



**Board of Commissioners of Cook County
Minutes of the Legislation and Intergovernmental Relations Committee**

Wednesday, July 24, 2019

11:00 AM

**Cook County Building, Board Room
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

PUBLIC TESTIMONY

Chairman Suffredin asked the Secretary to the Board to call upon the registered public speakers, in accordance with Cook County Code.

Mark Armstrong - Chicago Urban Fine Arts Commonwealth

[19-4637](#)

COMMITTEE MINUTES

Approval of the minutes from the meeting of 06/26/2019

A motion was made by Vice Chairman Britton, seconded by Commissioner Silvestri, to approve 19-4637. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4077](#)

Presented by: THOMAS J. DART, Sheriff of Cook County

PROPOSED APPOINTMENT

Appointee(s): Monica M. Torres-Linares

Position: Member

Department/Board/Commission: Cook County Sheriff's Merit Board

Effective date: Immediate

Expiration date: Third Monday in March 2021, or until a successor is appointed and qualified.

Summary: This appointment is being made pursuant to 55 ILCS 5/3-7002 as amended by the 100th General Assembly and shall be effective immediately. This appointment is the ninth and final appointment to the Board, one of 2 additional members first appointed after the effective date of this Act of the 100th General Assembly, for which the expiration of the appointment "shall be staggered consistently with the terms of the other Board members. Successors ... shall be appointed to hold office for a term ending on the third Monday in March 6 years following the preceding term expiration." The expiration date is established as such to ensure consistent years following the preceding term expiration." The expiration date is established as such to ensure consistent staggering with the terms of the other Board Members. With this appointment, three members will expire in March, 2021, three members will expire in March, 2023 and three members will expire in March, 2025.

A motion was made by Vice Chairman Britton, seconded by Commissioner Silvestri, to recommend for approval 19-4077. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4221](#)

Presented by: TONI PRECKWINKLE, President, Cook County Board of Commissioners

PROPOSED APPOINTMENT

Appointee(s): William Maniscalco

Position: Trustee

Department/Board/Commission: Plum Grove Estates Sanitary District

Effective date: Immediate

Expiration date: 5/9/2022

A motion was made by Vice Chairman Britton, seconded by Commissioner Silvestri, to recommend for approval 19-4221. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4265](#)

Sponsored by: TONI PRECKWINKLE (President), ALMA E. ANAYA, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET DEGNEN, BRIDGET GAINER, BRANDON JOHNSON, BILL LOWRY, DONNA MILLER, STANLEY MOORE, KEVIN B. MORRISON, PETER N. SILVESTRI, DEBORAH SIMS, LARRY SUFFREDIN, JEFFREY R. TOBOLSKI and LUIS ARROYO JR, Cook County Board Of Commissioners

PROPOSED RESOLUTION

COOK COUNTY EMPLOYEE APPRECIATION NIGHT AT THE CHICAGO WHITE SOX GAME

WHEREAS, Cook County Board President Toni Preckwinkle would like to acknowledge the efforts of Cook County employees and has directed her staff to identify various opportunities for employee appreciation; and

WHEREAS, the Chicago White Sox host appreciation nights for government employees, their friends and family throughout the baseball season by offering specially priced tickets on various government appreciation nights; and

WHEREAS, Cook County and the Chicago White Sox have partnered up to offer a Cook County Employee Night on August 27, 2019; and

WHEREAS, on Tuesday, August 27, 2019 at 7:10 PM., Cook County employees, their friends and family can purchase specially priced tickets and watch the Chicago White Sox beat the Minnesota Twins at Guaranteed Rate Field at 333 W 35th St Chicago, Illinois 60616; and

WHEREAS, Cook County employees will be able to purchase the specially priced tickets through a

verified ticket link that will be available on July 7, 2019 and the link will remain open while ticket supplies last; and

WHEREAS, on this special Cook County Employee Night, the White Sox will offer specially priced tickets for Cook County employees and their friends and family in the Outfield Reserved (\$15.00) and Lower Box (\$25.00) sections of Guaranteed Rate Field;

NOW THEREFORE BE IT RESOLVED by the Cook County Board President and the Cook County Board of Commissioners that August 27, 2019 shall be recognized as a Cook County Employee Appreciation Night; and

BE IT FURTHER RESOLVED that the Cook County Board President and the Cook County Board of Commissioners would like to thank the Chicago White Sox for assisting in the County's Employee Appreciation Night by offering a Cook County Employee Night on August 27, 2019 and providing specially priced tickets for Cook County employees, their friends and family at the Chicago White Sox v. Minnesota Twins baseball game.

