

**VILLAGE OF LOMBARD**  
**REQUEST FOR BOARD OF TRUSTEES ACTION**  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) \_\_\_\_\_ Waiver of First Requested  
  X   Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

**TO:** PRESIDENT AND BOARD OF TRUSTEES  
**FROM:** David A. Hulseberg, Village Manager  
**DATE:** August 6, 2012 (COW) (B of T) **Date:** August 23, 2012  
**TITLE:** Dogs Registration Text Amendment  
**SUBMITTED BY:** David P. Gorman, Assistant Director of Public Works *DPG*

**BACKGROUND/POLICY IMPLICATIONS:**

A recommendation from the Environmental Concerns Committee to amend the Village Code regarding the registration of dogs.

**FISCAL IMPACT/FUNDING SOURCE:**

Reduction in revenue of \$4,410.

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_  
Finance Director X \_\_\_\_\_ Date \_\_\_\_\_  
Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** Environmental Concerns Committee

**THROUGH:** Carl Goldsmith, Director of Public Works *CG*

**FROM:** David Gorman, Assistant Director of Public Works *DG*

**SUBJECT:** Dogs Registration Text Amendment

**DATE:** August 6, 2012

The Environmental Concerns Committee has voted to recommend amendments to the Village Code regarding the registration of dogs. As such, please present the attached draft Ordinance to the Board of Trustees for consideration. The Ordinance has been reviewed by Staff of the Finance, Police and Public Works departments as well as the Village Attorney.

### Purpose:

The goals of the draft Ordinance are to register more dogs and to improve customer service. Based on general census data, 37.2% of households have 1.7 dogs each. Since there are 17,405 households in Lombard, the estimated population of dogs in Lombard is 11,000. There were just 828 dog tags issued by the Village in the last registration year. Thus, the current program is only registering about 7.5% of dogs and it requires residents to come to the Village Hall during business hours.

### Background:

The Village Code for registering dogs was enacted in 1931. The purpose at the time is understood to have been to identify dogs in order to return them quickly to their owners and to enforce rabies vaccinations.

The annual tag must be purchased at Village Hall at a cost of \$5 for each dog. The application can be printed from the website or filled out at the Village Hall. Rabies tag information is also required. The 828 tags sold in the last registering year (3/15/11-3/14/12), resulted in revenue of \$4,140. The tags cost about \$100 total and staff time to administer the program is not quantified since it is done during normal working hours. Fines collected through tickets last year totaled \$225.

Dogs that cannot be identified are impounded at a cost of \$50, plus \$10/day thereafter. When necessary, the cost to impound a dog that has a tag is \$25, plus \$10/day thereafter. The officer can also issue tickets for a stray dog without tags at \$25/ticket. There can be delays in returning dogs without tags since the rabies vaccination information is only available from DuPage County Animal Control while they are open.

### Proposed Program:

Identification tags are now readily available at many pet stores. Therefore, an on-line, no-fee registry could be created so that the Village could stop issuing tags and residents would no longer need to visit the Village Hall each year during business hours. The on-line registration form would include the owner's name, address, telephone number(s), email address and the dog's name, breed, age, veterinarian's name, address and telephone number(s) and vaccination number and date. A notice in the water bill and blurb in the Pride newsletter would prompt dog owners to register and update their information. Thus, the Village Code would be modified as shown below with underlines and strikeouts:

### **§ 90.12 VICIOUS ANIMALS: IMPOUNDMENT AND WHERE INCAPABLE OF IMPOUNDMENT.**

~~Vicious Animals: Impoundment And Where Incapable Of Impoundment.~~ If any vicious animal, including a vicious dog, cannot be safely taken and impounded when necessary for the protection of any person or property, such animal may be slain by a police officer or person authorized by the Village; provided, however, that in all cases where any animal so slain has bitten any person or caused an abrasion to the skin of such person, no injury shall be done to the head of the animal and it shall be the duty of the person slaying the animal to immediately deliver the carcass to a veterinarian to prepare the head and brain for delivery to the DuPage County Animal Control Department.

### **§ 90.13 TAX AND REGISTRATION.**

~~Every owner, possessor, or person who keeps or harbors any dog within the limits of the Village shall, on or before the first day of May January in each year, pay to the office of the Village Treasurer for the use of the village the sum of \$5 for every dog owned or possessed by such person. Such owner or possessor shall also obtain from the office of the Village Treasurer the register such dog with the office of the Lombard Police Department, on a form that includes, but is not limited to, said person's name, address, telephone number, e-mail address and the dog's name, breed, age, veterinarian's name, address and telephone number and the rabies vaccination number and date, and have affixed to such dog a metal tag, with the owner's name, address and phone number, such as is commonly available at pet stores. There shall be no cost for such registration with the Village, hereinafter mentioned. Each license issued by the terms of this section shall expire on the 30<sup>th</sup> day of April next following its issuance.~~

### **§ 90.14 METAL TAGS.**

~~The office of the Village Clerk shall provide each and every year such metal tags as may be necessary, or such size and shape as he shall deem expedient (the shape to be changed each year), having stamped thereon numbers indicating the year of which the tax is paid, and the letters "L.D.T.", and it shall be the duty of the Village Clerk to deliver one of such metallic plates to the person so paying a tax upon any such dog. No metal~~

~~tag shall be issued to the person paying the tax upon any dog unless the requirements of § 90.19 have first been met.~~

#### **§ 90.15 LEASH REQUIREMENTS.**

It shall be unlawful for any person or persons owning, controlling, possessing or having the management or care, in whole or in part, of any dog to permit the same to run at large, unless such dog is securely tied by a leash, so as to effectively prevent such dog from biting, molesting, being with, or approaching any person or animal.

