



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 022-035
DATE OF PASSAGE May 10, 2022

An Ordinance amending Chapter 9 of the Code of Ordinances pertaining to the welfare of animals, establishing fees and fines, and making other confirming changes to the Code.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the City Council has adopted Chapter 9 of the Code of Ordinances, City of Aurora ("City Code") which sets forth various regulations and procedures regarding the humane keeping, care, and control of animals within the City and provides for enforcement of such regulations and procedures; and

WHEREAS, the City Council finds that it is the best interest of the City that Chapter 9 of the City Code be revised to reflect recent changes in State law, including, but not limited to the Animal Welfare Act, as amended by Public Act 102-586, best practices with respect to the care and control of stray animals, further prevent cruelty to animals, and to promote adoption of animals; and

WHEREAS, such revisions are set forth in Exhibit A, which is attached to and made a part of this Ordinance as if fully incorporated herein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that Chapter 9 of the City Code shall be and hereby is amended as set forth in Exhibit A; and further

BE IT ORDAINED, that the fees and fines set forth in Exhibit B shall be and hereby are adopted; and further

BE IT ORDAINED, that paragraph (b)(6) of Section 2-280 of the City Code shall be and hereby is amended to read as follows:

ORDINANCE NO. 022-035
DATE OF PASSAGE May 10, 2022

"Division of animal care and control. The head of this division is the animal care and control director."

BE IT ORDAINED, that the City Council finds that an urgency exists such that this Ordinance shall be in full force and effect, and controlling, upon its passage and approval by two-thirds of its members holding office; and further

BE IT ORDAINED, that all ordinances or parts of ordinances thereof in conflict herewith are hereby repealed to the extent of any such conflict; and further

BE IT ORDAINED, that any section or provision of this ordinance that is construed to be invalid or void shall not affect the remaining sections or provisions which shall remain in full force and effect thereafter; and further

BE IT ORDAINED, that that the City Clerk and Corporation Counsel are hereby authorized to make any non-substantive or clerical changes to and correct any scrivener's errors within Chapter 9 and Exhibit A as they deem necessary for codification and publication; and further

BE IT ORDAINED, that the City Clerk shall publish this Ordinance in pamphlet form forthwith in the manner provided for in the Illinois Municipal Code.

ORDINANCE NO. 022-035

LEGISTAR NO. 22-0257

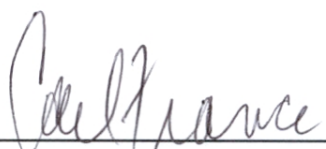
PASSED AND APPROVED ON May 10, 2022

AYES 12 NAYS 0 NOT VOTING 0 ABSENT 0

ALDERMAN	Vote
Alderman Llamas, Ward 1	Yes
Alderman Garza, Ward 2	Yes
Alderman Mesiacos, Ward 3	Yes
Alderman Donnell, Ward 4	Yes
Alderman Franco, Ward 5	Yes
Alderman Saville, Ward 6	Yes
Alderman Hart-Burns, Ward 7	Yes
Alderman Smith, Ward 8	Yes
Alderman Bugg, Ward 9	Yes
Alderman Baid, Ward 10	Yes
Alderman Woerman, At Large	Yes
Alderman Jenkins, At Large	Yes

ATTEST:


City Clerk


Mayor Pro-Tem, Carl Franco

1 Sec 9-1 Definitions

2 The following words, terms and phrases, when used in this
3 chapter, shall have the meanings ascribed to them in this section,
4 except where the context clearly indicates a different meaning:

5 Acceptable identification. Tags or microchip registered
6 locally or nationally and containing sufficient information to
7 contact the animal's current owner

8 Adequate shelter. For animals, a structure designed
9 specifically to shelter an animal that allows an animal to maintain
10 its body heat. The structure must have a roof, solid floor, three
11 (3) leak-free sides with no openings to the elements, and a fourth
12 side that provides access in and out of the structure but otherwise
13 protects the animal from the elements. The structure shall be
14 located in an area allowing the animal to remain dry with access
15 outside the structure to dry, mud free ground.

16 Animal. ~~includes any~~ A living vertebrate, domestic or wild,
17 not including human.

18 ~~Animal manager is an employee of the City of Aurora who shall~~
19 ~~be primarily responsible for enforcing the provisions contained in~~
20 ~~this chapter, and who has the power and authority to issue and~~
21 ~~serve citations for any violation of this chapter and to designate~~
22 ~~other employees to do so as well.~~

23 Animal control officer. ~~is an~~ An employee of the city ~~City of~~
24 ~~Aurora who shall be~~ under the direct supervision of the ~~animal~~

1 ~~control manager~~ director and pursuant to his or her direction may
2 enforce the provisions contained in this chapter, and has the power
3 and authority to issue and serve citations for any violation of
4 this chapter.

5 Animal welfare organization. A non-profit entity duly
6 organized and existing under applicable state law whose mission is
7 to prevent cruelty to animals, rehome animals, or otherwise promote
8 the cause of animal welfare.

9 Attack. The exhibition by an animal of aggressive behavior,
10 including, but not limited to: snarling, biting of clothing or
11 articles on a person, baring teeth, chasing, snapping, pouncing,
12 or lunging.

13 At-large animal. Any animal not under restraint and not in
14 the presence of its owner.

15 Bird. ~~includes~~ A warm-blooded, two-legged, egg laying
16 vertebrates with feathers and wings.

17 Bite. ~~means~~ A seizure with the teeth or jaws of an animal so
18 that the skin of the human being or animal has been gripped,
19 pierced or broken and further includes contact of the saliva of
20 the biting animal with any break of the skin of the human being or
21 animal bitten.

22 Business Day. Any day that the division is open to the public.

23 ~~Carrier, racing, hobby and show pigeons means pigeons as defined~~
24 ~~in the "Carrier, Racing, Hobby and Show Pigeon Act of 1993."~~

1 Cat. ~~means a~~All members of the feline family (Felis Catus).

2 Companion animal. An animal that is commonly considered to be a
3 pet.

4 Companion animal. A dog, cat, ferret, rabbit, guinea pig,
5 hamster or other similar domestic animal commonly kept as pets.

6 Companion animal hoarder. A person who possesses a large
7 number of companion animals and fails to or is unable to provide
8 what he or she is required to provide under Humane Care for Animals
9 section; keeps the companion animals in a severely overcrowded
10 environment; and displays an inability to recognize or understand
11 the nature of or has a reckless disregard for the conditions under
12 which the companion animals are living and the deleterious impact
13 they have on the companion animals' and owner's health and well-
14 being.

15 Dangerous animal. ~~means any animal listed in section 9-15~~
16 ~~herein as amended from time to time.~~ A wild or exotic animal,
17 not indigenous to this State, not commonly found as a domestic
18 animal that would create a potential risk to public safety
19 including but not limited to: bears, wolves, coyotes, jackal, fox,
20 or hybrid thereof, lions, tigers, jaguars, leopards, cougars,
21 panthers, lynx, bobcats, ocelots, any hybrid thereof or any other
22 similar feline animal, alligators, crocodiles, caimans, snakes and
23 reptiles that are venomous or life-threatening, apes, baboons,

1 macaques, bison, and rodents weighing more than one (1) pound,
2 with the exception of guinea pigs.

3 ~~Dog. includes a~~All animals members, ~~regardless of sex,~~ of the
4 canine species (Canis Familiaris).

5 Dog Dealer. Any person who sells, offers to sell, exchange,
6 or offers for adoption with or without charge or donation dogs in
7 the city. However, a person who sells only dogs that he has they
8 have produced and raised shall not be considered a dog dealer, and
9 a veterinary hospital or clinic operated by a veterinarian or
10 veterinarians licensed under the Veterinary Medicine and Surgery
11 Practice Act of 2004 shall not be considered a dog dealer under
12 this Chapter.

13 Director. The division head of the division of animal care &
14 control.

15 Division. The division of animal care & control.

16 Domestic Animal. Any companion or farm animal. ~~Domestic~~
17 ~~animal means any animal, except a farm or dangerous animal, which~~
18 ~~has been domesticated so as to live and/or breed in a tame~~
19 ~~condition as a household pet or guardian. For the purpose of this~~
20 ~~chapter, ferrets, rabbits and pot-bellied pigs are determined to~~
21 ~~be domestic animals.~~

22 ~~Domestic animal at large means any animal that is not leashed~~
23 ~~and under the control of the owner or a responsible person over~~
24 ~~ten (10) years of age. If the animal is on the owner's property,~~

1 ~~it is at large if it is not contained on the property by means of~~
2 ~~an invisible fence with appropriate signage, fence, chain, owner's~~
3 ~~direct supervision, leash or other visible means of restraint~~
4 ~~sufficient to protect pedestrians on public property.~~

5 ~~Euthanasia means death brought about by any medically~~
6 ~~recognized method which produces instant loss of consciousness and~~
7 ~~results in painless death.~~

8 Farm animal. ~~±~~Includes but is not limited to, horses, ponies,
9 llamas, alpacas, mules, bison, cattle, goats, sheep, swine and
10 fowl.