A motion was made by Commissioner Daley, seconded by Commissioner Silvestri, to recommend for approval 19-4265. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4259](#)

Sponsored by: DONNA MILLER and DEBORAH SIMS, Cook County Board Of Commissioners

PROPOSED ORDINANCE AMENDMENT

AN AMENDMENT TO CHAPTER 38, ARTICLE VI, HEALTH AND HUMAN SERVICES

WHEREAS, on June 1st 2019, the Illinois General Assembly passed the Reproductive Health Act, which was signed into law by Governor J.B. Pritzker on June 12th, 2019, and provides that every individual has a fundamental right to make autonomous decisions about one's own reproductive health; and

WHEREAS, said Act further provides that every individual who becomes pregnant has a fundamental right to continue the pregnancy and give birth or to have an abortion, and to make autonomous decisions about how to exercise that right; and

WHEREAS, the Act repeals provisions related to criminal offenses in cases of abortion in the Criminal Code of 2012, as well as provisions in the Counties Code requiring Coroners investigate fetal deaths due to abortion; and

WHEREAS, the Cook County Code of Ordinances currently requires the Medical Examiner to investigate deaths under the category of criminal abortion; and

WHEREAS, it would be prudent to align the Cook County Code with State Law as it relates to the Reproductive Health Act;

NOW THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 38 - Health and Human Services, Article VI, Section 38-118 - Deaths Subject to Investigation, of the Cook County Code is hereby amended as follows:

Sec. 38-118. - Deaths subject to investigation.

The Medical Examiner shall investigate any human death that falls within any of the following categories:

- (a) Criminal violence.
- (b) Suicide.
- (c) Accident.
- (d) Suddenly when in apparent good health.
- (e) Unattended by a practicing, licensed physician, other than apparent natural deaths.
- (f) Suspicious or unusual circumstances.
- ~~(g) Criminal abortion.~~

(g) Unlawful death of an unborn child as provided in Public Act 101-0013 of the 101st General Assembly of Illinois.

- (h) Poisoning or attributable to an adverse reaction to drugs and/or alcohol.
- (i) Diseases constituting a threat to public health.
- (j) Disease, injury or toxic agent resulting from employment.
- (k) During medical diagnostic or therapeutic procedures that do not include death as a reasonable possible outcome.
- (l) In any prison or penal institution.

(m) When involuntarily confined in jail, prison, hospitals or other institutions or in Police custody.

(n) When any human body is to be cremated, dissected or buried at sea.

(o) Unidentified human remains.

(p) When a dead body is brought into a new medico-legal jurisdiction without proper medical certification.

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Commissioner Miller, seconded by Commissioner Silvestri, to accept as substituted 19-4259. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4259](#)

Sponsored by: DONNA MILLER, DEBORAH SIMS, ALMA E. ANAYA, LUIS ARROYO JR, SCOTT R. BRITTON, JOHN P. DALEY, DENNIS DEER, BRIDGET DEGNEN, BRANDON JOHNSON, BILL LOWRY, KEVIN B. MORRISON, SEAN M. MORRISON, PETER N. SILVESTRI and LARRY SUFFREDIN, Cook County Board Of Commissioners

**LEGISLATION AND INTERGOVERNMENTAL RELATIONS COMMITTEE
PROPOSED SUBSTITUTE ORDINANCE AMENDMENT TO FILE #19-4259
PROPOSED RESOLUTION
07/24/2019**

AN AMENDMENT TO CHAPTER 38, ARTICLE VI, HEALTH AND HUMAN SERVICES

WHEREAS, on June 1st 2019, the Illinois General Assembly passed the Reproductive Health Act, which was signed into law by Governor J.B. Pritzker on June 12th, 2019, and provides that every individual has a fundamental right to make autonomous decisions about one's own reproductive health; and

