extreme weather conditions, including when a heat advisory, a wind chill warning or tornado warning has been issued by local, state, or national authority.

D. Abandonment of animal unlawful:

1. No owner shall knowingly abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.
2. It is unlawful to surrender a person's own animal as a stray dog or cat or to present a dog or cat whose owner is known as an unknown dog or cat for the purpose of surrendering the animal.
3. Any animal whose owner is known and does not reclaim said animal from impound or sign an owner relinquish form and pay the required fee is guilty of abandoning an animal.
4. Any person in violation of this section shall be fined no less than two hundred fifty dollars (\$250.00) and up to One Thousand (\$1,000.00) if deemed by the Administrator or their delegates that an act of animal cruelty has been committed.

Section Eighteen: HOARDING 1 :

A. No person may possess, lodge, or maintain companion animals if such a person displays a general disregard for the conditions under which the animals are living, including, but not limited to, failing to provide all of the following to all of the companion animals in his care: adequate food, water, shelter, and care as set forth in the Illinois Humane Care for Animals Act.

B. Upon conviction for companion animal hoarding, the court may order the person to do any or all of the following:

1. Be precluded from owning, harboring, or having custody or control of companion animals for a period of time that the court deems reasonable.

2. Participate in available animal cruelty prevention program(s) or educational program(s), or both.

3. Undergo a behavioral health evaluation and comply with any recommendations resulting from the evaluation.

4. Forfeit to Marion County Animal Control animals that are the basis of conviction.

5. Sterilize the companion animals, with sterilization being mandatory upon a second violation.

6. Pay appropriate fees and fines.

C. Any person violating or aiding in the violation of any provision of this section, or resisting, obstructing, impeding the animal control authority or any authorized officer in enforcing this section, shall be fined no less than two hundred fifty dollars (\$250.00) or no more than five hundred dollars (\$500.00).

Notes

1 State Law reference - Similar provisions, 510 ILCS 70/2.10

Section Nineteen: NUISANCE DOG:

A. A dog may be declared a nuisance when any of the following conditions are met:

1. Any dog found to be at large six (6) or more times in a rolling calendar year.

2. Any dog whether, alone or in a pack with other dogs, bites, attacks, or injures a human being, domesticated animal, livestock, or fowl.

B. Any citations issued by a municipal entity within the county shall count towards the number of times a dog has been at large.

C. Impoundment shall count against the number of times the dog has been at large.

D. If deemed a nuisance, the Administrator, or his or her designee, may order (i) the dog's owner to pay a \$50 public safety fine to be deposited into the county animal control fund, (ii) the dog to be spayed or neutered within 14 days at the owner's expense and microchipped, if not already, and (iii) the dog to be controlled on a leash at all times when not confined inside a pen or other building.

Section 20: NUISANCE DOG OWNER 1 :

Excessive or habitual violations.

A. When a pet owner has three or more violations of the same type or violations in combination, regarding one or more pets, the administrator may declare the owner a nuisance dog owner and impound the dog subject to the impoundment provisions contained in this ordinance.

Notes

- 1 State law reference - 510 ILCS 5/2.16

Section Twenty-One: VIOLATIONS OF THE HUMANE CARE FOR ANIMALS ACT:

Upon receiving a complaint of a suspected violation of Section 70/3-70/3.03 of the Humane Care for Animal Act 510 ILCS 70/10, the animal control Administrator, or his or her authorized representative, or any law enforcement officer may, for the purpose of investigating the allegations of the complaint, enter during normal business hours upon any premises where the animal or animals described in the complaint are housed or kept, provided such entry shall not be made into any building which is a person's residence, except by search warrant or court order. When the animal control Administrator finds that a violation of Sections 70/3-70/3.03 Of the Humane Care for Animal Act has rendered an animal in such a condition that no remedy or corrective action by the owner is possible, the animal may be impounded. If impounded, the animal shall be impounded in a facility or at another location where the elements of good care as set forth in Section 3 of the Humane Care for Animals Act can be provided and where such animals shall be examined and treated by a licensed veterinarian or, if the animal is severely injured, diseased, or suffering, humanely euthanized. Any expense incurred in the impoundment shall become the responsibility of the owner of the animal.