11 Feral cat. A cat that is born in the wild or is the offspring
12 of an owned or feral cat and is not socialized, is a formerly owned
13 cat that has been abandoned and is no longer socialized, or lives
14 outdoors on a farm.

15 Foster home. ~~means a~~ A permitted and registered entity that
16 accepts the responsibility for stewardship of domestic animals
17 that are the obligation of a licensed animal shelter or licensed
18 animal ~~reseue~~ welfare organization, not to exceed four (4) foster
19 animals or 2 litters under 8 weeks of age at any given time. A
20 written agreement to operate as a "foster home" shall be contracted
21 with the licensed animal shelter or licensed animal rescue
22 organization. A foster home must be licensed under the animal
23 shelter or animal welfare organization they are fostering for
24 through the Illinois Department of Agriculture.

1 Fowl. ~~±~~Includes the larger, domesticated birds used as food,
2 including chickens, ducks, emus, geese, peafowl, guinea fowl,
3 ostriches and turkeys.

4 Humane euthanasia. The painless administration of a lethal
5 dose of an agent or method of euthanasia as prescribed in the
6 Report of the American Veterinary Medical Association on
7 Euthanasia published in the Journal of the American Veterinary
8 Medical Association, March 1, 2001 (or any successor version of
9 that Report).

10 ~~Humane society is any not-for-profit corporation chartered under~~
11 ~~the laws of the State of Illinois for the object of animal welfare~~
12 ~~and humane treatment.~~

13 Intact animal. An animal that has not been spayed or neutered.

14 Kennel. ~~means a~~Any establishment wherein any person engages
15 in the business of boarding, building, buying, grooming, letting
16 for hire, training for a fee or selling dogs; provided, however,
17 that the ownership of dogs which are a part of the household shall
18 not constitute the operation of a kennel. Kennel shall not include
19 any animal control and care facility, any kennel, ~~pound~~ or training
20 facility operated by any subdivision of local, state or federal
21 government, any humane society or veterinary hospital.

22 Leash. ~~means a~~ A cord, rope, strap, chain or other device ~~not~~
23 ~~to exceed six (6) feet in length~~ that is commercially produced and
24 whose primary purpose is the temporary restraint of domestic

1 animals, and which is securely fastened to the collar or harness
2 of a ~~domestic~~ dog or other animal and which shall be of sufficient
3 strength to keep such ~~domestic~~ dog or other animal under control.

4 Licensed veterinarian. A veterinarian licensed by the State
5 in which he or she engages in the practice of veterinary medicine.

6 Microchip Implant. A passive electronic device that is
7 injected into an animal by means of a pre-packaged sterilized
8 implanting device to identify and/or assist in the recovery of
9 such animal by its owner.

10 Other animal enterprise. ~~means a~~Any public or private animal
11 attraction or exhibition staged temporarily or permanently, with
12 or without charge to viewers, in compliance with applicable federal
13 and state laws and city ordinances, including but not limited to
14 zoos, circuses, pony rides, rodeos, dog shows, cat shows, livestock
15 exhibitions, horse shows, other shows or expositions utilizing or
16 displaying animals, and businesses of any kind that place animals
17 on display to the public for promotion or advertising purposes.

18 Owner. ~~means a~~Any person having a right of property in an
19 animal, ~~or~~ who keeps or harbors any animal, ~~or for purposes of~~
20 ~~this chapter~~, who has an animal in his care or ~~custody~~ or acts as
21 its custodian, or who knowingly permits it to remain on or about
22 any premises owned or occupied by him. "Owner" does not include a
23 feral cat caretaker participating in a trap, spay/neuter,
24 vaccinate for rabies, and return program.

1 ~~Person means any individual, firm, corporation, partnership,~~
2 ~~other business unit, society, association or other legal entity,~~
3 ~~any public or private institution, the State of Illinois, or any~~
4 ~~municipal corporation or political subdivision of the state.~~

5 ~~Pet. means a~~Any species of domestic animal customarily regarded as
6 ~~suited to live within an abode used for human occupancy.~~

7 ~~Stray animal means any animal not under restraint and not in the~~
8 ~~presence of its owner.~~

9 Pet shop operator. Any person who sells, offers to sell,
10 exchange, or offers for adoption with or without charge or donation
11 dogs, cats, birds, fish, reptiles, or other animals customarily
12 obtained as pets in Illinois. However, a person who sells only
13 such animals that he or she has produced and raised shall not be
14 considered a pet shop operator, and a veterinary hospital or clinic
15 operated by a veterinarian or veterinarians licensed under the
16 Veterinary Medicine and Surgery Practice Act of 2004 shall not be
17 considered a pet shop operator.

18 Restriction. A specific preventative measure required of the
19 owner of a dog as may be established by the director in accordance
20 with this chapter.

21 Service animal. As defined by the Americans with Disabilities
22 Act, service animals are dogs that are individually trained to do
23 work or perform tasks for people with disabilities. Only dogs may
24 be considered service animals. The dog must be trained to take a

1 specific action when needed to assist the person with a disability
2 in accordance with the ADA. Animals whose sole function is to
3 provide comfort are not considered service animals.

4 Tether. ~~means a~~ A chain, cord, rope, strap, cable or other
5 device used to confine an animal to one fixed location ~~that is~~
6 ~~commercially produced and~~ which primary purpose is the temporary
7 restraint of domestic animals and which shall be of sufficient
8 strength to keep such domestic animal confined.

9 Torture. Infliction of or subjection to extreme physical pain,
10 motivated by an intent to increase or prolong the pain, suffering,
11 or agony of the animal.

12 Trap. ~~means t~~ To capture, or attempt to capture, by setting or
13 placing a leg hold trap, cushion-hold trap, body-gripping trap,
14 cage or box trap, spring trap, dead/fall trap, pit/trap, snare or
15 other similar device to capture, hold or kill any animal.

16 ~~Veterinarian means a practicing veterinarian licensed by the State~~
17 ~~of Illinois.~~

18 Veterinary hospital. ~~means a~~ Any establishment maintained and
19 operated by a licensed veterinarian for the purpose of
20 hospitalizing animals or diagnosing and treating ~~diagnosing,~~
21 ~~treatment and/or surgery of~~ diseases and injuries of animals.

22 Vicious animal. An animal that has been determined to be
23 "vicious" by a court having appropriate jurisdiction to make such
24 determination in accordance with state law. ~~is any animal that~~

~~bites or attacks, or which is known to have bitten or attacked, a human being or other animal on two (2) or more separate occasions within any twenty-four month period, without provocation whenever that person or animal was peacefully conducting themselves where they were lawfully entitled to be provided, however, that the animal control manager has the discretion to declare any animal as vicious after only one such bite whenever the animal control manager believes the circumstances warrant such a declaration. Once an animal has been declared vicious, the designation remains for the life of the animal.~~

Sec 9-2 Limit On Number: ~~Of Animals, Foster Home~~

There shall be a maximum limitation per household of four (4) domestic animals, not to exceed two (2) of any one (1) species, excepting households previously lawful on the effective date of this amendatory ordinance and so continuing; provided however, that any newborn animals shall be allowed to remain in the household despite the limitation of this section for up to three (3) ~~two~~ (2) months from the date of birth, or if given specific written permission by the ~~animal control~~ director. ~~manager~~. The ~~animal control~~ director ~~manager~~ or his or her designee may impound immediately every animal exceeding the limit per household.

Application to the director ~~animal control manager or his or her designee~~ may be made for one (1) additional domestic animal, not to exceed five (5) total domestic animals and three (3) of any

1 one (1) species, per household, upon compliance with the following
2 provisions:

3 The applicant must demonstrate that for the five (5) years
4 preceding its application, the applicant was in compliance with
5 all applicable provisions of this code ~~City Codes~~, and had not
6 received any citations for violation of chapter 9 of this code
7 ~~Code~~ or the comparable sections of the municipal code of its former
8 residence.

9 The applicant must demonstrate that all animals in its care
10 have received required vaccinations or treatments for the past
11 five (5) years, and that all animals in its care have been
12 microchipped and spayed or neutered.

13 ~~The applicant must demonstrate that all animals in its care were~~
14 ~~properly registered with the appropriate registering body for the~~
15 ~~past five (5) years, and complete the registration for the~~
16 ~~additional animal within one (1) business day of approval of the~~
17 ~~application.~~

18 The applicant must agree to a home inspection to verify the
19 living conditions of the animals, as well as the available area
20 for the animals' safety and comfort.

21 The applicant further must agree that any documented violations of
22 chapter 9 of this code after the additional animal joins the
23 household may result in the immediate termination of the additional
24 pet permission. The director has the direction to deny an

1 application for an additional pet based on the facts and
2 circumstances of each case.

