

**Ordinance of the County Board  
Of  
Kankakee County, Illinois**

**RE: ORDINANCE AMENDMENT TO COUNTY CODE SECTION 10-13 –  
ACCEPTANCE OF STRAY DOGS, CATS AND OTHER ANIMALS**

**WHEREAS**, under the authority of the Illinois Animal Welfare Act, 225 ILCS 605/2 and 225 ILCS 605/3.6 et. seq. Counties may by ordinance determine the extent of the powers that may be exercised by its Animal Control Administrator, Deputy Administrators and Animal control Wardens, and place certain requirements upon all persons accepting stray dogs and cats and other animals; and,

**WHEREAS**, it becomes necessary at times to amend, adopt or change the County Code and changes are needed for Section 10-13 of the County Code regarding the acceptance of stray dogs and cats and other animals; and,

**WHEREAS**, at the Community Services Committee Meeting of March 23, 2016, after review, discussion and consideration, the committee recommended the adoption of amendments to the County Code Section 10-13 wherein Public Act 099-0310 regarding Stray Animals went into effect in January 2016 and the Animal Control Department is acting in accordance to the Animal Welfare Act.

**NOW, THEREFORE, IT IS HEREBY ORDAINED** that after review, discussion and consideration the County Board of Kankakee hereby amends the County Code by the addition of section 10-13 – Acceptance of Stray Dogs and Cats and Other Animals as follows:

**Sec. 10-13. – OFFENSES UNDER STATE LAW – Acceptance of Stray Dogs and Cats and Other Animals**

- (a) Animal control facility, means any facility operated by or under contract for the State, county, or any municipal corporation or political subdivision of the State for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs, cats, and other animals

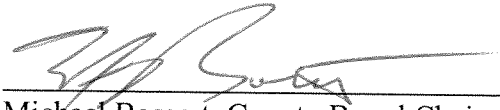
- (b) Animal shelter, means a facility operated, owned, or maintained by a duly incorporated humane society, animal welfare society, or other non-profit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals. “Animal shelter” also means any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 which operates for the above mentioned purpose in addition to its customary purposes.
- (c) Owner, means any person having a right of property in an animal, who keeps or harbors an animal, who has an animal in his or her care or acts as its custodian, or who knowingly permits a dog to remain on any premises occupied by him or her. “Owner” does not include a feral cat caretaker participating in a trap, spay/neuter, return or release program
- (d) No animal shelter, as defined in Section 10-13(b) may accept a stray dog or cat unless the animal is reported by the shelter to the animal control of the county in which the animal is found by the next business day. An animal shelter may accept animals from: (1) the owner of the animal where the owner signs a relinquishment form which states he or she is the owner of the animal; (2) an animal shelter licensed under this Act; or (3) an out-of-state animal control facility, rescue group, or animal shelter that is duly licensed in their state or is a not-for-profit organization.
- (e) When stray dogs and cats are accepted by an animal shelter, 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, tattoos, and rabies license tags. The examination for identification shall be done within 24 hours after the intake of each dog or cat. The animal shelter shall notify the owner and transfer any dog or cat with an identified owner to the animal control in the jurisdiction in which it was found or the local animal control agency for redemption.
- (f) If no transfer can occur, the animal shelter shall make every reasonable attempt to contact the owner, agent, or caretaker as soon as possible. The animal shelter shall give notice of not less than 7 business days to the owner, agent, or caretaker prior to disposal of the animal. The notice shall be mailed to the last known address of the owner, agent, or caretaker. Testimony of the animal shelter, or its authorized agent, who mails the notice shall be evidence of the receipt of the notice by the owner, agent, or caretaker of the animal. A mailed notice shall remain the primary means of owner, agent, or caretaker contact; however, the animal shelter shall also attempt to contact the owner, agent, or caretaker by any other contact information, such as by telephone or email address, provided by the microchip or other method of identification found on the dog or cat. If the dog or cat has been microchipped and the primary contact listed by the chip

manufacturer cannot be located or refuses to reclaim the dog or cat, an attempt shall be made to contact any secondary contacts listed by the chip manufacturer prior to adoption, transfer, or euthanization. Prior to transferring any stray dog or cat to another humane shelter or rescue group or euthanization, the dog or cat shall be scanned again for the presence of a microchip and examined for other means of identification. If a second scan provides the same identifying information as the initial intake scan and the owner, agent, or caretaker has not been located or refuses to reclaim the dog or cat, the animal shelter may proceed with adoption, transfer, or euthanization.

- (g) When stray dogs and cats are accepted by an animal shelter and no owner can be identified, Animal Control of Kankakee County shall have authority to take custody of the stray animal. Kankakee County Animal Control may waive taking custody of the stray animal; such waiver shall be in writing. If waiver occurs, the shelter shall hold the animal for the period specified in local ordinance prior to adoption, transfer, or euthanasia. The animal shelter shall allow access to the public to view the animals housed there. If a dog or cat is identified by an owner who desires to make redemption of it, the dog or cat shall be transferred to the local animal control for redemption. If no transfer can occur, the animal shelter shall proceed pursuant to Section 3.7. Upon lapse of the hold period specified in local ordinance and no owner can be identified, ownership of the animal, by operation of law, transfers to the shelter that has custody of the animal.
- (h) No representative of an animal shelter may enter private property and remove an animal without permission from the property owner and animal owner, nor can any representative of an animal shelter direct another individual to enter private property and
- (i) remove an animal unless that individual is an approved humane investigator (approved by the Department) operating pursuant to the provisions of the Humane Care for Animals Act
- (j) Nothing in this Section limits an animal shelter and an animal control facility who, through mutual agreement, wish to enter into an agreement for animal control, boarding, holding, or other services provided that the agreement requires parties adhere to the provisions of the Animal Control Act, the Humane Euthanasia in Animal Shelters Act, and the Humane Care for Animals. Such agreement shall be in writing.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Kankakee County Board that this ordinance amendment to county code section 10-13- Acceptance of Stray Dogs and Cats and Other Animals shall become effective immediately.

**PASSED and ADOPTED this 11<sup>th</sup> day of October, 2016.**

  
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Michael Bossert, County Board Chairman

ATTEST:

  
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Bruce Clark, County Clerk