WHEREAS, said Act further provides that every individual who becomes pregnant has a fundamental right to continue the pregnancy and give birth or to have an abortion, and to make autonomous decisions about how to exercise that right; and

WHEREAS, the Act repeals provisions related to criminal offenses in cases of abortion in the Criminal Code of 2012, as well as provisions in the Counties Code requiring Coroners investigate fetal deaths due to abortion; and

WHEREAS, the Cook County Code of Ordinances currently requires the Medical Examiner to investigate deaths under the category of criminal abortion; and

WHEREAS, it would be prudent to align the Cook County Code with State Law as it relates to the Reproductive Health Act;

NOW THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 38 - Health and Human Services, Article VI, Section 38-118 - Deaths Subject to Investigation, of the Cook County Code is hereby amended as follows:

Sec. 38-118. - Deaths subject to investigation.

The Medical Examiner shall investigate any human death that falls within any of the following categories:

- (a) Criminal violence.
- (b) Suicide.
- (c) Accident.
- (d) Suddenly when in apparent good health.
- (e) Unattended by a practicing, licensed physician, other than apparent natural deaths.
- (f) Suspicious or unusual circumstances.
- ~~(g) Criminal abortion.~~
- (g) Unlawful fetal death as provided in Public Act 101-0013 of the 101st General Assembly of Illinois.
- (h) Poisoning or attributable to an adverse reaction to drugs and/or alcohol.
- (i) Diseases constituting a threat to public health.

- (j) Disease, injury or toxic agent resulting from employment.
- (k) During medical diagnostic or therapeutic procedures that do not include death as a reasonable possible outcome.
- (l) In any prison or penal institution.
- (m) When involuntarily confined in jail, prison, hospitals or other institutions or in Police custody.
- (n) When any human body is to be cremated, dissected or buried at sea.
- (o) Unidentified human remains.
- (p) When a dead body is brought into a new medico-legal jurisdiction without proper medical certification.

Effective Date: This Ordinance Amendment shall be effective upon passage.

A motion was made by Commissioner Miller, seconded by Commissioner Silvestri, to recommend for approval as substituted 19-4259. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4163](#)

Sponsored by: SCOTT R. BRITTON, PETER N. SILVESTRI, JEFFREY R. TOBOLSKI, JOHN P. DALEY, KEVIN B. MORRISON, DEBORAH SIMS, SEAN M. MORRISON, BRANDON JOHNSON, BILL LOWRY, LUIS ARROYO JR, ALMA E. ANAYA, DENNIS DEER, BRIDGET DEGNEN and LARRY SUFFREDIN, Cook County Board Of Commissioners

PROPOSED ORDINANCE AMENDMENT

AMENDMENT TO ALCOHOLIC LIQUOR LICENSE HOURS OF BUSINESS

Sec. 6-34. - Hours of business.

- (a) *Generally.* A person licensed by the County as a retailer of alcoholic liquor may not sell, permit to

be sold, or give away any alcoholic liquor between the hours of 1:00 a.m. and 7:00 a.m. on weekdays and between the hours of 2:00 a.m. and 7:00 a.m. on Saturdays and ~~between the hours of 2:00 a.m. and noon~~ ~~on~~ Sundays except as provided in subsections (b) through (e) of this Section.

(b) *Beer garden licenses.* Unless a special late license or an additional special late license is issued, no person licensed to operate a beer garden shall sell, serve, or allow the sale or service of alcoholic liquor for consumption in the privately owned, outdoor portion of the licensed premises on Saturdays and Sundays between 12:01 a.m. and the legally established hour of opening, as set forth in subsection (a) of this Section, or on Sundays through Thursdays between the hours of 11:00 p.m. and the legally established hour of opening the following day as set forth in this Section. No special late hour license or additional late hour license shall be issued for any outdoor location licensed as a beer garden where such licensed premises is located within 1,000 feet of property used for residential purposes.

(c) *Golf courses.* Unless a special late license or an additional late license is issued, no person licensed to operate a golf course shall sell, serve, or allow the sale or service of alcoholic liquor for consumption on the premises of a privately or publicly owned golf course between the hours of 1:00 a.m. and 7:00 a.m. on weekdays and between the hours of 2:00 a.m. and 7:00 a.m. on Saturdays and ~~between the hours of 2:00 a.m. and 10:00 a.m. on~~ Sundays.

(d) *Special late license.* The annual license fee to be paid to the County for the special late liquor license is hereby established as an additional amount set out in Section 32-1. A person issued a special late liquor license by Cook County is prohibited from selling, permitting to be sold, or giving away any liquor between the hours of 2:00 a.m. and 7:00 a.m. on weekdays and between the hours of 3:00 a.m. and 7:00 a.m. on Saturdays and ~~between the hours of 3:00 a.m. and 12:00 noon on~~ Sundays.

(e) *Additional late liquor license.* The annual license fee for the additional special late liquor license is hereby established in the amount as set out in Section 32-1. A person issued an additional special late liquor license by the County shall be prohibited from selling, permitting to be sold or giving away any alcoholic liquor between the hours of 4:00 a.m. and 7:00 a.m. on weekdays, ~~and~~ Saturdays, ~~and~~ ~~between the hours of 4:00 a.m. and 12:00 noon on~~ Sundays.

(f) *[Time frame of additional special late liquor license.]* No additional special late liquor licenses authorizing sales of alcoholic liquor until the hour of 4:00 a.m. shall be issued. Any license issued prior to January 31, 2005, providing for hours in excess of 3:00 a.m. shall expire upon the transfer, forfeiture or revocation of the license whether the transfer is between individuals, partnerships or corporations in whole or part or whether the transfer is of corporate shares to shareholders not previously owners of the corporation.

Effective date: This ordinance shall be in effect immediately upon adoption.

A motion was made by Vice Chairman Britton, seconded by Commissioner Silvestri, to recommend for approval 19-4163. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry,
Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-4181](#)

Sponsored by: LARRY SUFFREDIN, Cook County Board Of Commissioners

PROPOSED RESOLUTION

**REQUESTING A HEARING OF THE LEGISLATION AND INTERGOVERNMENTAL
RELATIONS COMMITTEE FOR A REPORT FROM THE SENIOR STAFF OF THE
CENTER FOR CONFLICT RESOLUTION**

WHEREAS, the Center for Conflict Resolution (CCR) is an independent, not-for-profit 501(C)(3) organization with a mission to work with individuals, communities, courts and other institutions to manage and resolve conflict. Since 1979, CCR has accomplished this mission by offering pro bono mediation services and conflict management training to Chicago area institutions, organizations, and businesses; and

WHEREAS, the Center for Conflict Resolution offers a 40-hour Mediation Skills Training designed to provide a foundational understanding of the mediation process while simultaneously developing critical dispute resolution skills, such as Creative Problem Solving, Interest-Based Negotiation, Managing Emotionally Charged Situations, Reality Testing, Active Listening, Effective Questioning, Mediating Multi-Party Disputes. CCR's Mediation Skills Training program has been approved by the Presiding Judges of the Law, Chancery and Domestic Relations Divisions of the Circuit Court of Cook County as satisfying one of their requirements to become a certified Mediator in Cook County; and

WHEREAS, the Center for Conflict Resolution offers free mediation services in the community and through volunteer Court-certified mediators in small claims, eviction, juvenile victim-offender, mortgage foreclosure, contract, partition, business, condo association, neighbor, parenting, and other disputes. The Center for Conflict Resolution may be appointed to handle discretionary mediations by judges of the Circuit Court of Cook County; and

WHEREAS, the Center for Conflict Resolution is supported in part by fees paid to the courts; the County is entitled to a refund of fees paid to them in excess of \$200,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Cook County Board of Commissioners does hereby request that a meeting of the Legislation and Intergovernmental Relations Committee be convened to discuss the operations, funding, and potential for cooperation with the Center for Conflict Resolution; and

BE IT FURTHER RESOLVED, that a member of the senior staff of the Center for Conflict Resolution appear before the Committee and be prepared to update the Committee on the Center's

operations, funding, and programming.