3 ~~No person convicted of a felony shall own a dog weighing greater~~
4 ~~than twenty (20) pounds unless sufficient proof to the satisfaction~~
5 ~~of the animal control manager can be provided proving the dog does~~
6 ~~not have any aggressive tendencies.~~

7 A foster home may ~~have~~ not ~~to~~ exceed two (2) adolescent or adult
8 foster dogs or cats ~~domestic animals~~, or one (1) adult female
9 ~~domestic animal~~ foster dogs or cats with its litter, or one (1)
10 litter of domestic animals, for a maximum of twelve (12) ~~eight (8)~~
11 weeks per animal., ~~in addition to its own two (2) domestic animals~~
12 ~~at any given time.~~ A foster home may not exceed a total of five
13 (5) permanent and foster dogs or cats over eight (8) weeks of age
14 at the residence. Application for extension of time may be made
15 to the ~~animal control~~ director ~~manager~~ who shall have the sole
16 discretion to determine whether to grant or deny such extension.
17 A foster home must be licensed under the animal shelter or animal
18 welfare organization they are fostering for through the Illinois
19 Department of Agriculture. ~~Permits to operate as a foster home~~
20 ~~shall be as issued through any animal shelter or animal rescue~~
21 ~~organization placing the fostered animals prior to the placement~~
22 ~~of any animal for fostering.~~ Registration must be made at the
23 division ~~the animal shelter~~ prior to accepting any animal for
24 fostering. All foster animals over eight (8) weeks of age must be

1 micro-chipped within seven (7) days of the registration. The
2 applicant must demonstrate that for five (5) years preceding its
3 application, the applicant was in compliance with all applicable
4 city codes and had not received any citations for violation of
5 chapter 9 of this ~~the City of Aurora code of ordinances~~ or the
6 comparable sections of the municipal code of its former residence.

7 Sec 9-3 Registration of Dogs and Cats ~~And Responsibility Of Animal~~
8 ~~Owners~~

9 Every owner of ~~person who owns, keeps or harbors~~ a dog or cat that
10 is four (4) months of age or older within the ~~limits of~~ the city
11 shall, within thirty (30) days of acquisition of the dog or cat,
12 register the dog or cat or cause it to be registered for a license
13 with the county animal care & control for the county in which the
14 owner resides. ~~clerk or his authorized agent.~~

15 Every owner of ~~person who owns, keeps or harbors~~ a dog or cat
16 ~~domestic animal~~ within the ~~limits of~~ the city shall, within thirty
17 (30) days of acquisition of such animal, ~~and annually on such date~~
18 ~~as may be determined by the city treasurer,~~ register the animal or
19 cause it to be registered for a license with the city by completing
20 all necessary documentation and paying any required fees, and
21 obtain a license tag as evidence of such registration. The city
22 license will coincide with the rabies vaccine and city license
23 renewal will occur at the time the rabies vaccination is due.

24 License tags shall be displayed and/or attached to the collar of

1 the registered animal at all times. ~~Domestic animals weighing under~~
2 ~~ten (10) pounds and typically exclusively confined to a cage are~~
3 ~~exempt from licensure hereunder.~~

4 ~~Every person who owns, keeps or harbors a domestic animal within~~
5 ~~the limits of the city shall, within thirty (30) days of~~
6 ~~acquisition of such animal, acquire and maintain thereafter at all~~
7 ~~times general liability insurance in sufficient amounts so as to~~
8 ~~cover any costs resulting from the behavior/actions of such animal.~~

9 All proceeds resulting from the imposition of the domestic animal
10 license fee shall be used for the ongoing operation of the division
11 ~~the animal shelter.~~

12 ~~All foster homes shall register their name and address, the name~~
13 ~~and number of permanent animals in the home, the number of foster~~
14 ~~animals, up to two (2), for which the foster home is licensed, the~~
15 ~~license from the licensed animal shelter or licensed animal rescue~~
16 ~~organization for which they foster and any other information that~~
17 ~~the animal shelter may, from time to time, require.~~

18 ~~All breeders shall register their name and address, their business~~
19 ~~name and address, if different, the name and number of permanent~~
20 ~~animals in the home, the type(s) of breeds or animals bred, the~~
21 ~~license from the State of Illinois and any other information that~~
22 ~~the animal shelter may, from time to time, require.~~

1 The director ~~animal control manager~~ or his/her designee may impound
2 any animal found to be in violation of this section. The owner is
3 responsible for all fees related to the impoundment of the animal.

4 Sec 9-4 Pet Stores and Animal-Related Businesses:
5 Business License

6 (a) No person shall engage in the business of pet shop operator,
7 kennel operator, dog dealer, animal welfare organization ~~shelter~~,
8 veterinary hospital, ~~pound~~, ~~zoo~~ or other business dealing in birds,
9 ~~domestic companion~~ animals or dangerous animals or any combination
10 thereof without a license issued by the State of Illinois, and
11 shall also comply with all applicable requirements article vii of
12 chapter 25 of this code pertaining to business registration.

13 (b) All businesses shall provide animals with species and age
14 appropriate food, clean, potable water, and appropriate type and
15 sized housing for the species and size of the animal. Housing
16 shall allow for the animal to be able to stand up, turn around,
17 and lay down as well as engage in normal species-specific behavior.

18 (c) All businesses shall provide animals regular medical care and
19 seek immediate medical from a licensed veterinarian for any ill or
20 injured animal.

21 (d) All businesses shall spay/neuter and microchip dogs and cats
22 prior to adoption or sale.

23 (e) All such businesses shall be kept free and clean of decaying
24 food and filth of any kind and shall be maintained under safe and

1 sanitary conditions at all times, and in compliance with this
2 chapter and state regulations. ~~The animal control manager or~~
3 ~~his/her designee may impound any animal found to be in violation~~
4 ~~of this section.~~

5 (f) Fifteen (15) days after the effective date of the amendments
6 to Section 3.8 of the Illinois Animal Welfare Act (225 ILCS 605/3.8,
7 "the Act") set forth in Public Act 102-586, a pet shop may offer
8 for sale a dog or cat only if the dog or cat is obtained from an
9 animal control facility or animal shelter, located in-state or
10 out-of-state, that is in compliance with Section 3.9 of the Act.
11 Pet shops must comply with all requirements of Section 3.8 of the
12 Act, including, but not limited to, the recordkeeping requirements
13 for the sale of any dog or cat.

14 ~~Sec 9-5 Canine Unit Exemption~~

15 ~~Trained police dogs utilized by an official law enforcement agency~~
16 ~~and assigned to a sworn peace officer as part of a canine team/unit~~
17 ~~shall be exempt from all provisions of this chapter as well as any~~
18 ~~applicable provision of any other chapter of this Code.~~

19 ~~Sec 9-6 Carrier, Racing, Hobby And Show Pigeons~~

20 ~~To the extent of any conflict between this chapter and the "Carrier,~~
21 ~~Racing, Hobby and Show Pigeon Act of 1993", that Act shall prevail,~~
22 ~~provided however, that:~~

23 ~~Where there is no conflict, this chapter shall apply to carrier,~~
24 ~~racing, hobby and show pigeons;~~

~~All persons keeping carrier, racing, hobby and/or show pigeons shall register with the animal control manager annually, indicating the name, address, and number of such pigeons being kept, and such other evidence that such person is in compliance with the Act as the animal control manager shall deem necessary and appropriate;~~

~~Every pigeon loft shall comply at all times with the building code and property maintenance code provisions in effect in the City of Aurora;~~

~~Every pigeon loft and premises where such a loft is located shall be maintained in a clean, orderly condition at all times; and~~

~~Every property where such pigeons are kept shall be subject to chapter 29, subsection 29-205(g) and the associated penalty provisions thereto.~~

~~No pigeon loft shall exceed eight (8) feet in height or be built, constructed or maintained within fifty (50) feet of any property line.~~

Sec 9-7 Raising, Boarding, Selling Of Animals

No person shall raise animals for commercial profit sale within the city ~~limits unless properly zoned~~, nor keep for profit any kennel for the boarding of animals except where expressly authorized by the Zoning Ordinance~~unless properly zoned.~~

~~No person shall sell dogs within the city limits where the lineage/medical history of the animal and its parents are unknown,~~

1 ~~or where there is any potential for aggressive behavior where the~~
2 ~~history or lineage of the animal is known to, or should be known~~
3 ~~by, the owner.~~

4 The director ~~animal control manager~~ or his/her designee may impound
5 any animal found to be in violation of this section. The owner is
6 responsible for all fees relating to the impoundment of an animal.

7 Sec 9-8 Rabies Inoculation:

8 (a) Every owner of a dog ~~domestic animal~~ four (4) months of age or
9 ~~older and for which there exists a vaccine for that species,~~ shall
10 have each dog, each year, cause such domestic animal to be
11 inoculated against rabies by a licensed veterinarian. Every dog
12 shall have a second rabies vaccination within one year of the
13 first. Terms of subsequent vaccine administration and duration of
14 immunity must be in compliance with USDA licenses of vaccines
15 used. ., and provide the domestic animal with a collar or harness
16 ~~and attach thereto an official rabies vaccination tag which shall~~
17 ~~be worn by the domestic animal at all times. However, if the~~
18 ~~vaccine used is one recognized by the state department of~~
19 ~~agriculture, for a three-year period of immunity and the domestic~~
20 ~~animal is over twelve (12) months of age at the time of inoculation,~~
21 ~~the interval between inoculations may be extended to three (3)~~
22 ~~years.~~

23 (b) Every owner of a cat that is a companion animal and is 4
24 months or older shall have each cat inoculated against rabies by

1 a licensed veterinarian. Every cat that is a companion animal shall
2 have a second rabies vaccination within one year of the first.
3 Terms of subsequent vaccine administration and duration of
4 immunity must be in compliance with USDA licenses of vaccines used.
5 The does not apply to feral cats; however, if a feral cat is
6 presented to a licensed veterinarian for sterilization, the feral
7 cat shall be inoculated against rabies, unless the person
8 presenting the feral cat for care provides an inoculation
9 certificate showing that the feral cat has been inoculated against
10 rabies, and the cost of the inoculation shall be paid by the person
11 presenting the feral cat to a licensed veterinarian for care.

12 (c) Any dog or cat ~~domestic animal~~ which is not inoculated against
13 rabies as required herein is hereby declared to be a public
14 nuisance and such domestic animal may be apprehended and impounded
15 upon the order of the director ~~animal control or his or her designee.~~
16 The owner is responsible for all fees related to the impoundment
17 of an animal.

18 Sec 9-9 Rabies-Infected Animals

19 Any animal suffering from rabies is hereby declared to be a public
20 nuisance and such animal may be ordered euthanized ~~destroyed~~ by
21 the director ~~animal control manager or his or her designee,~~ or by
22 any police officer if such animal cannot be safely apprehended and
23 impounded.

1 It shall be the duty of every owner of an animal thought to be
2 infected with rabies to place it immediately in a veterinary
3 hospital or, upon demand, to surrender such animal to the director
4 or any employee of the division~~any police officer, the animal~~
5 ~~control manager or his or her designee.~~

6 It shall be the duty of every person who discovers any animal
7 thought to be suffering with rabies, or that any person or animal
8 has been bitten by any animal thought to be suffering from rabies,
9 to report such fact immediately to the ~~division police department~~
10 ~~or the animal control manager.~~

11 Sec 9-10 Domestic Animals At Large ~~And Fencing Requirements~~

12 No person who owns, keeps or harbors a domestic animal shall
13 cause or permit such animal to run at large within the city. Any
14 domestic animal running at-large is hereby declared a public
15 nuisance, whether currently licensed or not, and may be promptly
16 impounded by the director or animal control officer as provided in
17 this chapter.

18 Persons who utilize "invisible fencing" to contain any animal
19 must display prominently on their property immediately adjacent to
20 the public right-of-way a sign which indicates that any animal
21 located thereon is contained by way of "invisible fencing."
22 Invisible fencing installed after March 31, 2000, must be set back
23 from the public right-of-way a minimum of six (6) ~~four (4)~~ feet.

1 Fencing utilized to contain a domestic animal must be of sufficient
2 height and strength to contain the particular domestic animal
3 intended to be contained thereby, such fencing must be maintained
4 in good condition to perform its intended containment function at
5 all times, and comply with the appropriate codes of the city with
6 respect to fences.

7 Sec 9-11 Animal as Public Nuisance; Complaint Requirements
8 ~~Disturbing The Peace~~

9 ~~It shall be unlawful for the owner or any person who keeps or~~
10 ~~harbors any animal, or for any person who has the power or~~
11 ~~authority to prevent same, to suffer or permit any such animal to~~
12 ~~bark, howl, cry or make other frequent or loud noise so as to~~
13 ~~disturb the peace and quiet of any place, family, person or~~
14 ~~neighborhood in the city. Such disturbance of the peace is a public~~
15 ~~nuisance, and it shall be unlawful for any person to suffer or~~
16 ~~permit such nuisance to exist on their property.~~

17 (a) It is unlawful for an owner to fail to exercise proper care
18 and control of his animals so as to prevent them from becoming a
19 public nuisance.

20 (b) It is unlawful for an owned animal to make excessive noise in
21 violation of this Section within the city. An owned animal cannot
22 make excessive noise outside for more than fifteen (15) consecutive
23 minutes between 7:00 a.m. and 10:00 p.m. and for no more than ten
24 (10) consecutive minutes between 10:01 p.m. and 6:59 a.m.

(c) A complaint under this Section must meet one of the following criteria:

i. A complaint made by one person, which is accompanied by audio or video recordings depicting excessive noise in excess of the time limit; or

ii. Complaints made by two (2) or more persons, residing in different households, regarding the same animal during the same time frame; or

iii. Complaint made by one person, but corroborated by animal control or law enforcement officer who heard the excessive noise during the time limits herein.

This section shall not apply to a properly zoned, licensed, and constructed kennel, ~~animal~~ veterinary hospital or animal welfare organization. ~~pound.~~

Sec 9-12 Nuisance Feeding Prohibited

The feeding of any mammal by any means, including hand feeding or the placing or setting out of food to be left attended or unattended, which creates or has the potential to create a hazard to public health or safety is hereby declared to be a public nuisance and to be unlawful.

Sec 9-13 Bites And Attacks, ~~Vicious Animals~~ Potentially Dangerous Dogs, Vicious Dogs

(a) Bites and attacks; duty to report. It shall be the duty of every owner of an animal to prevent such animal from biting or attacking

1 any person, animal or property of another. Any animal that, without
2 provocation, bites or attacks any person, animal or property of
3 another is hereby declared to be a nuisance; and such animal may
4 be apprehended and impounded by the director ~~animal control manager~~,
5 his or her designee or an animal control officer. In such a case,
6 the director ~~animal control manager~~ has the discretion to 1) allow
7 the owner to retain ownership of the animal with certain
8 restrictions being placed on the animal owner, in writing by the
9 director ~~animal control manager~~ ~~or~~, including but not limited to
10 the animal being spayed/neutered at the cost of the owner, or
11 2) prohibit the owner from reclaiming the animal. Any animal
12 involved in a bite or attack will be required to have a microchip
13 implanted at the cost of the owner unless the animal already has
14 a microchip. ~~declare the animal vicious after only one (1) such~~
15 ~~bite or attack, and in that event, the provisions in subsection~~
16 ~~(b) below shall apply.~~

17 i. The County Animal Care & Control enforces the State law
18 governing dog or other animal bites; observation of
19 animal under 510 ILCS 5/13.

20 ii. Canine unit exemption: In accordance with state law, if
21 a person has been bitten by a police dog that is
22 currently vaccinated against rabies, the police dog may
23 continue to perform its duties for the peace officer or
24 law enforcement agency and any period of observation of

1 the police dog may be under the supervision of a peace
2 officer. The supervision shall consist of the dog being
3 locked in a kennel, performing its official duties in a
4 police vehicle, or remaining under the constant
5 supervision of its police handler.

6 It shall be the duty of any person who has been bitten, or having
7 knowledge of a person being bitten or otherwise injured to report
8 the incident to the division within twenty-four (24) hours of the
9 incident, giving the name and address of the owner of such animal,
10 the license number of the animal, if ascertainable, and the time
11 and place of the incident.

12 (b) Potentially dangerous dogs. A dog found running at large and
13 unsupervised with 3 or more other dogs may be deemed a potentially
14 dangerous dog by the director or an animal control officer.
15 Potentially dangerous dogs shall be spayed/neutered and
16 microchipped within 14 days of reclaim at the cost of the owner.
17 The designation of "potentially dangerous dog" shall expire 12
18 months after the most recent violation of this section.

19 (c) Vicious ~~dogs~~ ~~animals~~. It is unlawful to keep or harbor in the
20 city any vicious dog ~~animal~~ as hereinabove defined unless:

21 1) Such ~~animal~~ dog is confined indoors by its owner or confined
22 on the owner's premises at all times in a five-sided enclosure
23 (four (4) sides and roof) that is reasonably designed to
24 prevent escape. If the enclosure has no floor that is secured

1 to the sides, then the sides of the enclosure shall be
2 embedded into the ground no less than two (2) feet deep. The
3 enclosure must be in compliance with subparagraph (3) of this
4 Section ~~article III of this chapter~~ at all times.

5 2) Such dog ~~animal~~ shall not leave its owner's premises without
6 the prior written approval of the director animal ~~manager~~ or
7 his or her designee, and then only for the purpose of
8 obtaining veterinary care, grooming or leaving the city. When
9 beyond the premises of the owner for the above-mentioned
10 reasons, the animal must be securely muzzled and restrained
11 by a leash and under the physical restraint and control of
12 the owner at all times.

13 3) The owner of a vicious dog ~~animal~~ shall display in a
14 prominent place on his/her premises a clearly visible warning
15 sign indicating that there is a vicious animal on the premises,
16 stating "WARNING-VICIOUS DOG~~ANIMAL~~-KEEP AWAY!" A similar sign
17 is further required to be posted on the exterior of the
18 enclosure in which the dog ~~animal~~ is kept. The sign must be
19 visible and legible from the public right-of-way and from
20 fifty (50) feet away from the dog's ~~animal's~~ enclosure.

21 4) Such dog ~~animal~~ is kept according to any written
22 restrictions placed by the director ~~animal control director~~.

23 ~~Such dog animal has had a microchip installed or injected on the~~
24 ~~animal at the owner's expense. The microchip must be installed in~~

1 ~~or injected under the skin of the animal by a licensed veterinarian~~
2 ~~and shall be designed so that, when scanned by an electronic reader,~~
3 ~~it is capable of providing the identification of the dog's owner.~~
4 ~~Proof of such microchip installation or injection must be made to~~
5 ~~the animal control manager, in writing, within thirty (30) days of~~
6 ~~the date of the bite. This paragraph shall apply retroactively to~~
7 ~~all animals declared vicious on or after June 1, 1998.~~

8 5) The dog animal shall be spayed or neutered, at the owner's
9 expense, within ten (10) ~~thirty (30)~~ days of the date of the
10 bite.

