



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 19-1208      **Version:** 1      **Name:** Amendment to Chapter 172 - Animals  
**Type:** ordinance      **Status:** Passed  
**File created:** 7/16/2019      **In control:** Health & Community Services Committee  
**On agenda:**      **Final action:** 8/13/2019

**Title:** Ordinance amending the Lake County Code of Ordinances Chapter 172 - Animals.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Chapter 172 amendments redline

Date	Ver.	Action By	Action	Result
8/13/2019	1	Lake County Board	adopted	Pass
7/30/2019	1	Health & Community Services Committee	recommended for adoption to the regular agenda	Pass

### Ordinance amending the Lake County Code of Ordinances Chapter 172 - Animals.

- The proposed revisions to 172.12 (B) contain requirements when the owner of a dog that has been declared animal-aggressive (when it has killed or seriously injured another owned animal) wants to give away or sell the dog or move to another jurisdiction.
  - The proposed revisions would require an owner to notify Animal Care and Control prior to transferring custody of the dog so that a disposition letter can be provided to the new owner identifying the responsibilities needed to meet requirements.
  - The proposed revisions would also require an owner to notify Animal Care and Control in both the jurisdiction to which he or she is moving, and the jurisdiction he or she is leaving. These revisions are modeled after similar requirements in the Illinois Animal Control Act for an owner of a dog that has been declared vicious (when it has killed or seriously injured a person).
- The proposed revisions to Section 172.15 are to discourage irresponsible breeding of dogs and cats.
- The Illinois Department of Agriculture (IDOA) licenses and regulates the breeding of dogs and cats, but only when the breeder has more than five breeding female animals.
- In chapter 172, the current pet limit restriction for residences is four dogs and four cats; however, it only applies to pets older than 6 months.
- In unincorporated Lake County, zoning and property use restrictions prohibit “regular” use of a property for breeding and selling pets, but that standard is difficult to establish and prove. Thus, the existing regulations leave a gap in regulating and discouraging irresponsible “backyard breeding.”
  - The proposed revisions provide enforcement authority against irresponsible breeders, specifically those that maintain and treat their animals poorly.
  - The proposed revisions state that if a person is cited by an Animal Control Officer for failing to properly care for their animals (such as poor conditions, lack of

food/water/shelter, failure to provide vet care, or cruelty), and the Officer finds that the person's animal has offspring present (i.e., is breeding them), the exemption for dogs or cats six months or younger would no longer apply, and all animals would be counted toward the pet limit.

- In addition to the care/treatment violations, the person could be cited for violating the pet limit for each dog or cat above the limit. The person could be cited a \$100 fine per dog or cat, including those six months or younger, for violating the pet limit. Animal Care and Control would receive and pursue these cases on a complaint-driven basis.

## **ORDINANCE**

**WHEREAS**, the Lake County Health Department is authorized to enforce a local ordinance regulating the care and control of animals and the control of the spread of rabies to protect the public's health; and

**WHEREAS**, the Lake County Board incorporated the Lake County Animal Care and Control Ordinance into the Lake County Code of Ordinances at Chapter 172 on January 15, 2013; and

**WHEREAS**, the Lake County Health Department has proposed amendments to Chapter 172 that pertain to the regulations regarding animal-aggressive dog dispositions and the limits on number of dogs and cats per residence; and

**WHEREAS**, the Lake County Board of Health has approved the proposed amendments to Chapter 172 on July 24, 2019; and

**WHEREAS**, the Lake County Board of Health has recommended that the proposed amendments to Chapter 172 be referred to the County Board for approval; and

**NOW, THEREFORE, BE IT ORDAINED**, by this County Board of Lake County, Illinois, that the amendments to the Chapter 172 herewith be approved and made a matter of Lake County law.

**BE IT FURTHER ORDAINED**, that the Lake County Clerk is hereby authorized to distribute certified copies of the amended Ordinance to the County Administrator, Comptroller, and the Executive Director of the Lake County Health Department.

**DATED** at Waukegan, Illinois, on August 13, 2019.