

Legislation Text

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Proposed Revisions to Lake County Code of Ordinances Chapter 172, Animals - Mackey

Revisions are proposed to two sections of Chapter 172, one pertaining to animal-aggressive dispositions (Section 172.12) and one regarding the pet limit (Section 172.15).

The proposed revisions to 172.12 are in subsection (B) and contain requirements pertaining to 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 the dog to another person so that a new disposition letter can be provided to the new owner that states the new owner is now responsible for meeting the 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 owners 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 address and ultimately discourage irresponsible breeding of dogs and cats. The Illinois Department of Agriculture (IDOA) licenses and regulates the breeding of dogs and cats, but only where the breeder has more than five breeding female animals. The pet limit of four dogs and four cats in Chapter 172 restricts the number of pets that can be kept in a residence, but it only applies to dogs or cats older than six 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 regarding regulating and discouraging irresponsible “backyard breeding.”

- The proposed revisions provide enforcement authority to be used 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 has offspring of his or her owned animals 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.

The person could then be cited, in addition to the care/treatment violations, for being in violation of the pet limit for each dog or cat above the limit. The \$100 fine for violating the pet limit would apply to all of the dogs or cats six months or younger if the pet limit is violated. Animal Care and Control would receive and pursue these cases on a complaint-driven basis.

These proposed revisions to Chapter 172 were reviewed and approved by the Environmental Health Advisory Committee at their May 20, 2019 meeting. A public hearing was held on July 9, 2019 to receive comments on the proposed changes, and four people attended and provided comments; one provided a document on pet limit laws. Additionally, two comments, one inquiry, and one document on pet limit laws were received via email and summarized into the record of the hearing. A summary of the comments/questions presented at the

public hearing is attached, as are the complete emails received. Responses were provided to hearing attendees and are also summarized in the attachment.

To approve the proposed revisions to Lake County Code of Ordinances Chapter 172.