11 6) Within ten (10) business days of the declaration that
12 the dog animal is vicious, the owner must procure and maintain
13 in effect liability insurance, including coverage of claims
14 arising from the conduct of the owner's dog animal, in an
15 amount not less than two hundred fifty thousand dollars
16 (\$250,000.00). The owner must provide proof of insurance to
17 the city upon its receipt. The insurance policy shall include
18 a provision whereby the insurer shall notify the animal care
19 & control department not less than thirty (30) days prior to
20 a cancellation or lapse of coverage.

21 (d) Any such vicious dog animal that is not so confined or that.
22 when unprovoked, bites or attacks any person or animal, or which
23 is found to be in violation of this chapter or any written
24 restriction placed by the director ~~animal control manager~~, is

1 hereby declared to be a public nuisance and such animal may be
2 apprehended and impounded by the director ~~animal control manager~~,
3 his or her designee, or an animal control officer. If such dog
4 ~~animal~~ is impounded, the owner shall have no right to redeem the
5 dog ~~animal~~ except in the discretion of the director ~~animal control~~
6 ~~manager~~, and then only pursuant to certain further written
7 restrictions which (s)he may place thereon. If the vicious dog's
8 ~~animal's~~ subsequent unprovoked attack caused severe injury or
9 death to any person or animal, then the ~~animal control~~ director
10 ~~manager may~~ will order the humane euthanasia ~~destruction~~ of the
11 vicious dog ~~animal~~.

12 ~~(c) It shall be the duty of any person who has been bitten, or~~
13 ~~having knowledge of a person being bitten, scratched or otherwise~~
14 ~~injured so as to cause abrasion to the skin of such person being~~
15 ~~bitten or scratched by a domestic animal, to report the incident~~
16 ~~to the police department or animal control department within~~
17 ~~twenty-four (24) hours of the incident, giving the name and address~~
18 ~~of the owner of such animal, the license number of the animal, if~~
19 ~~ascertainable, and the time and place of the incident.~~

20 ~~(ef)~~ If all the restrictions placed upon the vicious dog ~~animal~~ by
21 the ~~animal control~~ director ~~manager~~, or his or her designee, are
22 not completed within the time frame established by the order of
23 restriction or by the court system, then the ~~animal control~~

1 ~~director manager, his or her designee,~~ or an animal control officer,
2 may impound the vicious ~~dog~~animal.

3 Sec 9-14 Dangerous Animals

4 (a) No person shall own, keep or harbor within the city a dangerous
5 animal.

6 ~~Any snake, reptile or lizard that is physically capable of injuring~~
7 ~~any person, regardless of age, by bite, poison, constriction or~~
8 ~~other means;~~

9 ~~Any lion, tiger, cougar, jaguar, panther, bobcat, mountain lion,~~
10 ~~lynx, ocelot, leopard, any hybrid thereof or any other similar~~
11 ~~feline animal;~~

12 ~~Any wolf, coyote, jackal, fox, wild dog, or hybrid thereof;~~

13 ~~Any bear or bison;~~

14 ~~Any rodent weighing more than one (1) pound, with the exception of~~
15 ~~guinea pigs;~~

16 ~~Any non-canine animal not native to the North American continent~~
17 ~~and which when full grown normally attains a weight in excess of~~
18 ~~two hundred (200) pounds.~~

19 ~~Any monkey, gorilla, chimpanzee or other similar ape-like primate.~~

20 (b) Any animal, snake, reptile, lizard, rodent or other creature
21 ~~covered by subsection (a)~~ defined as a dangerous animal is declared
22 a public nuisance, and such animal may be impounded by the director,
23 ~~animal control manager his or her designee,~~ or an animal control
24 officer. If such animal cannot be relocated safely to an entity

1 licensed to handle the dangerous animal in the sole discretion of
2 the ~~animal-control~~ director manager, the ~~animal-control~~ director
3 ~~manager~~ may order the humane ~~destruction~~ euthanasia of such animal.
4 This section shall not apply to properly zoned, licensed and
5 constructed zoos, animal shelters, veterinary hospitals, ~~pounds~~,
6 federally licensed exhibits, circuses, animal refuges, scientific
7 or research laboratories of educational or other licensed
8 institutions, or other enterprise.

9 Sec 9-15 Keeping Animals Other Than Domestic Animals

10 (a) No person shall own, keep or harbor within the city any
11 dangerous animal, bees, or farm animal, ~~, insect, or other animal~~
12 ~~which is feral naturae in the eyes of the law~~, and each day such
13 animal is kept in violation of this section shall constitute a
14 separate offense. It is no defense to a violation of this section
15 that the owner or keeper of any such animal which is prohibited in
16 this section has attempted to ~~domesticate~~ tame such animal.
17 Provided, however, that in the discretion of the ~~animal-control~~
18 director manager, written permission may be granted upon
19 application for a special and limited purpose to have such animals
20 temporarily present in the city, such as for pony rides, petting
21 zoos and similar activities. ~~the like~~.

22 (b) Any such animal found to be within the city may be apprehended
23 and impounded by the ~~animal-control~~ director, ~~manager~~ or his or
24 her designee, or animal control officer. The disposition of such

1 animal covered by this section shall be in accordance with the
2 provisions of state law. Where no state law applies, the owner or
3 person shall have no right of redemption in such animal, and the
4 ~~animal control director manager~~ shall have the authority to ~~dispose~~
5 determine placement of said animal as (s)he deems fit.

6 (c) Additionally, for farm-zoned property annexed into the City of
7 Aurora, the owner(s) of the property at the time of annexation
8 shall be allowed to maintain existing farm animals on such property
9 until the property ceases to be used as a farm, or until
10 residentially zoned and occupied property comes within two hundred
11 (200) yards of any portion of the annexed property, whichever is
12 earlier.

13 ~~Sec 9-16 Confinement Of Animals In Heat~~

14 ~~The owner of any domesticated animal in heat shall not keep, harbor~~
15 ~~or otherwise maintain such animal in the city unless the same is~~
16 ~~confined in a boarding kennel, veterinary hospital or the owner's~~
17 ~~house during the entire period such animal is in heat; except that~~
18 ~~it shall be lawful for a domestic animal in heat to be walked if~~
19 ~~the animal remains on a leash and is not permitted to run at large.~~
20 ~~Any animal in heat not so confined is hereby declared to be a~~
21 ~~public nuisance and may be apprehended and impounded by the animal~~
22 ~~control manager or his or her designee.~~

23 Sec 9-16 Intentionally Left Blank.

24 ~~Sec 9-17 Owner's Responsibility For Removal Of Excrement: ~~Excreta~~~~

~~The owner of every animal shall be responsible for the removal and sanitary disposition of excreta deposited by his animal anywhere in the city. When accompanying the animal outside his property, the owner shall have on his person suitable means for the removal of such excreta which must then be placed in a refuse container for sanitary removal.~~

No person shall allow his or her animal's feces to accumulate in any yard, pen, or premises in or upon an animal shall be confined or kept so that it becomes offensive to those residing in the vicinity or a health hazard to the residing cat or dog. No person shall fail to immediately remove feces deposited by his or her animal, except guide dogs, upon the public ways or within the public places of the city or upon the premises of any person other than the owner.

Sec 9-18 Removal Of Dead Animals

~~Any animal killed on the streets of the city shall be removed at once by the person who killed the animal.~~

Every ~~animal~~ property owner must remove, or cause the removal of, any animal which has died on their property ~~from the City of Aurora~~ no later than forty-eight (48) hours after the animal has died.

Sec 9-19 Humane Care For Animals

(a) Every owner shall provide for each of his or her animals:

~~Sufficient quantity of good, wholesome food and water;~~

~~Adequate shelter and protection from weather conditions;~~

~~Veterinary care when needed; and~~

~~Humane care and treatment.~~

(1) Sufficient quantity of good quality, species appropriate, wholesome food and water;

(2) Adequate shelter and protection from the weather;

(i) No person shall allow an animal to remain outside continuously for more than fifteen (15) minutes without access to adequate shelter and potable water. At the discretion of the director, an exception may be granted when an adult is present on the premises.

(ii) Animals must be brought into a temperature controlled structure when the temperature is at or below 10 degrees Fahrenheit or at or above 85 degrees Fahrenheit, or when a heat advisory, wind chill warning, or tornado warning has been issued by local, state, or national authority, except when the animal is in visual range of a competent adult who is outside with the animal

(3) Veterinary care when needed to prevent suffering; and

(4) Humane care and treatment.

