

ORDINANCE NO. 2010-12-111

AN ORDINANCE AMENDING CHAPTER 4, SECTION 4-26, OF THE URBANA CITY
CODE
(Security for impounded animals)

WHEREAS, the Mayor and City Council heretofore have adopted Chapter 4 of the Urbana City Code to regulate animals and fowl within the City; and

WHEREAS, the Mayor and City Council find that the best interests of the City are served by amending said chapter.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

Urbana City Code Chapter 4, "Animals and Fowl," Section 4-26, "Disposition of impounded animals," is hereby amended by adding the following subsection thereto:

(i) If any dog, cat, or other animal commonly considered to be, or considered by the owner to be, a pet is impounded, the city may file a petition with the court requesting that the owner be ordered to post security. The security must be in an amount sufficient to secure payment of all reasonable expenses expected to be incurred by the city in caring for and providing for the animal pending conclusion of the court proceedings. Reasonable expenses include, but are not limited to, estimated medical care and boarding of the animal for 30 days. ~~The city may file a petition with the court upon expiration of the 30 day period requesting the posting of additional security.~~ The city may file new petitions with the court as required to secure payment of additional expenses. If security has been posted in accordance with this subsection, the city may draw from the security the actual costs incurred in caring for the animal. The city must serve a true copy of the petition on the owner, either personally or by first class mail to the owner's last known address, at least five (5) business prior to any hearing. If the court orders the posting of security, the security must be posted with the city finance department within five (5)

business days after the hearing. If the person ordered to post security does not do so, the animal is forfeited by operation of law and shall be humanely euthanized, offered for adoption, or otherwise disposed of in accordance with any controlling Champaign County or City of Urbana ordinances, or provisions of state law.

State Law References: Similar provisions, Security for companion animals and animals used for fighting purposes, 510 ILCS 70/3.05.

Section 2.

Those sections, paragraphs, and provisions of the Code of Ordinances, City of Urbana, that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Code of Ordinances, City of Urbana, other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of

the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ____ day of _____, _____.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor