

ORDINANCE NO. 1999-12-126

AN ORDINANCE AMENDING CHAPTER 4 "ANIMALS AND FOWL" TO
ADD PROVISIONS REGARDING THE USE OF DOGS
IN CONJUNCTION WITH CRIMINAL ACTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That Chapter 4 "Animals and Fowl" of the Urbana Code of Ordinances is hereby amended by inserting new sections 4-9 and 4-10 as follows:.

Sec. 4-9. Prohibition of Use of Dogs in Conjunction with Criminal Acts.

No person who owns, possesses, or controls any dog shall use the dog to further a criminal act, nor suffer or permit the dog to be so used. If the dog's behavior impedes law enforcement efforts to investigate or stop criminal behavior, to make any stop or arrest, or to serve any warrant or execute any search or seizure, the dog shall be irrebutably presumed to have been so used. In addition to forfeiture of the dog, any person violating this section shall be fined no less than \$500.

Sec. 4-10. Seizure and Disposition of Dogs Used in Violation of Sec. 4-9.

- (a) Any dog used in violation of Section 4-9 shall be impounded and held for final disposition by the Circuit Court at a hearing on the violations of Section 4-9. If the name and address of an owner of the dog can be readily ascertained, then the City shall give written notice to the owner by mail, service of summons, personal service, or other means reasonably calculated to give actual notice, at least ten (10) days prior to any hearing on the violation of Section 4-9, informing the owner that the dog may be subject to forfeiture because of the violation of Section 4-9.
- (b) If the Court finds that the dog was used in violation of Section 4-9, then the dog shall be forfeited, and shall either 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. If, at the hearing on the violation of Section 4-9, the Court finds in favor of all defendants regarding the alleged violation and dismisses the charge, then the dog shall be released to any individual who can establish ownership in the dog, subject to the payment of any fees owed for the dog's impoundment. If no one attempts to reclaim the dog within seven days of the Court's finding in favor of all defendants on the violation of Section 4-9, then the dog shall be

disposed of as an abandoned dog.

- (c) If the owner of the dog cannot be readily ascertained, and no person comes forward to the Animal Shelter within seven days of the dog's impoundment to notify the Shelter of the person's ownership of the dog, the dog shall be disposed of as an abandoned dog.

Section 2. 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 regular meeting of the Council.

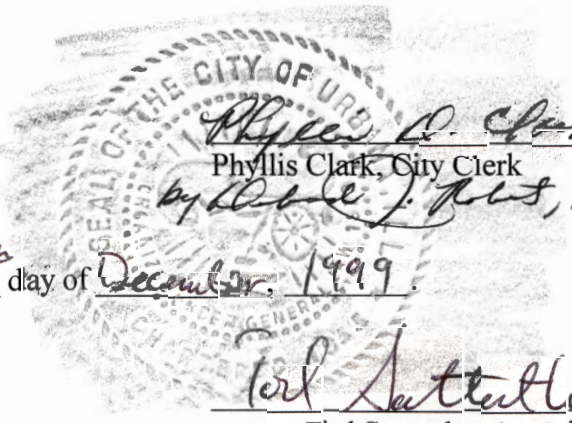
PASSED by the City Council this 20th day of December, 1999.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Wyman

NAYS:

PRESENT:

APPROVED by the Mayor this 20th day of December, 1999.

A circular seal of the City of Urbana, Illinois, featuring a central emblem and the words "SEAL OF THE CITY OF URBANA, ILLINOIS" around the perimeter.
Phyllis Clark
Phyllis Clark, City Clerk

by [Signature] J. Patt, Deputy Clerk

Tod Satterthwaite
Tod Satterthwaite, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting
Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 20th day of December, 1999, the
Corporate Authorities of the City of Urbana passed and approved Ordinance
No. 1999-12-126, entitled:

"AN ORDINANCE AMENDING CHAPTER 4 "ANIMALS AND FOWL" TO
ADD PROVISIONS REGARDING THE USE OF DOGS IN CONJUNCTION
WITH CRIMINAL ACTS"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1999-12-126 was
prepared, and a copy of such Ordinance was posted in the Urbana City Building
commencing on the 28th day of December, 1999, and continuing
for at least ten (10) days thereafter. Copies of said Ordinance were also available for
public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 28th day of December,
1999.



Phyllis D. Clark
City Clerk
by Robert J. Roberts
Deputy Clerk