Section Twenty-Two: DEAD ANIMALS PROHIBITED:

Marion County Animal Control adopts all regulations of the Illinois Dead Animal Disposal Act (225 ILCS Part 90, Section 90.110):

A. The owner or keeper of an animal shall be responsible for the disposal of such animal's remains on its death, from whatever cause, and regardless of the location of the remains of such animal.

B. Animal remains shall be disposed of:

1. By burial beneath at least eighteen (18) inches of compacted soil on the property of the animals' owner or keeper or any other location, with the express permission of the owner of the property;

2. By cremation in a licensed crematorium; or

3. By or through a licensed veterinarian.

C. Animal control officers may issue a written notice to any owner or keeper who has failed to properly dispose of the remains of an animal as prescribed herein. Such person shall have twenty- four (24) hours from receipt of such notice to properly dispose of such remains. The notice shall be served on the violator personally or by leaving such notice at his usual place of abode with some person of the family, of the age of thirteen (13) years or older and informing that person of the contents thereof.

D. Any person found guilty of this section in shall pay a fine of not less than one hundred dollars (\$100.00), or more than three hundred dollars (\$300.00).

Twenty-Three: LITTERS OF PUPPIES AND KITTENS:

A. No individual, breeder, or kennel operator, or business entity may sell, give away, or otherwise separate any puppy or kitten eight (8) weeks of age or younger from its mother or its littermates. (State Law Reference 225 ILCS 605/2.2)

1. Separation from the mother can be done under the supervision of a licensed veterinarian when doing so is in the best interest of both the mother and the litter. The littermates must stay together until the age of eight (8) weeks.

B. For any person violating or aiding in the violation of any provision of this section, or resisting, obstructing, impeding the animal control authority or any authorized officer in enforcing this section, shall be fined no less than one hundred dollars (\$100.00) or no more than five hundred dollars (\$500.00) per occurrence. (Ord. 07-22-001, 7-21-2022)

Section Twenty-Four: BREEDER ANNUAL PERMIT AND FEES:

A. The owner of any female animal in heat (estrus) shall confine such animal in a building or secure enclosure and shall attend the animal in such a manner that such female animal cannot come into contact with a male of the same species except for planned breeding.

B. More than Five (5) Females. A breeder who owns, has possession of, or harbors more than five (5) females capable of reproduction, and who sells, offers to sell, exchanges, or offers for

adoption with or without charge dogs or cats that he or she has produced and raised, shall obtain a license from the Illinois Department of Agriculture. (225 ILCS 605/3(a))

C. Three (3) or More dogs. A breeder who owns, has possession of, or harbors a least three (3) dogs capable of reproduction, and sells, offers to sell, exchanges, or offers for adoption with or without charge, two or more litters of dogs or cats per year that he or she has produced or raised, shall obtain a breeder's permit with Marion County Animal Control.

D. Breeder Permit Application. In order to receive a breeder permit, the owner must complete a breeder permit application. The breeder application must be approved, and a permit issued by Marion County Animal Control before anyone can breed a dog. Once the breeder application is submitted, Marion County Animal Control will review it and, if approved, a breeder permit will be mailed to the applicant after thirty (30) days. The breeder permit is good for one year from the date of issue and must be renewed annually. The permit is not transferable to another person.

E. Fees. A twenty- five dollar (\$25.00) annual fee must be paid in order to receive the permit.

F. Permit Qualifications. The applicant for a breeder's permit shall not have been found guilty of more than three violations of the Marion County Animal Control ordinances within the previous three years from the date of application. If a breeder is found to be guilty of violating any portion of the Marion County Ordinances more than three times, their permit will be immediately revoked, and animals will be surrendered to Marion County Animal Control. Owners shall not own, possess, or harbor any dogs or cats for a period of three years.

G. An applicant for a breeder permit shall provide proof that the premises is located in an area with proper zoning or have received a variance from the proper authority.

H. Responsibilities. Dog and cat breeders must comply with the county's animal control ordinance, including the rabies vaccination, registration and microchipping laws of this county and applicable state and federal regulations.

I. Holders of a breeder permit must comply with the Marion County Animal Control Ordinance and all applicable state and federal regulations, including, but not limited to:

1. Inoculations (vaccination) and microchipping.

- a. All dogs and/or cats over four months of age must be inoculated against rabies and registered pursuant to this article.

- b. All dogs and cats must be microchipped pursuant to this article.