A motion was made by Commissioner Daley, seconded by Commissioner Silvestri, to recommend for approval 19-4181. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-0412](#)

Sponsored by: TONI PRECKWINKLE (President), Cook County Board Of Commissioners

PROPOSED ORDINANCE AMENDMENT

ANIMAL AND RABIES CONTROL ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 10, Animals, Sections 10-2, 10-7, 10-8, 10-9, 10-42, 10-78, 10-87, and 10-99, of the Cook County Code are hereby amended as follows:

Sec. 10-2. - Definitions.

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bite means seizure of a person or companion animal with the jaws or teeth of any cat, dog or other animal capable of transmitting rabies so that the person or companion animal so seized has been wounded or pierced and further includes contact of the saliva of cat, dog or other animal with any break or abrasion of the skin.

Companion animal means a domesticated or domestic-bred animal whose physical, emotional, behavioral and social needs can be readily met as a companion in the home, or in close daily relationship with humans.

Scratch means to score, mark or break the skin of a human or companion animal, by a dog, cat or ferret, using nail or tooth.

Sec. 10-7. - Powers of municipalities and other political subdivisions to regulate animals.

Nothing in this chapter shall be held to limit, the power of any municipality or other political subdivision to prohibit animals from ~~running at large~~being off leash, nor shall anything in this chapter be construed to limit the power of any municipality or other political subdivision to further control and regulate animals in such municipality or other political subdivision by enacting stricter requirements, including a requirement of inoculation with rabies vaccine.

Sec. 10-8. - Animal care.

(p) No person shall permit at any time their animal to:

- (1) ~~Run uncontrolled~~Be off leash, except in accordance with applicable law or regulation(s);
- (2) Molest persons or vehicles by chasing, barking or biting;
- (3) Attack other animals;
- (4) Damage property other than the owner's.

Sec. 10-9. - Stray animals.

(a) Whenever an Animal Control Warden observes or is informed that an animal is a stray or is off leash and not under the control of the owner, the animal shall be immediately apprehended and impounded. Any person may apprehend a stray animal and inform the local police or the Administrator so that the stray animal can be impounded. Stray animals impounded by the Department of Animal and Rabies Control shall be kept at a location closest to the point at which the stray animal is apprehended. ~~A minimum of two impoundment locations shall be used by the Department, one optimally convenient to that portion of the County outside the City of Chicago lying north of the Eisenhower Expressway and one optimally convenient to that portion of the County outside the City of Chicago lying south of the Eisenhower Expressway.~~

Sec. 10-42. - Biting animal capable of transmitting rabies.

(a) It shall be unlawful for any person knowing that an individual or companion animal has been bitten or scratched by an animal to refuse to notify, within 24 hours, the police or other officer with the delegated authority who are responsible for the area in which the bite occurred.

(b) Except as otherwise provided by State law with respect to police dogs, when the Administrator receives information that any person or companion animal has been bitten or scratched by an animal the Administrator shall have the owner confine the biting animal under observation of a licensed veterinarian for a period of ten days beginning within 24 hours of the biting incident. The biting animal may be confined in the house of its owner in a manner which will prohibit it from biting any person or animal if the animal is currently vaccinated with an approved rabies vaccine. Caged animals such as rats, guinea pigs, rabbits, etc., can be placed under home confinement.

(1) When the biting animal is currently inoculated with rabies vaccine the animal's health shall be reported by the veterinarian to the Cook County Department of Animal and Rabies Control on the first and tenth days of the observation period for rabies.

(2) When the biting animal is not currently inoculated with rabies vaccine the animal shall be confined for ten days in a veterinary hospital or animal control or humane shelter provided there is a veterinarian daily on the premises.

(c) Confirmation of the health of the biting of the animal shall be sent by the veterinarian to the Cook County Department of Animal and Rabies Control within 24 hours of the first and final examinations. Official forms shall be provided by the Department.

(d) When an animal confined for biting or scratching shows signs of rabies or acts in a manner which would lead a person to believe that an animal may have rabies, the owner or veterinarian shall notify the Administrator immediately by the telephone or in person of these signs. The Administrator shall immediately notify the physician attending the bitten or scratched person or responsible health agency as soon as the Administrator receives notice of such signs and shall securely confine the animal.

