

**ORDINANCE AMENDING CHAPTER 14 OF THE WINNEBAGO COUNTY CODE**

WHEREAS, Chapter 14 of the Winnebago County Code is entitled "Animal Control Ordinance of Winnebago County"; and

WHEREAS, the Illinois legislature has granted the authority to County Boards pursuant to the Animal Control Act at 510 ILCS 5/24 to enact ordinances for control and regulation of dogs; and

WHEREAS, the County of Winnebago receives numerous complaints of barking dogs in said areas of unincorporated County; and

WHEREAS, the County of Winnebago has enacted an ordinance prohibiting ownership, keeping, possession, or harboring of barking, howling, and yelping dogs (2010 CO 43, codified at Chapter 14, Section 69 of the Winnebago County Code); and

WHEREAS, the citizens of the County of Winnebago will benefit from an ordinance which sets forth standards for enforcement of the ordinance prohibiting ownership, keeping, possession, or harboring of barking dogs.

NOW THEREFORE BE IT ORDAINED, by the County Board of the County of Winnebago, Illinois, that Section 14-69 of the Winnebago County Code be amended to read as follows:

**Sec. 14-69. - Barking dogs.**


1. It shall be unlawful for any person in the unincorporated areas of the County of Winnebago that are subdivided for residential purposes, or within 500 feet of such areas of unincorporated county, to own, keep, have in his possession, or harbor any dog which, by frequent or habitual howling, yelping, barking, or otherwise, shall cause annoyance or disturbance to any person, provided that the provisions of this section shall not apply to any animal shelter, veterinary hospital or clinic, or to the county animal shelter.

2. Notwithstanding subsection (1), a person shall not be found to be in violation of this ordinance unless sufficient evidence is presented, which evidence shall include at least one of the following:
- a. A complaint made by one person, which is accompanied by audio or video recordings depicting 10 or more minutes of continuous howling, yelping, barking or otherwise. "Continuous" means that the noise continues with no interruptions or only unreasonably brief interruptions;
  - b. Complaints made by two or more persons, residing in different households, regarding the same dog(s) and owner(s), keeper(s) or harbinger(s); or
  - c. A complaint made by one neighbor, but which is corroborated by a responding officer who observes at least 10 minutes of continuous howling, yelping, barking or otherwise. "Continuous" means that the noise continues with no interruptions or only unreasonably brief interruptions.

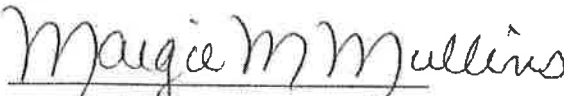
BE IT FURTHER ORDAINED, that this Ordinance shall be effective on 1-9,  
2014.

BE IT FURTHER ORDAINED, that the Clerk of the County Board is hereby directed to prepare and deliver a certified copy of this Ordinance Amendment to the Administrator of the Winnebago County Animal Services Department.

The above and foregoing Ordinance Amendment was adopted by the County Board for the County of Winnebago, Illinois, this 9th day of January, 2014.

  
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Scott Christiansen, Chairman of the County Board  
of the County of Winnebago, Illinois


ATTEST:

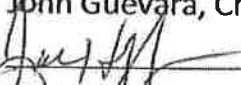
  
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Margie Mullins, Clerk of the County Board  
of the County of Winnebago, Illinois

TO: THE HONORABLE MEMBERS OF THE COUNTY BOARD OF THE COUNTY OF  
OF WINNEBAGO, ILLINOIS

The Public Safety Committee presents the following Ordinance Amending  
Chapter 14 of the Winnebago County Code regarding barking dogs, and  
recommends its adoption.

Respectfully submitted,  
Public Safety Committee

  
John Guevara, Chairman

  
Joe Hoffman

  
Dorothy Redd

  
Lynne Strathman

  
Dave Fiduccia

  
Fred Wescott

  
Diane Parvin

(TO ADOPT)

Respectfully submitted,  
Public Safety Committee

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John Guevara, Chairman

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Joe Hoffman

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Lynne Strathman

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Dave Fiduccia

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Fred Wescott

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Diane Parvin

(NOT TO ADOPT)

Dated this 18<sup>th</sup> day of December, 2013.