2. Humane care and treatment of animals by breeders.

- a. All dogs and/or cats must be provided with a continuous supply of fresh water, sufficient food to maintain acceptable body weight, proper shelter, protection from the weather and sufficient veterinary care to prevent suffering.

3. Reporting requirements. All permitted breeders shall provide information to the administrator on sales, adoptions, source, dispositions, microchip numbers and ownership of puppies or kittens within five (5) business days of the sale, adoption, source, or disposition.

I. Any person violating or aiding in the violation of any provision of this section, or resisting, obstructing, impeding the animal control authority or any authorized officer in enforcing this section, shall be fined no less than one hundred dollars (\$100.00) or no more than five hundred dollars (\$500.00) per occurrence.

Section Twenty-Five: LIVESTOCK RUNNING AT LARGE 1 :

No person or owner of livestock shall allow livestock to run at large. All owners of livestock shall provide the necessary restraints to prevent such livestock from running at large. A notice of violation of this ordinance shall be given to the person or owner of the livestock running at large if known and a maximum of twenty-four (24) hours may be granted in which to make the necessary corrections if the violation is an accidental occurrence and an investigation reveals no identifiable individual at fault. A Livestock or Working dog that is off property for the purpose of herding the animals back to their designated property is exempt from this Section. Violation of this section is a minimum fine of one hundred dollar (\$100.00) to increase by fifty dollar (\$50.00) with each subsequent offense.

Notes

- 1 State Law reference - Similar provisions, 510 ILCS 55

Section Twenty-Six: FOSTER HOMES:

A. It shall be unlawful for any person to operate as a foster home within Marion County without possessing the proper permit obtained via the shelter, sanctuary, or animal control they are affiliated with pursuant to (225 ILCS 605/3.2) of the Animal Welfare Act.

B. All registered foster homes must remit a copy of their permit to Marion County Animal Control.

C. All person's responsible for any animal in their possession as a foster home, must be able to produce a rabies certificate upon request to Marion County Animal Control.

D. It shall be unlawful for any person to present themselves as a foster home to another member of the public without holding the proper permit to operate such home.

E. Illinois Department of Agriculture and Marion County Animal Control have the right to inspect foster homes for compliance with sanitation and care standards.

F. Any violation of this section will result in a fine no less than fifty dollars (\$50.00) to increase by fifty dollars (\$50.00) for each subsequent offense.

Section Twenty-Seven: NUISANCE WILDLIFE REMOVAL:

Any person wishing to remove nuisance wildlife from his or her property must obtain a license or permit from the Illinois Department of Natural Resources or hire a licensed wildlife trapper. Marion County Animal Control does not remove wildlife but have resources to contact Illinois Department of Natural Resources and licensed trappers.

Section Twenty-Eight: TRAPPING PROHIBITED:

It shall be unlawful to trap cats for relocation within Marion County, Illinois. Violation of this chapter will result in a fine of no less than one hundred dollars (\$100.00) and no more than three hundred dollars (\$300.00).

Section Twenty-Nine: DUTIES AND POWERS 1 :

A. It shall be the duty of the Administrator or the Deputy Administrator, through sterilization, humane education, rabies inoculation, stray control, impoundment, quarantine, and any other means deemed necessary, to control and prevent the spread of rabies and to exercise dog and cat overpopulation control. It shall also be the duty of the Administrator to investigate and substantiate all claims made under Section 19 of this Act. The duty may include return, adoption, transfer to rescues or other animal shelters, and any other means of ensuring live outcomes of homeless dogs and cats and through sterilization, community outreach, impoundment of pets at risk and any other humane means deemed necessary to address strays and ensure live outcomes for dogs and cats that are not a danger to the community or suffering irretrievably.

B. Counties may by ordinance determine the extent of the police powers that may be exercised by the Administrator, Deputy Administrators, and Animal Control Wardens, which powers shall pertain only to this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may issue and serve citations and orders for violations of this Act. The Administrator, Deputy Administrators, and Animal Control Wardens may not carry weapons unless they have been specifically authorized to carry weapons by county ordinance. Animal Control Wardens, however, may use tranquilizer guns and other nonlethal weapons and equipment without specific weapons authorization.

1. A person authorized to carry firearms by county ordinance under this subsection must have completed the training course for peace officers prescribed in the Peace Officer and Probation Officer Firearm Training Act. The cost of this training shall be paid by the county.

