

## **Animal Care and Control Program** **Administrative Procedures and Policies**

### **CONTENTS**

- I. ~~Waiver or Reduction of~~ Confinement and Observation of Biting Animals
  - ~~a. Rabies Liability Release Letter: Animals biting persons/animals in which they reside~~
    - ~~i. Animals currently inoculated against rabies~~
  - a. Waiver or reduction of confinement and observation of biting animals
    - i. Animals not currently inoculated against rabies
    - ~~b. ii. Un-inoculated/vaccinated Police-police dogs~~
    - ~~c. iii. Veterinarian recommendation~~
    - ~~d. iv. Service/therapy animals~~
  - ~~b. Conditions requiring hospital confinement and observation~~
  - ~~d. c. Confinement and observation requirements for animal to animal bites~~
- II. General Interpretation of “Has Been Bitten” and Enforcement of Animal Bite Requirements
- ~~III. Conditions requiring hospital confinement and observation~~
- ~~IV. III.~~ Rabies registration exemptions/exceptions
  - a. Police dogs
  - b. Military personnel stationed at Great Lakes Naval Base
  - c. Licensed foster and adoption groups
  - d. Part time/dual residency
  - e. Intact animals
    - i. Shown in AKC sponsored events
    - ii. Field trials/registered dogs
    - iii. Medically exempt from surgical sterilization
  - f. Registration with less than 1yr on ~~inoculation~~vaccination
  - g. Medically exempt from ~~inoculation~~vaccination
- ~~V. IV.~~ Notices of Ordinance Violations
  - a. Conditions when a Notice may be issued with agreement to void
  - b. Issuing Non-Traffic court tickets
  - c. Issuing Notices of Ordinance Violation; exceptions
- ~~VI. V.~~ Animal Impoundment
  - a. Animals running-at-large; exceptions
  - b. Impoundment appeals; owner responsibility for boarding fees
  - c. Unidentifiable animals not redeemed by an owner
  - d. Impounded animals with implanted microchips
- ~~VII. VI.~~ Pet Limit Exemptions
  - a. Long term temporary housing
- ~~VIII. VII.~~ Nuisance Wildlife and Animal Traps
  - a. Trapping/releasing nuisance wildlife
  - b. Nuisance and domestic animal trap deposit fees; waivers of deposit fees

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APRIL 2024/February 2025

~~IX.VIII.~~ Trap Neuter and Return (TNR) colony cat impoundments

~~X.IX.~~ Payment plans

a. Conditions that render an individual ineligible for a payment plan

DRAFT 2 - FEB 2025

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~~APRIL 2024~~February 2025

**I. ~~Waiver or reduction of c~~Confinement and observation of biting animals:**

**I.a) ~~Waiver or reduction of confinement and observation of biting animals:~~** The Health Officer may waive or reduce the requirement for hospital confinement and observation, ~~may be waived or reduced~~ and a biting animal may be confined in a home in accordance with Lake County Code of Ordinances Chapter 172, Section 172.05 (B) ~~when the following conditions are met~~ in the circumstances described in this section.:

~~a) **Rabies Liability Release Letter:** If issued by the Health Officer, a Rabies Liability Release Letter exempts an owner from delivering his or her animal to a licensed veterinarian for the confinement and observation requirements. It also releases the Lake County Health Department from liability should a victim contract the rabies virus from an animal with which they reside. A Rabies Liability Release Letter may be issued when the following conditions are met:~~

~~i. The biting animal is currently inoculated against rabies and has resided with the owner/caretaker full time for a minimum of 30 days prior to bite incident. If the Health Officer chooses to issue the Rabies Liability Release Letter, the victim as well as the owner (if the owner of the animal is not the victim) shall sign the letter and return it to the Lake County Animal Care and Control program within ten (10) days. The owner shall not dispose of the animal during those ten (10) days.~~

~~b) i. **Animals not currently inoculated against rabies:** The Health Officer determines that ~~the a~~ biting animal ~~dog or cat~~, though not currently inoculated vaccinated against rabies, ~~has resided for a period of at least 30 (thirty) days in a dwelling along with the person that was bitten; the biting animal~~ is nursing a litter of kittens or puppies; or when the biting animal is a puppy or kitten, 4 months of age or less.~~