(e) If the animal confined is determined not to be infected with rabies at the end of the period of confinement, it shall be released from quarantine. The animal owner shall show proof of rabies inoculation for the animal and shall pay any fee, charge or penalty including any fee for veterinary services attributed to the bite. A confined animal, when not redeemed by the owner may be disposed of in accordance with State law.

(f) It shall be unlawful for the owner of a biting or scratching animal to euthanize, sell, give away or otherwise dispose of, or have inoculated against rabies the animal known to have bitten or scratched a person until it has been released from confinement for observation for rabies by the Administrator. It shall be unlawful for the owner of such animal to refuse or fail to comply with the written or printed instructions cannot be delivered in person they shall be mailed to the owner of such animal by regular mail, postage prepaid, return receipt requested. The affidavit of testimony of the Administrator delivering or mailing

such instructions is prima facie evidence that the owner of such animal was notified of their responsibilities.

Sec. 10-78. - Declaration of a "vicious" dog.

(a) A dog may be declared vicious if the Court determines that without justification, the dog attacks a person or companion animal causing serious physical injury or death, or any individual dog that has been found to be a "dangerous dog" upon three separate occasions.

(b) In order to have a dog deemed "vicious," the County Animal Control Administrator must give notice of the infraction that is the basis of the investigation to the owner, conduct a thorough investigation, interview any witnesses, including the owner, gather any existing medical records, veterinary medical records or behavioral evidence, and make a detailed report recommending a finding that the dog is a vicious dog and give the report to the State's Attorney's office and the owner.

(c) A complaint may be filed in the Circuit Court of the County after a complete investigation by the County Animal Control Administrator, or designee. The County Department of Animal Control shall accept requests for investigation by any party. Such investigation shall follow these requirements:

- (1) The investigation must be thorough and include interviews with witnesses to the conduct in question;
- (2) Medical records concerning the injuries inflicted on the person or companion animal of the alleged vicious conduct and veterinary records of the dog regarding behavioral evidence must be gathered and reviewed;
- (3) A detailed report must be provided to the Office of the State's Attorney and the owner of the dog recommending a finding that the dog is or is not vicious;
- (4) The Animal Control Administrator shall determine whether the dog shall be confined, and if so where, during the pendency of the case.

Sec. 10-87. - Penalties; vicious dog.

If the owner of a vicious dog subject to enclosure:

- (1) Fails to maintain or keep the dog in an enclosure or fails to spay or neuter the dog;

- (2) The dog inflicts serious physical injury upon any other person or companion animal or causes the death of another person or companion animal; and
- (3) The attack is unprovoked in a place where such person or companion animal is peaceably conducting himself or herself and where such person or companion animal may lawfully be;

the owner shall be guilty of a Class 4 felony unless the owner knowingly allowed the dog to ~~run at large~~ be off leash or failed to take steps to keep the dog in an enclosure then the owner shall be guilty of a Class 3 felony. The penalty provided in this section shall be in addition to any other criminal or civil sanction provided by law.

~~Sec. 10-99. - Effective date.~~

~~This Ordinance shall become effective 30 days after adoption.~~

Effective date: This ordinance shall be in effect immediately upon adoption

A motion was made by Vice Chairman Britton, seconded by Commissioner Silvestri, to accept as substituted 19-0412. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

[19-0412](#)

Sponsored by: TONI PRECKWINKLE (President), ALMA E. ANAYA, SCOTT R. BRITTON, JOHN P. DALEY, BRIDGET DEGNEN, BRANDON JOHNSON, KEVIN B. MORRISON, PETER N. SILVESTRI and LARRY SUFFREDIN, Cook County Board Of Commissioners

PROPOSED SUBSTITUTE TO FILE 19-0412

Legislation and Intergovernmental Relations Committee 7/24/2019

Sponsored by: TONI PRECKWINKLE (President), Cook County Board of Commissioners

PROPOSED ORDINANCE AMENDMENT

ANIMAL AND RABIES CONTROL ORDINANCE

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 10, Animals, Sections 10-2, 10-6, 10-7, 10-8, 10-9, 10-42, 10-78, 10-87, and 10-99, of the Cook County Code are hereby amended as follows:

Sec. 10-2. - Definitions.