C. The sheriff and all sheriff's deputies and municipal police officers shall cooperate with the Administrator and his or her representatives in carrying out the provisions of this Act.

D. The Administrator and animal control wardens shall aid in the enforcement of the Humane Care for Animals Act and have the ability to impound animals and apply for security posting for violation of that Act.

Notes

- 1 State Law - Similar provisions, 510 ILCS 5/5

Section Thirty: ENFORCEMENT 1 :

Right of entry; inspections; refusal to deliver dog or other animal - The administrator, or his authorized representative, or any officer of the law may enter upon private premises, provided that entry is not made into any building that is a person's residence to apprehend a straying dog or other animal, a dangerous dog, or other animal, or a dog or other animal thought to be infected with rabies. If, after request by the administrator or his authorized representative, 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.

Notes

- 1 State Law Reference - Similar provisions, 510 ILCS 5/17

Section Thirty-One: ENFORCEMENT OFFICERS NOT RESPONSIBLE FOR ACCIDENT, INJURY, OR DISEASE:

Marion County, the Administrator, Animal Control officers, employees or anyone enforcing provisions of this ordinance shall not be held responsible for any accident, injury, disease, or death that may happen to any animal.

Section Thirty-Two: ISSUANCE OF CITATIONS TO PERSONS IN VIOLATION:

A. Marion County animal control officers 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 the county ordinance shall be punishable by a fine of not less than twenty-five (\$25.00) dollars nor more than seven hundred fifty dollars (\$750.00).

B. Citations shall be issued personally to the violator or left with a family member of at least thirteen (13) years of age at the home of the violator.

C. Persons issuing citations shall ensure that a copy of the citation is filed at the Marion County Courthouse on the same day that the citation is issued or as soon as practical after

issuance of such citation unless otherwise stated that fines/fees be paid to Marion County Animal Control.

D. Any citation issued for a violation of this chapter shall be given a court date for at least twenty-one (21) days from the date the citation was written.

Section Thirty-Three: PAYMENT TO AVOID PROSECUTION:

A. Upon receipt, a citation alleging a violation of any section of this ordinance and said citation states that fines/fees may be paid to Marion County Animal Control, the violation fine may be paid at Marion County Animal Control, provided that the said amount is paid within fourteen (14) days of the date the citation was issued.

B. After the fourteen (14) day period to pay the fines had expired, the citation shall be immediately turned over to the Marion County States Attorney for prosecution, and the defendant shall be required to appear in court on the date provided on the citation.

Section Thirty-Four: ACTION ON FAILURE TO APPEAR:

Should the recipient of a citation fail to appear in court following the impoundment of an animal, the impounded animal shall not be released until payment or arrangements for payment of all previous citations is made as well as any impoundment fees due.

Section Thirty-Five: CRIMINAL PENALTIES NOT AFFECTED BY SURRENDER:

The voluntary surrender of an animal to Marion County Animal Control does not absolve, release, or otherwise exempt any person from criminal liability, civil penalties, or other enforcement actions arising from violations of the Illinois Animal Control Act, the Illinois Humane Care for Animals Act, or any applicable County ordinance. The County may pursue prosecution, fines, or other remedies notwithstanding the surrender of the animal.

MARION COUNTY ILLINOIS ANIMAL CONTROL FEE SCHEDULE (Proposed)

Fines and fees are to be assessed in conjunction with other fines and fees if multiple violations have been committed. The fee schedule pertains to each animal, unless stated as per occurrence. If any medical or veterinary costs are acquired, the owner shall also be responsible for those expenses

Failure to Vaccinate against Rabies and Register	200	Reduced to \$50 if owner comes into compliance within 14 days
Impoundment		
Impound Fine 1st offense	50	
Impound fine 2nd offense	100	
Impound fine 3rd offense	150	
Boarding	15	Per day
Dogs Running at Large 1st offense		
Public Safety Fine	25	
Running at large fee	100	
Fee if not Microchipped within 30 days	75	
Not Spayed or Neutered	Warning	
Dogs Running at Large 2nd offense		
Public Safety Fine	25	
Fee running at large	200	
Fee if not Microchipped	75	
Fee if not Spayed or Neutered within 30 days	75	
Dogs Running at Large 3rd offense		
Public Safety Fine	25	
Fee running at large	300	
Fee if not chipped	75	
Fee if not Spayed or Neutered in 30 Days	100	
Abandonment		
Public Safety Fine	25	
Illegal dumping Per Animal	300	
Fee if not Microchipped	75	
Fee if not Spayed or Neutered	75	
Redemption Fees		
Apprehension Fee	25	
Impound Fine 1st offense	50	
Impound fine 2nd offense	100	
Impound fine 3rd offense	150	
Boarding	15	Per day
Additional costs associated with redemption		
Rabies Vaccination and Registration	Determined by Veterinarian	
Core Vaccinations	Determined by cost	
Flea and tick treatment	Determined by cost	
Parasiticides	Determined by cost	
Spay and Neuter if 2nd or subsequent offense	Determined by Veterinarian	
Veterinary Expenses	Determined by Veterinarian	
Microchip Insertion and Documentation	25	
Failure to Redeem	See Abandonment	
Bite Fee		
running at large (if applicable)	100	
Fee for bite	75	
public safety fine	25	
not chipped within 14 days	75	
not S/N within 14 days	75	
Quarantine	See Impoundment	
Dangerous Dog Fee		
Dangerous dog fee	50	
running at large (if applicable)	200	
public safety fine	25	

Failure to Comply	200	
not chipped within 14 days	75	
not S/N within 14 days	75	
Vicious Dog Fees		
Vicious dog fee	100	
Running at large (If applicable)	300	
public safety fine	100	
Failure to comply	500	
not chipped within 10 days	75	
not S/N within 10 days	75	
Breeding and Litters		
Breeding Permit	25	
Failure to Comply with breeding permit or ordinances regarding litters	100-500	Per occurrence
Noise Violation		
1st offense	30	Per occurrence
2nd and subsequent offenses	75	Per occurrence
Improper disposal of a deceased animal	100-300	
Reckless Dog Owner		
Failure to Comply	500	
Livestock running at large		
1st offense	100	
2nd offense	150	
3rd offense	200	
subsequent offense increase by	50	

Failure to comply with Cruelty/Abuse/Neglect Ordinance 1000 or more as determined by the administrator

Maximum Criminal Charges Pursuant to the Humane Treatment of Animals Act and

Cruelty/Abuse/Neglect	Offense	Class	Max. Penalty Imprisonment	Max. Fine
Failure to fulfill owners duties	1st	B Misdemeanor	6 months	1500
	2nd	4 Felony	3 years	25000
Cruel Treatment	1st	A Misdemeanor	1 year	2500
	2nd	4 Felony	3 years	25000
Depiction of Animal Cruelty	1st	A Misdemeanor	1 year	2500
	2nd	4 Felony	3 years	25000
Poisoning	1st	A Misdemeanor	1 year	2500
	2nd	4 Felony	3 years	25000
Aggravated Cruelty to Companion Animals	1st	4 Felony	3 years	25000
	2nd	3 Felony	5 years	25000
Torture	1st	3 Felony	5 years	25000
Confinement of Animals in Motor Vehicle	1st	C Misdemeanor	30 days	1500
	2nd	B Misdemeanor	6 months	1500

PASSED BY THE COUNTY BOARD this 28 day of April, 2026.

AYES: 12

NAYS: 0

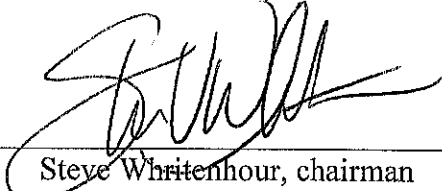
ABSENT: 2

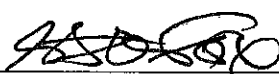
ABSTAINED: 0

ATTEST:

COUNTY OF MARION, ILLINOIS

By:


Steve Whithenhour, chairman


Steven A. Fox, County Clerk

STATE OF ILLINOIS
COUNTY OF MARION

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COUNTY CLERK'S OFFICE

I, **Steven A. Fox**, County Clerk of the **County of Marion, Illinois**, do hereby certify that the attached Resolution, published by authority of the County Board was duly passed by the County Board of the **County of Marion, Illinois**, approved by the Chairman and published according to law on this date, and that this resolution is a true and perfect copy of the resolution, as passed, approved and now of record and on file in my office as provided by law.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the **County of Marion, Illinois**, this 28 day of April, 2026.



STEVEN A. FOX
COUNTY CLERK
COUNTY OF MARION, ILLINOIS