~~e) ii. **Un-inoculated Unvaccinated Police-police dogs:** A police dog that is not currently ~~inoculated~~ vaccinated against rabies, but is registered to a police department and bites a person while acting under the direction of its handler while "on duty."~~

~~e) iii. **Veterinarian recommendation:** The biting animal is under the care of a veterinarian, and the Health Officer receives a written recommendation ~~of a veterinarian~~ for home confinement, ~~and the biting animal is under the care of that veterinarian.~~~~

~~iv. **Service/therapy animals:** The biting animal ~~functions as~~ a service ~~or therapy~~ animal and the Health Officer is provided information on the ~~type of service or therapy~~ provided by the animal.~~

**b) ~~Conditions requiring h~~Hospital confinement and observation:** In accordance with the Illinois Animal Control Act and Lake County Code of Ordinances Chapter 172, the

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APRIL 2024 February 2025

Health Officer may require a biting animal to be confined and observed in a “manner which will prohibit it from biting any person” [510 ILCS 5/13(a)]. The Health Officer may require this manner of confinement and observation, i.e., in a hospital, if they have reasonable cause to believe, or have evidence indicating that the animal may bite again if confined in the owner’s home. In requiring hospital confinement, the circumstances that the Health Officer shall consider include, but are not limited to:

- i. The biting animal has bitten on at least one other past occasion.
- ii. The biting animal is currently under home confinement for a previous bite.
- iii. The biting animal has been documented to have been running at large on more than one past occasion.
- iv. The owner is incapable of complying with home confinement for at least one of the following reasons:
  - 1. The owner is away from home, or planning to be away from home.
  - 2. The owner’s place of residence is in transition.
  - 3. The owner is without a verifiable permanent home address.
  - 4. The owner indicates that they do not intend to comply with the home confinement requirements, is unable to do so, or is uncertain that they are able to do so.
- v. The owner requests hospital confinement.
- vi. The owner no longer wants the biting animal in the home.
- vii. The biting animal is under the care of a veterinarian, and the Health Officer receives a written recommendation for hospital confinement from the veterinarian.

c. **Confinement and observation requirements for animal to animal bites:** In cases of animal to animal bites, the Health Officer shall apply the confinement and observation requirements in Lake County Code of Ordinances Chapter 172, Section 172.05 as stipulated in that section.

- i. **Companion animal to wildlife, or companion animal to livestock bites:** Confinement and observation requirements shall be determined by the Deputy Administrator in consultation with the Health Officer, and imposed in accordance with Lake County Code of Ordinances Chapter 172, Section 172.05. In establishing the confinement and observation requirements, the following circumstances and conditions shall be considered:

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APRIL 2024 February 2025

- [1. The behavior of the biting animal;](#)
- [2. Whether or not the biting animal was also bitten;](#)
- [3. The likelihood that the biting animal experienced a non-bite exposure during the incident;](#)
- [4. The species of the bitten animal, and the likelihood of the bitten animal harboring the rabies virus; and](#)
- [5. The vaccination status and vaccination history of the biting animal.](#)

- ii. [\*\*Wildlife to companion animal bites:\*\* Confinement and observation requirements shall be determined and imposed in accordance with the requirements of the Illinois Animal Control Act and the Illinois Administrative Rules promulgated thereunder.](#)

## **II. General Interpretation of “Has Been Bitten” and Enforcement of Animal Bite**

**Requirements:** In the Illinois Animal Control Act, “has been bitten” is defined as follows: *“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.* This definition recognizes that there are two exposure pathways for the potential transmission of the rabies virus; bite and non-bite. For the purposes of the enforcement of the Illinois Animal Control Act, Lake County Code of Ordinances Chapter 172 and the Lake County Health Department Animal Care and Control Program Procedures and Policies, both bite and non-bite exposures, as described below in Parts (a) and (b) of this Section, shall be considered to be “animal bites” and the animal that has caused these exposures shall be considered to be a “biting animal.”

- a) **Bite Exposures:** A bite exposure occurs when an animal or person *“has been seized with the teeth or jaws so that the person or animal seized has been nipped, gripped, wounded, or pierced.”* When the Health Officer has reasonably established that a person or animal was seized with the teeth or jaws of animal, a bite exposure has occurred, and the requirements of the Illinois Animal Control Act, Lake County Code of Ordinances Chapter 172 and the Lake County Health Department Animal Care and Control Program Procedures and Policies that apply to animal bites shall be enforced.
- b) **Non-Bite Exposures:** Where the Health Officer has reasonably established that an animal has caused, to a person or other animal, a *“break or abrasion of the skin,”* which can be from a scratch caused by a nail, claw or tooth, and the Health Officer also has reasonable cause to believe that *“contact of saliva”* of the animal and the break or abrasion has taken place, a non-bite exposure has occurred, and the requirements of the Illinois Animal Control Act, Lake County Code of Ordinances Chapter 172 and the Lake County Health Department Animal Care and Control Program Procedures and Policies that apply to animal bites shall be enforced. Where a break or abrasion results from a scratch caused by a tooth of an animal, that fact alone shall provide reasonable cause to believe that contact with saliva with the break or abrasion has occurred.

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[APRIL 2024 February 2025](#)

~~III. — Conditions requiring hospital confinement and observation: In accordance with the Illinois Animal Control Act and Lake County Code of Ordinances Chapter 172, the Health Officer may require the animal to be confined and observed in a “manner which will prohibit it from biting any person” [510 ILCS 5/13(a)]. The Health Officer may require this manner of confinement and observation, i.e., in a hospital, if he or she has reasonable cause to believe, or has evidence indicating that the animal may bite again if confined in the owner’s home. In requiring hospital confinement, the circumstances that the Health Officer shall consider include, but are not limited to:~~

- ~~a) The biting animal has bitten more than one person or animal during a single attack.~~
- ~~b) The biting animal has bitten on more than one separate occasion.~~
- ~~c) The biting animal has bitten while previously under home confinement.~~
- ~~d) The nature of the attack caused serious physical injury or death.~~
- ~~e) The biting animal has been documented to have been running at large on more than one past occasion.~~
- ~~f) The owner is incapable of complying with home confinement for at least one of the following reasons:~~
  - ~~i. The owner is away from home, or planning to be away from home.~~
  - ~~ii. The owner’s place of residence is in transition.~~
  - ~~iii. The owner is without a verifiable permanent home address.~~
  - ~~iv. The owner indicates that he or she does not intend to comply with the home confinement requirements, is unable to do so, or is uncertain that he or she is able to do so.~~
  - ~~v. The owner requests hospital confinement.~~
  - ~~vi. The owner no longer wants the animal in the home.~~
- ~~g) The biting animal is not currently vaccinated.~~

**IV.III. Rabies registration requirement exemptions/exceptions:** The Health Officer shall enforce the rabies registration tag fee requirements as stated in Lake County Code of Ordinances Chapter 172 and Lake County Animal Care and Control Program Fee Schedule, and as described below. Animal Hospitals issuing tags in accordance with Lake County Code of Ordinances Chapter 172 shall only accept the fees as set forth by Lake County Animal Care and Control Program Fee Schedule.