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bite means seizure of a person, service animal or companion animal with the jaws or teeth of any cat, dog or other animal capable of transmitting rabies so that the person, service animal or companion animal so seized has been wounded or pierced and further includes contact of the saliva of cat, dog or other animal with any break or abrasion of the skin.

Companion animal means a domesticated or domestic-bred animal whose physical, emotional, behavioral and social need can be readily met as a companion in the home, or in close daily relationship with a person or persons.

Scratch means to score, mark or break the skin of a person, service animal or companion animal, by a dog, cat or ferret, using nail or tooth.

Sec. 10-6. - Duties of Administrator; police power; cooperation of Sheriff and police.

- (a) It shall be the duty of the Administrator, through public education, rabies inoculation, stray control, impoundment, quarantine and other means deemed necessary to control and prevent the spread of rabies in the County.
- (b) The Administrator and Animal Control Wardens are for the purpose of enforcing this chapter and the Animal Control Act (510 ILCS 5/1 et seq.), clothed with full police power.
- (c) The Sheriff and Sheriff's Deputies and municipal police officers shall cooperate with the Administrator in carrying out the provisions of the Animal Control Act (510 ILCS 5/1 et seq.).
- (d) The Administrator shall be authorized to develop new programs to implement the animal control goals of this chapter and the Animal Control Act (510 ILCS 5/1 et seq.). Such programs may include but are not limited to; programs or grants to aide in the elimination of uncontrolled and/or stray animals in the community, programs or grants to educate the public on issues pertaining to animal control and rabies, programs to impound stray animals, programs or grants for private or public entity capital needs to impound and/or care for stray animals and programs to fund surgical treatment to render animals unable to reproduce. The Administrator is further authorized, subject to annual budget approval by the Board of Commissioners to use Animal Control Funds collected from the issuance of annual animal tags as authorized in Section 10-41(b) of this chapter, to fund such programs or grants. Programs or grants permitted under this subsection may be allocated for internal programs, external

grants or valid procurements. Grant recipients shall be selected by the Administrator following a competitive process approved by the Administrator and the Chief of the Bureau of Administration which shall consist of an application process, request for proposal or request for qualification. The Administrator shall be authorized to issue the grant application process, request for proposal or request for qualification and shall be authorized to execute said grant agreements as approved by the Cook County Board of Commissioners.

Sec. 10-7. - Powers of municipalities and other political subdivisions to regulate animals.

Nothing in this chapter shall be held to limit, the power of any municipality or other political subdivision to prohibit animals from ~~running at large~~ being off leash, nor shall anything in this chapter be construed to limit the power of any municipality or other political subdivision to further control and regulate animals in such municipality or other political subdivision by enacting stricter requirements, including a requirement of inoculation with rabies vaccine.

Sec. 10-8. - Animal care.

- (p) No person shall permit at any time their animal to:
 - (1) Run uncontrolled
 - (2) Be off leash, except in accordance with applicable law or regulation(s);
 - (2) Molest persons or vehicles by chasing, barking or biting;
 - (3) Attack other animals;
 - (4) Damage property other than the owner's.

Sec. 10-9. - Stray animals.

(a) Whenever an Animal Control Warden observes or is informed that an animal is a stray or is off leash and not under the control of the owner, the animal shall be immediately apprehended and impounded. Any person may apprehend a stray animal and inform the local police or the Administrator so that the stray animal can be impounded. Stray animals impounded by the Department of Animal and Rabies Control shall be kept at a location closest to the point at which the stray animal is apprehended. ~~A minimum of two impoundment locations shall be used by the Department, one optimally convenient to that portion of the County outside the City of Chicago lying north of the Eisenhower Expressway and one~~

~~optimally convenient to that portion of the County outside the City of Chicago lying south of the Eisenhower Expressway.~~

Sec. 10-42. - Biting animal capable of transmitting rabies; Scratching.

(a) It shall be unlawful for any person knowing that an individual, service animal or companion animal has been bitten by an animal to fail to notify, within 24 hours, the police or other officer with the delegated authority who are responsible for the area in which the bite occurred. It shall be unlawful for any person knowing that an individual, service animal or companion animal has been scratched by an animal that is either (1) a wild animal; (2) an animal that has been confirmed to have been exposed to rabies; and/or (3) an animal exhibiting symptoms of a rabies infection (“potential transmitters of rabies”) to fail to notify, within 24 hours, the police or other officer with the delegated authority who are responsible for the area in which the scratch by a potential transmitter of rabies has occurred.

