



MCHENRY COUNTY BOARD OF HEALTH

Planning, Regulation, Ordinance, and PR Committee

Community Room

100 N. Virginia

Crystal Lake, IL 60014

June 17, 2019

MEETING MINUTES

PRESENT: Cindy Gaffney, Mary McCann, Rhienna McClain-Trevino

STAFF PRESENT: Melissa Adamson, Maryellen Howell, Darleen Volant

Meeting called to order by Ms. Gaffney at 6:44 pm

PUBLIC COMMENT

None

PROPOSED PUBLIC HEALTH ORDINANCE-ARTICLE VI ANIMAL CONTROL

a) Definitions

Ms. Howell reviewed some of the changes in definitions in Article VI. Owner Requested Euthanasia was added back in to the ordinance. It is a relinquishment per the owner but there is a high chance of the animal being euthanized. This is only done per Administrator approval based on circumstances.

Ms. Howell stated that a definition for a potentially dangerous dog has been added. Over the years Ms. Howell has found that during a dangerous dog investigation, the dog does not meet the legal definition of dangerous but it's possible the circumstances may happen again. A citation will be issued and proof of training and microchipping will be required.

Ms. Gaffney said invisible fencing could be a potential problem if someone were to complain about a barking dog that is not fenced in. Ms. Howell stated all that information is noted in an investigation and would be taken into account.

A reckless dog owner is determined by the Administrator in regards to what violations were involved to bring the owner to court and a judge to declare the person a reckless dog owner. The judge will also determine what parameters will be issued to the owner.

b) Permits, Fees, Licenses, Registration

Ms. Howell noted the cat registration will be left in if passed and signed by the Governor, otherwise it will be removed. Feral cats are exempt and the language will be added.

Ms. Howell said owners need to register every year for medical exemption and there are now tags available for medical exemption.

c) Dangerous, Potentially Dangerous & Vicious

Ms. Howell explained this section is where the potentially dangerous dog definition will be added.

d) Public Nuisance

Ms. Howell changed some language to better define the redemption process regarding microchips and changing the amount of days from seven (7) to three (3) prior to disposition. Ms. Gaffney felt that was an unrealistic amount of time for an owner to find a lost pet.

After a short discussion, it was decided to leave the amount of days before disposition to seven (7).

Ms. Howell said the wording was changed under the barking dog section to try to get a better solution to the problem. This applies to owners who continue to have an ongoing problem with their dog, sometimes for several years. Ms. Howell estimated 6-8 calls of complaint per month. A lot of the complaints are about dogs that are left outside, either during the day or out all night.

Ms. Gaffney suggested clarifying the verbiage that states the dog must be on the owner's property in Section L, Destruction of Livestock. Ms. Howell said that is a state act but she will check into it.

Ms. Howell added the wildlife information for the public. Nuisance wildlife is handled by the Illinois Department of Natural Resources and licensed wildlife removal services.

e) Cruelty to Animals

Ms. Howell stated all the wording is the same as reviewed when the policy was made a year ago. Ms. Gaffney noted there is not a tether definition. Ms. Howell stated she would review the section and make the necessary corrections.

Ms. Howell said one of the problems that Animal Control faces is when can the animal be impounded. To impound, the animal has to be in a situation of extreme heat or cold that they can't be outside or very ill and would be taken immediately to a veterinarian to be evaluated.

Ms. Gaffney said the issue is also determined by the time of day the complaint was made versus the time the complaint was investigated and the potential possibility of further harm to the animal. Ms. Gaffney also added that the ordinance should give enough leeway to stop the excessive repetitive checks on these animals.

Animal Control has impounded several animals this year that fit the criteria. Because of immediate concern for the animal, they were taken and evaluated and in some cases, we took the animal back, Ms. Howell said.

Ms. Howell noted that what seems to be important in the court system is not the reason why we take the animal for impound, but that we take the appropriate steps to impound.

It was agreed that the Cruelty to Animals section was an improvement and Ms. Howell noted that more changes may still be needed in the future.

f) Violations of 8.04.920

Ms. Howell said this was moved from a different section because it dealt with the impoundment issue. Ms. Howell said this will allow Animal Control to request the posted surety bond.

g) Penalties, Fine and Remedies

Ms. Howell stated that Animal Control needed a better way to control nuisance issues. This change will allow Animal Control to have follow-up inspections and animal limitations through the court process. Ms. Howell added this will be dependent on the judge's decision.

The state requires that the owner of an animal that has bitten a person pay a \$25.00 public safety fine. Animal Control spends a lot of time on bite investigations and will now receive these fines.

Ms. Gaffney brought up the idea of letting the Sheriff's Office keep the fines if they are the ones that go out on a call. Ms. Howell explained that if something falls under the Humane Care for Animals Act, which is a criminal code, Animal Control can't charge. In unincorporated areas, if Animal Control comes across something that may result in a criminal charge, we notify the Sheriff's Office immediately and they come and take over the investigation. Animal Control will stay and handle what they are authorized to do. If the Sheriff doesn't start the investigation, Ms. Howell said, it's more difficult to get to the point where they can charge on the Humane Care violations.

Ms. Gaffney asked if there were any problems with broken windows in relation to animal confinement in a motor vehicle. Ms. Howell replied when a call is received about an animal in a car, law enforcement is called first and Animal Control meets them at the site. We do not take the liability of breaking the window.

A motion to adjourn the meeting at 8:02 p.m. made by Cindy Gaffney, second by Rhienna McClain Trevino. Motion was passed by a voice vote.