**ADOPTED** by the Board of Health: February 16, 2011

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APRIL 2024 February 2025

- a) **Police dogs:** A rabies registration tag shall be issued with no fee to a dog registered to a police department each time the dog is ~~inoculated~~vaccinated.
- b) **Military personnel stationed at Great Lakes Naval Base:** ~~An animal dog or cat~~ that is owned by active duty military personnel stationed at Great Lakes Naval Base and living in military-owned housing are exempt from purchasing a Lake County rabies registration tag, provided a military tag is acquired.
- c) **Licensed foster or adoption groups:** A ~~dog or cat animal~~ that is owned by a rescue group that is placed temporarily in a foster home must be registered in the rescue group's name, though the registration fee shall be waived for dogs and cats sourced from Lake County Animal Care and Control. The group has 30 days to register the ~~dog or cat animal~~ after it is ~~inoculated~~vaccinated against rabies. When the ~~dog or cat animal~~ is adopted into a permanent home, the registration will be transferred to the new owner at no charge.
- d) **Part time/dual residency:** When a dog or cat owner has residences both outside of Illinois and in Lake County, and provides documentation that ~~his or her~~their primary residence is outside of Illinois and that the dog or cat has been vaccinated in the jurisdiction of the owner's primary residence, the owner shall be required to obtain and pay for a Lake County rabies tag coinciding with the animal's vaccination date, but shall be assessed a ~~reduced fee of \$2.00~~as established in the Animal Care and Control Program Fee Schedule. The rabies vaccination certificate from the other jurisdiction must be provided to the Health Officer.
- e) **Intact Animals:** Rabies registration tag fees may be reduced to the fee assessed to altered ~~animals~~dogs or cats when the following conditions are met:
- i.1. Shown in an AKC sponsored events: If a ~~n animal dog or cat~~ is shown in an AKC sponsored event where the event requires the ~~dog or cat animal~~ to be intact or is bred as a result of its show status (i.e., Champion of Record), that ~~dog or cat animal~~ shall be eligible for a reduction to the spayed/neutered fee. If the intact rabies registration tag fee has been paid to a veterinarian's office, the owner must submit to the Health Officer proper documentation of the ~~dog or cat animal~~'s eligibility for the fee reduction along with a request for a refund of the difference between the intact and spayed/neutered fees. Proper documentation to qualify for the fee reduction shall include at least one of the following:
1. A copy of an official paid entry form from an AKC recognized event dated within one year of the rabies ~~inoculation~~vaccination date.
  2. Name of animal listed on an official entry booklet dated within one year of the rabies ~~inoculation~~vaccination date for an AKC recognized event in which the ~~dog or cat animal~~ is being, or was shown.

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APRIL 2024 February 2025

3. Confirmation or acknowledgement of entry to an AKC recognized event dated within one year of the rabies ~~inoculation~~vaccination date.
4. A copy of a Championship certificate.

**~~ii.~~2. Field trials/registered dogs:** If a dog competes in a sanctioned field trial event, is registered with a recognized purebred dog registry (such as the Field Dog Stud Book) and is bred as a result of its field trial status (i.e., Champion), that dog shall be eligible for a reduction to the spayed/neutered fee. If the intact rabies registration tag fee has been paid to a veterinarian's office, the owner must submit to the Health Officer proper documentation of the animal's eligibility for the fee reduction along with a request for a refund of the difference between the intact and spayed/neutered fees. Proper documentation to qualify for the fee reduction shall include the following:

1. Confirmation of registration with a recognized purebred dog registry (such as the Field Dog Stud Book); **and**
2. A copy of a Championship certificate or other award from sanctioned field trial competition.

**~~iii.~~3. Medically exempt from surgical sterilization:** An ~~animal~~dog or cat that cannot be surgically altered due to a medical condition that could adversely affect the ~~dog or cat~~animal's life shall be eligible for a reduction to the spayed/neutered rabies tag registration fee. The attending veterinarian shall complete a Medical Exemption Waiver, on a form provided by the Health Officer, and shall submit the form to the Health Officer along with the rabies ~~inoculation~~vaccination certificate. The form shall include the medical condition of the ~~dog or cat~~animal and the recommendation that the ~~dog or cat~~animal should not be surgically altered. If the rabies tag registration fee was collected by the animal hospital at the time of ~~inoculation~~vaccination, the owner shall receive a refund of the difference between an intact and spayed/neutered fee.

- f) **Registration with less than one year on ~~inoculation~~vaccination:** When there is one year or less remaining on the existing 3 year registration period for a ~~dog or cat~~animal, ~~and the owner is required to register the animal~~, the owner shall receive a new 3 year tag, and will be required to pay the applicable 1 year tag fee (depending upon the animal's reproductive status). The expiration of the registration period will remain unchanged.
- g) **Medically exempt from ~~inoculation~~vaccination:** A medically exempt tag will be issued by the Health Officer when a veterinarian submits a Medical Exempt Waiver that specifies ~~the a~~ a medical condition that contraindicates the rabies ~~inoculation~~vaccination.
- i. The owner shall pay the applicable 1 year rabies tag registration fee to obtain a medical exempt registration tag.

**ADOPTED** by the Board of Health: February 16, 2011

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APRIL 2024February 2025

- ii. The medical exempt registration tag and letter is valid for 1 calendar year from the date of the written statement. The dog or cat animal's medical condition must be re-evaluated on an annual basis.
- a. If the dog or cat animal is involved in a bite during the time in which the animal is not inoculated/vaccinated, the biting dog or cat animal shall be confined as described-required in Lake County Code of Ordinances Chapter 172, Section 172.05 (A) (hospital confinement) unless a veterinarian provides a written statement that the animal may be confined per Lake County Code of Ordinances Chapter 172, Section 172.05 (B) (home confinement).