#### **§ 90.16 REMOVAL AND DISPOSAL OF EXCRETA.**

(A) Every dog owner shall be responsible for the removal and sanitary disposal of any excreta deposited by his dog. When accompanying the animal outside his premises he shall have on his person the suitable means for the removal of such excreta.

(B) It is unlawful for any person to cause or permit body wastes from fowl or animals to lay in the open upon any premises when the same may or does give off objectionable odors.

#### **§90.17 LOUD FREQUENT NOISES DECLARED A NUISANCE.**

(A) It is hereby declared a nuisance for any person to keep, or permit to be kept or maintained upon any premises within the Village, any dog, cat, or other animal or fowl emitting loud, frequent, and continuous noises offensive to a reasonable person of normal sensitiveness, such that the Village receives from two (2) or more separate residences located within two hundred (200') feet of the residence or location of the offending animal, written, signed complaints of an offense occurring within a single twenty-four (24) hour period. The signature on a written complaint shall constitute agreement on the part of the signer to appear in court on behalf of the Village as a witness to the facts in the complaint.

(B) It shall be the duty of the Chief of Police or his/her designee, upon finding any dog, cat, or other animal or fowl disturbing the peace of others by emitting loud, frequent, and continuous noises offensive to a reasonable person of normal sensitiveness, to advise the owner of the such animal or fowl, or the person in charge or control of the property where such animal or fowl is kept, to exercise proper control and care of such animal or fowl to prevent it from disturbing the peace of others in such manner. If such owner or person refuses to cooperate with the Chief of Police or his/her designee, or his unable to prevent such animal or fowl from disturbing the peace of others in such manner. The Chief of Police or his/her designee shall be authorized to immediately issue a citation to such owner or person for the creation of a nuisance notwithstanding the two (2) complaint requirement of subsection "A" above. If the Chief of Police or his/her designee is unable to locate any person on the property where such animal or fowl is kept, it shall be the duty of the Chief of Police or his/her designee to take such animal or fowl into possession. The confinement and redemption provisions of Sections 90.11 and 90.12 of this chapter shall be applicable to and followed by the Chief of Police or his/her designee upon taking any animal or fowl into possession under this section.

## *Rabies Inoculation*

### **§ 90.18 INOCULATION REQUIRED.**

Every owner, possessor or person who keeps or harbors or keeper of any dog within the limits of the Village shall cause such dog to be inoculated for rabies by a licensed veterinarian within twelve (12) months of each annual licensing registration period which begins on June January 1<sup>st</sup>.

### **§ 90.19 LICENSING REGISTRATION REQUIREMENT.**

No dog shall be registered or licensed under §90.13 unless a rabies vaccination certificate of a veterinarian certifying to the fact and number, along with the date of the vaccination and the name, address and phone number of the vaccinating veterinarian is provided. date of inoculation of such dog shall be filed with or exhibited to the Village Clerk, showing inoculation to have been made.

### **Recommendation:**

The Environmental Concerns Committee has voted and Staff concurs to recommend that Board of Trustees pass this Ordinance.

CG/DG:dg H:\PW\Asst Director\Correspondence\ECC\BOT Dog Tags.doc

cc: David Hulseberg, Village Manager  
Ray Byrne, Chief of Police  
Tim Sexton, Director of Finance

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 90 OF THE  
LOMBARD VILLAGE CODE IN REGARD TO THE REGISTRATION OF DOGS**

**BE IT ORDAINED** by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That, Title 9, Chapter 90, Section 90.12 of the Lombard Village Code is amended by deleting the following language from the beginning of the text thereof:

“Vicious Animals: Impoundment And Where Incapable Of Impoundment”

**SECTION 2:** That Title 9, Chapter 90.13 of the Lombard Village Code is amended to read in its entirety as follows:

**“§ 90.13        REGISTRATION.**

Every owner, possessor, or person who keeps or harbors any dog within the limits of the Village shall, on or before the first day of January in each year, register such dog with the office of the Lombard Police Department, on a form that includes, but is not limited to, said person’s name, address, telephone number, e-mail address and the dog’s name, breed, age, and the veterinarian’s name, address and telephone number, and the rabies vaccination number and date, and have affixed to such a dog a tag, with the owner’s name, address and phone number, such as is commonly available at pet stores. There shall be no cost for such registration with the Village.”

**SECTION 3:** That Title 9, Chapter 90, Section 90.14 of the Lombard Village Code is hereby repealed.

**SECTION 4:** That Title 9, Chapter 90, Section 90.18 of the Lombard Village Code is amended to read in its entirety as follows:

**“§ 90.18        INOCULATION REQUIRED.**

Every owner, possessor or person who keeps or harbors any dog within the limits of the Village shall cause such dog to be inoculated for rabies by a licensed veterinarian within twelve (12) months of each annual registration period which begins on January 1st.”

**SECTION 5:** That Title 9, Chapter 90.19, Section 90.19 of the Lombard Village Code is amended to read in its entirety as follows:

**“§ 90.19 REGISTRATION REQUIREMENT.**

No dog shall be registered under §90.13 unless a rabies vaccination number, along with the date of the vaccination and the name, address and phone number of the vaccinating veterinarian is provided.”

**SECTION 6:** That this Ordinance shall be in full force and effect on from and after its adoption, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2012, pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYS \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
William J. Mueller  
Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Brigitte O'Brien  
Village Clerk