(b) To lawfully tether a dog outdoors, an owner must ensure that the dog:

(1) Does not suffer from a condition that is known, by that person, to be exacerbated by tethering;

(2) Is tethered in a manner that will prevent it from becoming entangled with other tethered dogs;

1 (3) Is not tethered with a lead that exceeds one-eighth of
2 the dog's body weight or is a tow chain or a log chain;

3 (4) Is tethered with a lead that measures, when rounded to
4 the nearest whole foot, at least 10 feet in length;

5 (5) Is tethered with a properly fitting harness or collar
6 other than the lead or a pinch, prong, or choke-type collar;

7 (6) Is not tethered in a manner that will allow it to reach
8 within the property of another person, a public walkway, or road;

9 (7) Has unrestricted access to adequate shelter at all times;

10 (c) Prohibited tethering. No person shall:

11 (1) Tether an animal to a motorized vehicle such as an automobile,
12 truck, or motorcycle;

13 (2) Tether an intact animal for any period of time;

14 (3) Tether an animal between the hours of 11 p.m. and 6:00 a.m.;

15 (4) Tether or confine an animal in or about an unoccupied
16 structure or property for any purpose unless the animal is
17 continuously monitored by an adult who is physically on site
18 throughout the period of tethering or confinement;

19 (5) Tether an animal under six (6) months of age

20 (6) Tether more than three (3) animal simultaneously at the same
21 location;

22 (d) Subsection (b) of this Section shall not be construed to
23 prohibit:

24 (1) A person from walking a dog with a hand-held leash;

1 (2) The tethering of a dog while at an organized and lawful animal
2 function, such as hunting, obedience training, performance, and
3 conformance events, or law enforcement training, or while in the
4 pursuit of working or competing in those endeavors;

5 (e) The director or an animal control officer may issue a citation
6 and/or impound any animal found not to be receiving any aspect of
7 humane care as set forth in subsection (a) and (b) herein.

8 ~~The animal control manager or his/her designee may impound any~~
9 ~~animal found not to be receiving any aspect of humane care as set~~
10 ~~forth in subsection (a) herein.~~

11 Sec 9-20 Cruelty and Aggravated Cruelty to Animals and Prohibited
12 Acts. To Animals Prohibited

13 (a)Cruelty to Animals Prohibited. No person or owner shall treat
14 any animal cruelly in any manner, including, but not limited to
15 the following:

16 ~~By overloading, overdriving, overworking, hitting, engaging in~~
17 ~~sexual contact, torturing, tormenting, mutilating or killing any~~
18 ~~animal, or cause or knowingly allow same to be done;~~

19 (1) Beat, cruelly treat, torment, starve, overwork, or
20 otherwise abuse any animal;

21 (2) Abandoning any animal where it may become a public hazard
22 or where the animal may suffer injury, hunger, or exposure;

1 (3) Expose a dog or cat in a manner that places the dog or cat
2 in a life-threatening situation for a prolonged period of
3 time in extreme heat or cold conditions that:

4 a. Results in injury or death of the animal; or

5 b. Results in hypothermia, hyperthermia, frostbite, or
6 similar condition as diagnosed by a doctor of veterinary
7 medicine

8 (4) By cruelly working any old, maimed, infirm, sick or
9 disabled animal, or cause or knowingly allow same to be
10 done;

11 ~~By failing to provide any animal in his care or custody with proper~~
12 ~~food, water, air and sanitary shelter. Such shelter to be~~
13 ~~sufficient to provide adequate bedding and protection from the~~
14 ~~weather, and space within sufficient for the animal to stand in an~~
15 ~~upright position, and lie down stretched out so that no part of~~
16 ~~its body need touch the sides of the shelter structure. Animals~~
17 ~~kept in an outside enclosure must have sufficient space for~~
18 ~~movement and exercise according to the animals size and weight;~~

19 ~~By failing to provide necessary veterinary attention to sick~~
20 ~~animals in need which are in any persons care or custody;~~

21 ~~By abandoning any animal where it may become a public charge or~~
22 ~~may suffer injury, hunger or exposure;~~

23 (5) By carrying, keeping, driving or causing to be carried,
24 driven or kept, any animal in a cruel manner; or

1 ~~By leaving or confining any animal in a motor vehicle, trailer or~~
2 ~~other enclosure in such a manner that it places the animal in a~~
3 ~~life or health threatening situation due to exposure to heat or~~
4 ~~cold, without sufficient ventilation or other protection from such~~
5 ~~heat or cold;~~

6 ~~By wounding or killing, or attempting to wound or kill, or by~~
7 ~~knowingly poisoning or causing to be poisoned, any animal, with~~
8 ~~the exception of rats and mice, and then only by using approved~~
9 ~~department of agriculture poison appropriate for rodents;~~

10 ~~By tethering any animal to a fixed object unless such tether or~~
11 ~~leash is so placed or attached that they cannot become entangled~~
12 ~~with another animal or object, and shall be of sufficient length~~
13 ~~in proportion to the size of the animal to allow the animal proper~~
14 ~~exercise and convenient access to food, water and shelter. Such~~
15 ~~tethering shall be located so as not to allow such animal to~~
16 ~~trespass on public property or private property belonging to others,~~
17 ~~nor in such a manner as to cause harm or danger to persons or other~~
18 ~~animals. Only commercially produced products whose primary purpose~~
19 ~~is the restraint of domestic animals may be used to tether, leash~~
20 ~~or otherwise restrain an animal.~~

21 (6) By transporting an animal on any public thoroughfare in
22 any vehicle unless such animal is totally enclosed within
23 such vehicle, within a secured container carried upon such

1 vehicle, or securely cross-tethered to such vehicle in such
2 a way as to prevent any injury to the animal.

3 (b) Aggravated Cruelty Prohibited. No person or owner shall
4 intentionally commit an act that causes a companion animal to
5 suffer serious injury or death. Aggravated cruelty does not
6 include euthanasia of a companion animal through recognized
7 methods and requirements of the Illinois Department of Agriculture.

8 (c) Animal Torture Prohibited. No person or owner shall commit
9 animal torture when that person without legal justification
10 knowingly or intentionally tortures an animal.

11 (d) Animal Sexual Contact Prohibited. No person or owner shall
12 knowingly engage in any sexual conduct or sexual contact with an
13 animal; cause, aid, or abet another person to engage in any sexual
14 conduct or sexual contact with an animal; permit any sexual conduct
15 or sexual contact with an animal to be conducted on any premises
16 under his or her charge or control; engage in, promote, aid, or
17 abet any activity involving any sexual conduct or sexual contact
18 with an animal for a commercial or recreational purpose.

19 (e) Poisoning Prohibited. No person may knowingly or cause to be
20 poisoned any dog or other animal with the exception of rats and
21 mice.

22 (f)When the ~~animal control~~ director or an ~~manager~~, animal control
23 officer, ~~or the designee of the animal control manager~~ finds a
24 violation of this section which has resulted in an animal being in

1 such condition that no remedy or corrective action by the owner is
2 possible, or if the owner fails or refuses to provide such remedy
3 or corrective action, the ~~animal control~~ director ~~manager~~, his or
4 her designee or an animal control officer may remove such animal
5 from the property or vehicle and impound the animal. The owner or
6 person otherwise responsible for said animal may be prosecuted
7 under local and state law for any such offenses, and shall be
8 strictly liable for all expenses incurred. Further, the owner or
9 person otherwise responsible for said animal shall have no right
10 of redemption in the animal.

11 (g) If the owner cannot be located after reasonable search, or if
12 the owner shall be known to be absent due to illness, incarceration
13 or other circumstance, the animal may be removed by the ~~animal~~
14 ~~control~~ director ~~manager~~, ~~his or her designee~~ or an animal control
15 officer and impounded. The owner may be prosecuted under local and
16 state law for any such offenses, and shall be held strictly liable
17 for all expenses incurred.

18 Sec 9-21 Animals Used For Entertainment Prohibited Acts

19 (a) No person shall own, capture, breed, train or lease any animal
20 or fowl or reptile which he or she knows or should know is intended
21 for use in any show, program or other activity featuring or
22 otherwise involving a fight between such animal and any other
23 animal or person, or the intentional killing of any animal for the
24 purpose of sport, wagering or entertainment.

1 (b)No person shall promote, carry on, advertise, collect money for
2 or in any other manner assist or aid in the presentation for
3 purposes of sport, wagering or entertainment, any show, program or
4 other activity involving a fight between two (2) or more
5 animals/~~persons~~ or between an animal and a person, or the
6 intentional killing of any animal.

7 (c)No person shall sell or offer for sale, ship, transport or
8 otherwise move or deliver, or receive any animal which he or she
9 knows or should know has been captured, bred or trained, or will
10 be used to fight another animal or be intentionally killed, for
11 the purpose of sport, wagering or entertainment.

12 (d)No person shall manufacture for sale, shipment, transportation
13 or delivery any device or equipment which that person knows or
14 should know is intended for use in any show, program or other
15 activity featuring or otherwise involving a fight between two (2)
16 or more animals or the intentional killing of any animal for
17 purposes of sport, wagering or entertainment.

18 (e)No person shall sell or offer for sale, ship, transport or
19 otherwise move any equipment or device which such person knows or
20 should know is intended for use in connection with any show,
21 program or activity featuring or otherwise involving a fight
22 between two (2) or more animals or the intentional killing of any
23 animal for purposes of sport, wagering or entertainment.

1 (f) No person shall make available any site structure or facility,
2 whether enclosed or not, which he or she knows or should know is
3 intended to be used for the purpose of conducting any show, program
4 or other activity involving a fight between two (2) or more animals
5 or the intentional killing of any animal.

6 (g) No person shall attend or otherwise patronize any show, program
7 or other activity featuring or otherwise involving a fight between
8 two (2) or more animals or the intentional killing of any animal
9 for the purposes of sport, wagering or entertainment.

10 Sec 9-22 Wildlife Trapping ~~Trapping Of Animals Prohibited~~

11 ~~It shall be a violation of this chapter for any person to trap,~~
12 ~~attempt to trap or aid and abet any person in trapping any domestic~~
13 ~~animal, provided, however, that this section shall not apply to~~
14 ~~any authorized city employee acting in the course of his/her~~
15 ~~official duties, or any other person so authorized in writing by~~
16 ~~the animal control manager, and shall not apply to any~~
17 ~~appropriately licensed nuisance wildlife trapper.~~

18 Trapping wildlife without an active license from the Illinois
19 Department of Natural Resources is prohibited.

20 Sec 9-23 Duties of the Director ~~Authority Of Animal Control Manager~~

21 (a) In general. The director shall perform the duties and
22 exercise the powers set forth in this chapter, subject to
23 the administrative direction of the mayor and the head of
24 the development services department. The director shall

1 perform such other functions and duties as the mayor or
2 the head of the development services department may from
3 time-to-time require.

4 (b) Determination of animal placement. The director shall
5 determine the placement of animals in the care or custody
6 of the division. In making determinations for placement,
7 the director shall consider the behavior and health of the
8 animal as primary factors. Placement options include but
9 are not limited to adoption, transfer to another animal
10 welfare organization, and humane euthanasia.

11 (c) Impounding of animals. The ~~animal control~~ director ~~manager~~
12 and/or such employees as (s)he may designate for that
13 purpose, is authorized to impound animals wherever
14 impoundment is called for in this chapter. Impounded
15 animals may be redeemed by their owners in accordance with
16 Section 9-25 of this chapter.

17 Sec 9-24 Record-Keeping, Reports, Disposition Of Fees Paid

18 (a) The ~~animal control~~ director ~~manager~~ shall keep an accurate
19 account of animals impounded, released and/or humanely euthanized.
20 ~~destroyed~~. All fees received are to be given to the city treasurer
21 or his authorized agent each week. A monthly report will be made
22 to the office of the mayor, such report to be included in the
23 monthly report to the city council.

1 (b)~~Additionally, the~~ The animal control director ~~manager~~ shall
2 (upon request by the corporation counsel) report to the law
3 department a case of an animal attack upon a person or domestic
4 animal resulting in serious injury or death. ~~resulting in the~~
5 ~~infliction of the animal's bite, concerning which the animal~~
6 ~~control manager receives information under section 9-13.~~ The
7 report shall be made within forty-eight (48) hours after the
8 occurrence of such attack, or as soon thereafter as the ~~animal~~
9 director ~~controller~~ may receive such information hereunder, and
10 shall be in writing using forms prepared by the law department for
11 such purposes.

12 Sec 9-25 Redemption

13 For every animal taken up and impounded as provided in this chapter,
14 there will be a fine assessed to the owner by the ~~there shall be~~
15 ~~paid to the~~ City of Aurora Division of Animal Care & Control
16 ~~division of animal control the fine fee in an amount set by~~
17 resolution as approved by the City Council and made public.
18 ~~specified in section 9-27. Only the~~ The owner or owner's designated
19 agent may redeem the animal and the owner will be required to
20 provide proof of ownership sufficient to the requirements of the
21 ~~animal control~~ director ~~manager~~ prior to the animal being released.
22 Any animal impounded shall be microchipped before its release to
23 its owner., ~~with the owner paying the fifteen dollar (\$15.00) fee~~
24 ~~therefore.~~

1 Additionally, any animal for which there are four (4) three (3)
2 documented cases of the animal running at large payments of
3 reclamation fees have been paid in twenty-four (24) months shall
4 be spayed or neutered prior to its release to its owners after
5 payment of the fee is made. as hereinafter provided. After payment
6 of the veterinarian fee for spay or neuter, as well as completion
7 of all necessary documentation and paperwork required by the city,
8 the animal shall be transported by an animal control officer to
9 the veterinarian of the owner's choice within the city or a
10 veterinarian approved by the director upon payment of the
11 veterinarian's spay or neuter fee, and waiver of any liability
12 against the city, for immediate spay or neuter. If the animal
13 cannot be spayed or neutered, as determined by a veterinarian, in
14 writing, due to age or a medical condition, the animal shall be
15 spayed or neutered upon the removal of the veterinarian's
16 restriction or the achievement of a designated date. ~~If proof of~~
17 ~~the animal's sterilization is not presented to the animal shelter~~
18 ~~within five (5) days after the lifting of the veterinarian's~~
19 ~~restriction or the achievement of the veterinarian designated date,~~
20 ~~or should the owner fail to comply with the above requirements~~
21 ~~then the animal will be impounded by the animal control manager or~~
22 ~~designee as a public nuisance and may not be redeemed by its owner.~~

23 Sec 9-26 Disposition of Unclaimed Animals

~~If an impounded animal is not redeemed within four (4) days after being impounded, the animal shall be placed for adoption, destroyed or disposed of by the animal control manager. Day one (1) of said four-day grace period shall be the first full calendar day following impoundment.~~

~~Whenever it shall become necessary to destroy an animal, the method of destruction shall be in accordance with accepted practices of euthanasia from a humane standpoint.~~

(a) When cats or dogs are apprehended and impounded, they must be scanned for the presence of a microchip and examined for other currently acceptable methods of identification, including, but not limited to, identification tags, rabies license tags and city license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The director shall make every reasonable attempt to contact the owner, agent, or caretaker as soon as possible. Contact will be attempted by whatever contact information is provided by the microchip or other form of identification found on the cat or dog including mail, phone, or email. If the cat or dog has been microchipped and the primary contact listed by the chip manufacturer cannot be located or refuses to reclaim the cat or dog, an attempt shall be made to contact any secondary contacts listed by the chip manufacturer.

(b) If an impounded cat or dog is not redeemed within five (5) business days after being impounded, with day one (1) being the

1 day the cat or dog was impounded, the animal's placement shall be
2 determined by the animal care & control director.

3 (1) A cat or dog may be transferred to another animal welfare
4 organization prior to five (5) business days if the animal is
5 transferred with life-saving purpose for the animal's survival.

6 The cat or dog will be scanned a second time for the presence of
7 a microchip and examined for other means of identification prior
8 to the transfer. If a second scan provides the same identifying
9 information as the initial intake scan and the owner, agent, or
10 caretaker has not been located or refuses to reclaim the cat or
11 dog, the director may proceed with the transfer.

12 (2) A cat or dog may be euthanized prior to five (5) business
13 days if a veterinarian has determined it to be medically failing
14 and suffering. The cat or dog will be scanned a second time for
15 the presence of a microchip and examined for other means of
16 identification prior to humane euthanasia. If a second scan
17 provides the same identifying information as the initial intake
18 scan and the owner, agent, or caretaker has not been located or
19 refuses to reclaim the cat or dog, the director may proceed with
20 the humane euthanasia.

21 (c) The director may make an immediate determination of placement
22 for any impounded animals besides cats and dogs.

23 Sec 9-27 Fees and Citation Fines

24 ~~The fees required by this chapter shall be as follows:~~

Fees for animal control services and fines for violations of this chapter are to be set by resolution which may be amended from time to time as approved by City Council.

~~Dog and cat registration license fees:~~

~~1 year~~

~~3 year~~

~~Seniors~~

~~Lifetime~~

~~— Registered show cat/dog, altered and microchipped cat/dog~~

~~Free N/A Free \$18.00~~

~~— Altered cat/dog~~

~~\$10.00 — \$20.00 — \$5.00 — \$25.00~~

~~— Unaltered cat/dog~~

~~\$50.00 — N/A \$25.00 — N/A~~

~~Additionally, a replacement tag fee of one dollar (\$1.00) per tag shall be assessed to replace a lost tag. Residents who are handicapped and own specially trained dogs or cats to help alleviate such handicap, shall receive licenses at no charge. Such handicapped residents and seniors shall not be assessed replacement tag fees. Registered show cats/dogs are not required to wear the registration tag during or in immediate preparation for a show.~~

~~Animal adoption fees: For male or female animals, a forty dollar (\$40.00) fee for neutering, a ten dollar (\$10.00) fee for rabies~~

~~vaccination, and a forty dollar (\$40.00) administrative fee shall be charged for a total of ninety dollars (\$90.00) in fees.~~

~~Impoundment redemption fees:~~

~~The redemption fee for the first and second offense, per family and/or address, shall be twenty dollars (\$20.00) and thirty dollars (\$30.00) respectively, and the amount of the license fee due for the current year, if any, plus~~

~~The cost of keeping such animal while in the animal control and care facility at a rate not to exceed ten dollars (\$10.00) per day or fraction thereof.~~