**V.IV. Notices of Ordinance Violation:** The Health Officer shall only issue a Notice of Apparent Ordinance Violation or a Notice of Ordinance Violation Ticket when the Health Officer witnesses the apparent-alleged violation of Lake County Code of Ordinances Chapter 172.

- a) **Conditions when a Notice of Ordinance Violation Warning Ticket may be issued:** Under the following conditions the Health Officer may elect to issue a Notice of Ordinance Violation Warning Ticket with the understanding that the violator will come into compliance in a-the period of time specified on the warning period of time and:
  - i. the violation is a first offense; or
  - ii. the owner makes a reasonable request for time to meet requirements (e.g., due to financial or time considerations); and
  - iii. the expectation is that compliance will be obtained.
- ~~b) Issuing Non-Traffic court or Administrative Adjudication Hearing tickets when the Health Officer does not witness the apparent violation:~~ If the Health Officer issues a Non-Traffic Court Ticket or an Administrative Adjudication Hearing Ticket, the ticket shall be signed by the complainant when the complainant is a witness to the apparent violation of Lake County Code of Ordinances Chapter 172. The complainant must appear in Court or at the Hearing to testify to the alleged infraction.
- ~~e)b) Issuing Notices of Ordinance Violation; exceptions:~~ Under the following conditions the Health Officer may elect to not issue a Notice of Ordinance Violation:
  - i. an owner relinquishes an impounded animal; or

- ii. ~~an dog or cat~~ animal is found to be not ~~inoculated~~vaccinated against rabies or not registered, but is within 30 days of the required deadline for either (e.g., a 4 ½ month old dog is not yet ~~inoculated~~vaccinated/registered).

#### **VI.V. Animal impoundment**

- a) **Animals running-at-large; exceptions:** The Health Officer may elect to not impound an animal picked up while running at large when:
  - i. the owners are actively looking for their animal; ~~or~~
  - ii. the violation is a first offense; ~~or~~
  - ~~ii-iii.~~ the animal is microchipped and registered to a local owner; or
  - ~~iii-iv.~~ the animal is wearing a current rabies tag.
- ~~b) **Impoundment appeals; owner responsibility for boarding fees:** When an owner requests a hearing to appeal an impoundment of an animal by the Health Officer for failure to perform owners' duties or for animal cruelty, the owner shall not be responsible for boarding fees for the animal from the date the Health Officer receives the request until the date of disposition of the animal.~~
- ~~e)b) **Unidentifiable animals:** Animals having no identification or microchip, impounded in accordance with Lake County Code of Ordinances Chapter 172 and the Illinois Animal Control Act not redeemed by an owner must be held to allow reclamation by an owner, agent, or caretaker prior to the disposal of the animal:~~
  - i. Dogs and exotic animals shall be held a minimum of 5 business days, and
  - ii. Cats shall be held a minimum of 3 business days.
- ~~d)c) **Impounded animals with implanted microchips:**~~
  - i. When evidence of a microchip is found in an impounded animal and it has been determined that the owner information associated with the microchip is no longer accurate, the animal may be disposed of in accordance with Lake County Code of Ordinances Chapter 172, the Illinois Animal Control Act and Section (~~eb~~) of this part. The listed owner may ~~not~~ be held responsible for fees associated with the impoundment of the animal.
  - ii. The municipal service visit fee may be waived when a microchipped dog is impounded at the request of the municipality when at least one of the following conditions are met:
    - 1. The owner information linked to the microchip does not provide current or accurate owner information, or

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APRIL 2024 February 2025

2. The owner information linked to the microchip is outside the requesting municipality's jurisdiction.

#### **VII.VI. Pet limit exemptions**

- a) **Long term temporary housing:** When an owner is required to be away from home for an extended, but limited period of time (for example on military duty), and the owner's ~~animal(s)~~ dogs and/or cats need to be harbored for this amount of time, the person temporarily harboring the dogs and/or cats ~~animal(s)~~ shall be exempt from the pet limit restrictions of Lake County Code of Ordinances Chapter 172, Section 172.15 (A), providing all other requirements of ~~Lake County Code of Ordinances~~ Chapter 172 are met and the harborer assumes the responsibilities of the owner during the time the owner is absent.

