



Legislation Details (With Text)

File #: 22-0257 **Version:** 1 **Name:**
Type: Ordinance **Status:** Passed
File created: 3/25/2022 **In control:** City Council
On agenda: 5/10/2022 **Final action:** 5/10/2022

Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Legistar 22-0257 - Revisions to Chapter 9 - Exhibit A_ 5-3-22, 2. Legistar 22-0257 - Exhibit B Fee Table

Date	Ver.	Action By	Action	Result
5/10/2022	1	City Council	adopted	Pass
5/3/2022	1	Committee of the Whole	(PLACED ON UNFINISHED BUSINESS)	
4/19/2022	1	Rules, Administration, and Procedure	recommended for approval	Pass
4/5/2022	1	Rules, Administration, and Procedure	held	Pass

TO: Mayor Richard C. Irvin

FROM: Anna Payton, Animal Care & Control Director

DATE: March 25, 2022

SUBJECT:

Requesting approval to revise Chapter 9 of the City of Aurora Code of Ordinances addressing animals.

PURPOSE:

Chapter 9 has been revised to reflect current state law and the needs of the current population of Aurora.

BACKGROUND:

Chapter 9 has not been amended since 2000.

DISCUSSION:

The City of Aurora has changed greatly over the past 22 years. The significant revisions include, but not limited to:

Section 9-2: Increases the maximum number of cats and dogs by 1 from 4 to 5, not to exceed 3 of any one species.

Section 9-4: Requires that all pet shop operators, dog dealers, kennels, animal welfare organizations, etc. comply with the City's Business Registration Ordinance; and prohibits the sale of dogs or cats unless they are obtained from an animal control facility or animal shelter, in accordance with the new state law.

Section 9-11: Includes language on "Animals as a Public Nuisance," requiring owners to exercise proper care and control of his or her animals to prevent them from becoming a nuisance; also makes it unlawful to allow an animal to make excessive noise which is defined as more than 15 consecutive minutes during the day, and more than 10 consecutive minutes overnight; includes complaint requirements that must be met for a violation of this Section to be prosecuted. (Changes reflect similar ordinances in neighboring communities.)

Section 9-13(b): Adds language on "potentially dangerous dogs" which are defined as a dog found running at large and unsupervised with three or more other dogs...must be microchipped within 14 days at the cost of the owner, designation lasts for 12 months. (This mirrors state law.)

Section 9-19: Provides more detail and clarity for providing humane care to animals including food, water, tethering, shelter, and veterinary care. (This language is from state law and other communities similar to Aurora.)

Section 9-20: Adds language for cruelty to animals that is prohibited. (The sections added mirrors state law.)

Section 9-26: Changes process for disposition of unclaimed animals so that when cats or dogs are apprehended and impounded, they must be scanned for microchip or other identification; examined; efforts made to contact the owner. If the dog or cat is not redeemed within five business days (formerly 4 days), animal control can determine placement. (Similar to language in state law.)

Section 9-31: Provides that violations of Chapter 9 may be prosecuted through the City's administrative adjudication system in Chapter 3.

Updates fees and fines, creates a new chart as Exhibit B, and can be updated separately by resolution. (Revised fines and fees in line with other shelters in the area.)

The ordinance revision provides language in line with state law as well as similar communities. These ordinances will better address the current needs of the people and animals in Aurora.

IMPACT STATEMENT:

The impact on the public will be up to date and clear ordinances related to animals. This allows for better understanding and expectations for the general public as well as provide better enforcement for animal control officers to ensure compliance. Collectively this allows for the City of Aurora to be community where animals are cared for and treated humanely. That is the type of community where people want to live.

RECOMMENDATIONS:

I request the proposed ordinance revision be enacted.

cc: Rules, Administration, and Procedures (RAP)



CITY OF AURORA, ILLINOIS

ORDINANCE NO. _____
DATE OF PASSAGE _____

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:

"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.