

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF JO DAVIESS COUNTY, ILLINOIS TITLE 5, CHAPTER 5, REGARDING
FEES CHARGED BY THE ANIMAL CONTROL DEPARTMENT**

WHEREAS, Jo Daviess County has adopted an Animal Control Ordinance, Title 5 Public Health and Safety, Chapter 5 Animal Control, of the Jo Daviess County Code of Ordinances and;

WHEREAS, one of the purposes of this ordinance is to provide a rabies inoculation tag for all dogs vaccinated against rabies in the County, and;

WHEREAS, a resolution was passed on July 12, 2011 by the Jo Daviess County Board increasing the yearly rabies tag fees, and;

WHEREAS, the Public Works Committee is interested in establishing a three year rabies tag fee in addition to the existing yearly rabies tag fee:

WHEREAS, the Public Works Committee is also interested in establishing a kennel fee for operators of Illinois Department of Agriculture licensed kennels in lieu of paying a tag fee for each individual dog, and;

WHEREAS, recent changes to the 'Animal Control Act' require additional clarification to the scheduling and the type of rabies vaccine being used, and;

WHEREAS, the Public Works Committee has reviewed the cost study and has considered the recommendations of the County Engineer and recommends that certain fees charged by the Animal Control Department should be amended and increased, and;

WHEREAS, the Jo Daviess County Board has reviewed this amendment and the cost study and concurs with the recommendations of the Public Works Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF JO DAVIESS COUNTY, ILLINOIS, THAT:

SECTION 1. Title 5, Chapter 5, Section 3 of the Jo Daviess County Code of Ordinances is changed to read as follows:

5-5-3 INOCULATION AGAINST RABIES; RABIES INOCULATION TAGS.

- A. Every owner of a dog four months or more of age, who is a resident of the county, is required to have the dog inoculated against rabies as denoted in the Animal Control Act.
- B. Every dog shall have a second rabies vaccination within one year of the first vaccination and every year thereafter. However, if the vaccine used is one recognized by the state department of agriculture for a three-year period of immunity, and the dog is over 12 months of age at the time of inoculation, the interval between inoculations may be extended to three years.
- C. Evidence of such rabies inoculation shall be entered on a certificate, the form provided by the animal control department. The inoculation certificate shall be signed by a licensed veterinarian administering the vaccine and a copy provided to the animal control department.
- D. County dog owners shall have 10 days from the date of inoculation to purchase a rabies inoculation tag.
- E. Fees:
 - 1. Fees Established: Every dog owner shall pay a rabies tag fee as follows:
 - a. For each unspayed female dog and unneutered male dog owned by a person, the fee shall be \$30 per year or \$85 for three years.
 - b. For each spayed female dog and neutered male dog owned by a person, the fee shall be \$18 per year or \$50 for three years.
 - c. For an Illinois Department of Agriculture licensed kennel, in lieu of paying individual rabies tag fee for each dog, the operator has the option of paying an annual fee of \$1,000, regardless of the number of dogs. This fee may be collected quarterly.
 - d. If a rabies tag purchase is delinquent by more than 30 days, a \$50 penalty fee will be assessed in addition to the applicable rabies tag fee.
 - 2. Animal Control Fund: All registration and tag fees collected shall be remitted to the county treasurer, who shall place such money in the animal control fund, which fund is to be used for the purpose of paying the cost of the animal control program.
- F. Administration of Provisions: The administration of this section shall be under the supervision of the animal control act.

- G. Enforcement Officials: The administrator, deputy administrator and animal control warden are, for the purpose of enforcing this chapter, clothed with full police power. The sheriff and his deputies and municipal police officers shall cooperate with the administrator in carrying out the provisions of this section.
- H. Violation; Prosecution: Any person violating or aiding in or abetting the violation of any provision of this section, or counterfeiting or forging any certificate, permit or tag, or making any misrepresentation in regard to any matter prescribed by this section, or resisting, obstructing, or impeding the administrator or any authorized officer in enforcing this section, or refusing to produce evidence of inoculation for any dog in his possession, or who removes a tag from a dog for purposes of destroying or concealing its identity, is guilty of a petty offence for a first or second offense and shall be fined as provided in section 1-4-1, and for a third and subsequent offence, is guilty of a class C misdemeanor. Each day a person fails to comply constitutes a separate offense. Each state's attorney to whom the administrator reports any violation of this section shall cause appropriate proceedings to be instituted in the proper courts without delay and to be prosecuted in the manner provided by law.

SECTION 2. If any term or provision, of this ordinance shall be invalid or unenforceable, the remainder of this ordinance shall not be affected thereby, and each term and provision of this ordinance shall be valid and enforced to the fullest extent permitted by law.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance amendment after its passage and approval as provided by law shall be in full force effective September 1, 2011.

PASSED, APPROVED AND ADOPTED by the Jo Daviess County Board on this 9th day of August, 2011

Marvin Schultz
 Marvin Schultz, Chairperson
 Jo Daviess County Board

Attest: Jean Dimke
 Jean Dimke
 Jo Daviess County Clerk

VOTE:
 Ayes: 14
 Absent: 1

Nays: 0
 Abstained: 0