#### **VIII.VII. Nuisance wildlife and animal traps**

- a) **Trapping/releasing nuisance wildlife:** The Health Officer shall trap and release wildlife when the wildlife is present in the living quarters/occupied rooms of a ~~dwelling~~ residence. ~~The Health Officer shall not trap W~~ wildlife will not be trapped in ~~non-occupied~~ portions of a residence ~~dwelling~~ including, but not limited to attics, garages, crawl spaces and the inside of walls. Wildlife shall be released in accordance with the Illinois Department of Natural Resources Nuisance Wildlife Control Permit requirements (17 ILL. ADM. CODE, CH. I, SEC. 525).
- b) **Nuisance and domestic animal trap deposit fees; ~~waivers of deposit fees:~~** Refundable deposit fees for the use of traps by the public or by other agencies for trapping nuisance wildlife and domestic animals shall be assessed in accordance with the Lake County Animal Care and Control Program Fee Schedule. The Health Officer may waive the collection of the refundable deposit fee in circumstances including, but not limited to:
  - i. When ~~a warden~~ the Health Officer has made previous attempts to capture an animal, but has been unsuccessful;
  - ii. When a municipality or police department is requesting the trap and signs an agreement that it will be responsible for its care and/or replacement if necessary;
  - iii. When a trap is requested to ~~be used to trap~~ capture a stray biting animal;
  - iv. When a trap is requested ~~to be used in for~~ an animal hoarding situation; or
  - v. When a trap is requested to ~~be used to trap~~ capture nuisance wildlife located inside an occupied portion of a residence.

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APRIL 2024 February 2025

**~~IX.VIII.~~ Trap Neuter and Return (TNR) colony cat impoundments:** When a cat from a recognized TNR colony (as established by microchip and/or ear tip) is impounded ~~For a the first time impoundment,~~ in a consecutive two-year period, ~~of a cat from a recognized TNR colony (as established by microchip and/or ear tip) and~~ where there is no documented nuisance associated with the cat or the colony of which it is a part, the following fees, as established in Lake County Animal Care and Control Program Fee Schedule, shall be paid in order to redeem the cat:

- a) Applicable boarding fee;
- b) Transportation fee (if transported by the Health Officer);
- c) Rabies vaccination fee (if the cat is not currently ~~inoculated~~ vaccinated);
- d) All fees associated with required rabies confinement/observation; and
- e) All fees for required veterinary services provided.

~~However, for~~ For a second or subsequent impoundment, in a consecutive two-year period, ~~of a cat from a recognized TNR colony, or for a first impoundment and there is a documented nuisance associated with the cat or the colony of which it is a part, all applicable fees will be assessed~~ to the owner as defined in Lake County Code of Ordinances Chapter 172.

Only cats specifically registered to a recognized TNR program will be released to the TNR program or colony caretaker. All other cats will be disposed of in accordance with Section VI of the Lake County Health Department Animal Care and Control Program Procedures and Policies, Lake County Code of Ordinances Chapter 172, and the Illinois Animal Control Act.

**~~X.IX.~~ Payment plans:** Payment plans may be granted at the discretion of the Health Officer. The owner must sign an agreement acknowledging that a payment plan has been initiated and shall agree ~~ing to~~ —make monthly payments until the balance is paid in full. An administrative fee for entering into a payment plan shall be assessed ~~, per Lake County Animal Care and Control Program Fee Schedule, but this fee may be waived if full payment is made within 2 weeks, or at the discretion of the Health Officer if circumstances warrant it.~~

- a) **Conditions that render an individual ineligible for a payment plan** include, but are not limited to:
  - i. The owner is currently enrolled in a payment plan and is delinquent in ~~his or her~~ their payments (unless the prior payment plan balance is paid in full);

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APRIL 2024 February 2025

ii. The owner is delinquent in payment of other fees (unless the ~~prior payment plan~~ balance is paid in full); or

iii. The owner is unable to provide a current Lake County address.

DRAFT 2 - FEB 2025

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APRIL 2024 February 2025