~~The redemption fee for the third offense shall be fifty dollars (\$50.00) and the fourth offense shall be one hundred dollars (\$100.00), the redemption fee for the fifth offense shall be two hundred dollars (\$200.00), and the redemption fee for the sixth and subsequent offenses shall be three hundred dollars (\$300.00).~~

~~For any animal impounded as the result of an emergency call and response by the animal control division, an additional fee of thirty dollars (\$30.00) shall be charged toward administrative costs.~~

~~Any fees imposed pursuant to this section may be waived by the animal control manager upon surrender of ownership rights to the animal in question.~~

~~Release of ownership rights fees: In order for an owner to release his/her rights of ownership in an animal to the animal control~~

1 ~~division, a fee of thirty dollars (\$30.00) shall be paid per~~
2 ~~animal/litter of animals, provided however, that for animals whose~~
3 ~~owners reside outside the corporate limits of the city, such owner~~
4 ~~shall pay twice the rate provided for herein.~~

5 ~~Disposal fees: For the service provided in disposing of animals~~
6 ~~which have died, a fee of twenty-five dollars (\$25.00) may be~~
7 ~~charged. For animals whose owners reside outside the corporate~~
8 ~~limits of the city, such owner shall pay twice the rate provided~~
9 ~~for herein.~~

10 ~~Euthanasia fees: For the service provided in humanely destroying~~
11 ~~domestic animals, a fee of fifty dollars (\$50.00) shall be charged.~~

12 ~~Tranquilizing fee: Whenever any animal requires tranquilization in~~
13 ~~the sole discretion of the animal control manager or his or her~~
14 ~~designee, the owner of such animal shall be required to reimburse~~
15 ~~the city twenty dollars (\$20.00) for its costs in so tranquilizing.~~

16 ~~Pickup fee: Whenever any domestic animal registered with the city~~
17 ~~dies within the corporate limits of the city, the city may pick up~~
18 ~~the remains of the animal for a fee of fifty dollars (\$50.00).~~

19 ~~Senior citizens may apply for a waiver of this fee from the animal~~
20 ~~control manager, based upon the documentation of need.~~

21 ~~Actual costs of seizure and confinement: Notwithstanding any other~~
22 ~~provisions of this chapter, the city may ascertain and bill the~~
23 ~~owner or keeper of any animal that is being harbored or maintained~~

1 in violation of this chapter the actual costs incurred by the city
2 in seizing and confining such animal.

3 Sec 9-28 Interference With Enforcement

4 It shall be a violation of this chapter for any person to obstruct,
5 impede or interfere with an employee of the division carrying out
6 his or her official duties ~~the capture, impound or disposal of any~~
7 ~~animal~~ in accordance with this chapter.

8 Sec 9-29 Enforcement Exemption From Liability

9 Employees of the ~~The division of animal control,~~ its agents,
10 employees or other persons authorized to enforce the provisions of
11 this chapter shall not be held liable for the injury, death or
12 disease which may occur to any animal as a consequence of the
13 enforcement of the provisions of this chapter to the fullest extent
14 provided by the Local Governmental and Local Governmental
15 Employees Tort Immunity Act.

16 Sec 9-30 ~~Destruction~~ Lethal Force of Dangerous Animals

17 If any dangerous or vicious animal cannot safely be taken and
18 impounded, such animal may be taken down by lethal force ~~destroyed~~
19 by any police officer. The disposition of the deceased ~~destroyed~~
20 animal shall be in accordance with the provisions of state law.

21 Sec 9-31 Administrative Adjudication

22 The director ~~manager~~ and the animal control officer(s) are
23 deemed peace officers and may prepare and serve citations
24 personally or by certified mail, for violation(s) of this chapter.

1 Violations of this chapter may also be prosecuted through the
2 administrative adjudication system set forth in chapter 3 of this
3 code. Additionally, any individual receiving a citation issued
4 under this chapter, or whose animal has been impounded, may request
5 a hearing before an administrative hearing officer in accordance
6 with the terms and process set forth in chapter 3 of this code.

7 ~~Whenever a violation of this chapter is observed by the animal~~
8 ~~control manager, his or her designees or any animal control officer,~~
9 ~~in addition to subsection (a) above, s/he shall have the authority~~
10 ~~to institute, by the filing of a written pleading, a proceeding~~
11 ~~for enforcement of this chapter before the City of Aurora~~
12 ~~Administrative Hearing Officer. Additionally, any person receiving~~
13 ~~such a citation may request an administrative hearing to contest~~
14 ~~the matter. Said administrative adjudication of any violation of~~
15 ~~this chapter shall be authorized and conducted pursuant to 65 ILCS~~
16 ~~5/1-2.1 et seq.~~

17 ~~The fine for violating any provisions of the Animal Control~~
18 ~~Ordinance may result in a fine ranging from one hundred dollars~~
19 ~~(\$100.00) to ten thousand dollars (\$10,000.00) for each offense.~~

20 Sec 9-32 Penalty

21 (a) Every owner or any other person who shall violate any of the
22 provisions of this chapter shall, upon a finding of liability, be
23 punished by a fine of not less than one hundred dollars (\$100.00)
24 and not more than ~~one~~ two thousand five hundred dollars

1 (\$2,500.00~~1,000.00~~) per violation, per day the violation exists.
2 Each occurrence of any violation of this chapter shall constitute
3 a separate offense. This penalty shall be in addition to other
4 penalties or remedies provided by this chapter, or by state or
5 federal law.

6 ~~Every owner or any other person penalized pursuant to subsection~~
7 ~~(a) above and where the animal that is the subject of the violation~~
8 ~~is unaltered and/or not microchipped at the time of said violation,~~
9 ~~shall be eligible for a refund of fifty dollars (\$50.00) back on~~
10 ~~any fine so paid in the event such owner or other person provides~~
11 ~~proof to the animal control manager, within thirty (30) days of~~
12 ~~said violation, sufficient in her determination that said animal~~
13 ~~has been appropriately altered and/or microchipped since the date~~
14 ~~of said violation.~~

15 (b) In addition to potential state law violations, including
16 felonies charged under State law, violations of Sections 9-13, 9-
17 14, 9-20 or 9-21 may also be a Misdemeanor III under City Code and
18 prosecuted as such.

19 ~~A violation of sections 9-13, 9-14, 9-20 or 9-21 is hereby declared~~
20 ~~to be a Misdemeanor III with all of the attendant penalties as~~
21 ~~provided in subsection 10(c) of chapter 1 of this Code.~~

Animal Care and Control Fees and Fine Structure

Approved by Ordinance Number _____

Adoption Fees	
Kitten (under 6 months old)	\$125 (Two kittens for \$200)
Cat (6 months – 6 years old)	\$75 (Bonded pair of cats \$100)
Senior Cat (7 years of age or older)	\$50 (Bonded pair of senior cats \$50)
Puppy (under 6 months old)	\$200
Dog (6 months – 6 years old)	\$150 (Bonded pair of dogs \$150)
Senior Dog (7 years of age or older)	\$100 (Bonded pair of senior dogs \$100)
Ferret, rabbit, parrot	\$50
Guinea pig, rats, cockatiel, medium bird	\$25
Hamster, gerbil, mouse, small bird	\$15
All other animals	Varies, Amount to be determined by the City

Citations	1 st offense	2 nd offense	3 rd or more offense
Violation for Pet Stores and Animal-Related Businesses, Cruelty, Animals Used for Entertainment	\$500	\$1,000	\$2,500
Violation for Bite/Attack, Dangerous Animals, Dog Barking/Excessive Noise, Abandonment or Humane Care	\$250	\$500	\$1,000
All other violations	\$100	\$250	\$500

Dog & Cat Registration	1 year	3 year	Seniors 60 and Over/First Responders
Spay/neutered & Microchipped	\$5	\$10	FREE
Spay/neutered	\$20	\$40	\$10
Intact	\$75	\$150	\$50
Service dog or cat	FREE	FREE	FREE
Replacement tag	\$1	\$1	FREE

Humane Euthanasia & Disposal	
Disposal—Aurora resident	\$25
Disposal—Outside Aurora city limits	\$50
Humane euthanasia	\$50

Field Services	
Pick up of owned animal	\$50 (\$10 for each additional animal)
Trap deposit	\$50

Microchipping	
Microchip	\$15
Seniors/First Responders	FREE

Permits	
Additional pet permit	\$25
Breeder permit	\$100 annually
Carrier, racing, hobby, show pigeons permit	\$25 annually
Foster permit	\$25

Rabies Observation	
Two veterinary examinations	\$100/exam
10 day quarantine cat (per day)	\$20
10 day quarantine dog (per day)	\$30
Specimen Submission	Varies

Reclaim Fees	
First reclaim	\$50
Second reclaim	\$75
Third reclaim	\$100
Fourth reclaim	\$250
Fifth or subsequent reclaim	\$500
Board per day	\$15
Afterhours pick up by an officer	\$50

Surrender	
Spayed/neutered cat or dog—Aurora resident	\$50
Intact cat or dog—Aurora resident	\$75
Spayed/neutered cat or dog—Outside Aurora city limits	\$100
Intact cat or dog—Outside Aurora city limits	\$150
Litters (including nursing mom)	\$50
Small pet—Aurora resident	\$20
All other surrenders from outside Aurora city limits	\$50