(b) Except as otherwise provided by State law with respect to police dogs, when the Administrator receives information that any person , service animal or companion animal has been bitten by an animal or scratched by an animal that is considered a potential transmitter of rabies as provider in subsection (a) of this section, the Administrator shall have the owner confine the biting or scratching animal under observation of a licensed veterinarian for a period of ten days beginning within 24 hours of the biting or scratching incident. The biting or scratching animal may be confined in the house of its owner in a manner which will prohibit it from biting or scratching any person or animal if the animal is currently vaccinated with an approved rabies vaccine. Caged animals such as rats, guinea pigs, rabbits, etc., can be placed under home confinement.

(1) When the biting animal or scratching animal is currently inoculated with rabies vaccine the animal's health shall be reported by the veterinarian to the Cook County Department of Animal and Rabies Control on the first and tenth days of the observation period for rabies.

(2) When the biting animal or scratching animal is not currently inoculated with rabies vaccine the animal shall be confined for ten days in a veterinary hospital or animal control or humane shelter provided there is a veterinarian daily on the premises.

(c) Confirmation of the health of the biting animal shall be sent by the veterinarian to the Cook County Department of Animal and Rabies Control within 24 hours of the first and final examinations. Official forms shall be provided by the Department.

(d) When an animal confined for biting or scratching shows signs of rabies or acts in a manner which would lead a person to believe that an animal may have rabies, the owner or veterinarian shall notify the

Administrator immediately by the telephone or in person of these signs. The Administrator shall immediately notify the physician attending the bitten or scratched person or responsible health agency as soon as the Administrator receives notice of such signs and shall securely confine the animal.

(e) If the animal confined is determined not to be infected with rabies at the end of the period of confinement, it shall be released from quarantine. The animal owner shall show proof of rabies inoculation for the animal and shall pay any fee, charge or penalty including any fee for veterinary services attributed to the bite. A confined animal, when not redeemed by the owner may be disposed of in accordance with State law.

(f) It shall be unlawful for the owner of a biting or scratching animal to euthanize, sell, give away or otherwise dispose of, or have inoculated against rabies the animal known to have bitten or scratched a person until it has been released from confinement for observation for rabies by the Administrator. It shall be unlawful for the owner of such animal to refuse or fail to comply with the written or printed instructions made by the Administrator. If such instructions cannot be delivered in person they shall be mailed to the owner of such animal by regular mail, postage prepaid, return receipt requested. The affidavit of testimony of the Administrator delivering or mailing such instructions is prima facie evidence that the owner of such animal was notified of their responsibilities.

Sec. 10-78. - Declaration of a "vicious" dog.

(a) A dog may be declared vicious if the Court determines that without justification, the dog attacks a person or companion animal causing serious physical injury or death, or any individual dog that has been found to be a "dangerous dog" upon three separate occasions.

(b) In order to have a dog deemed "vicious," the County Animal Control Administrator must give notice of the infraction that is the basis of the investigation to the owner, conduct a thorough investigation, interview any witnesses, including the owner, gather any existing medical records, veterinary medical records or behavioral evidence, and make a detailed report recommending a finding that the dog is a vicious dog and give the report to the State's Attorney's office and the owner.

(c) A complaint may be filed in the Circuit Court of the County after a complete investigation by the County Animal Control Administrator, or designee. The County Department of Animal Control shall accept requests for investigation by any party. Such investigation shall follow these requirements:

- (1) The investigation must be thorough and include interviews with witnesses to the conduct in question;
- (2) Medical records concerning the injuries inflicted on the person or companion animal of the alleged vicious conduct and veterinary records of the dog regarding behavioral evidence must be gathered and reviewed;

- (3) A detailed report must be provided to the Office of the State's Attorney and the owner of the dog recommending a finding that the dog is or is not vicious;
- (4) The Animal Control Administrator shall determine whether the dog shall be confined, and if so where, during the pendency of the case.

Sec. 10-87. - Penalties; vicious dog.

If the owner of a vicious dog subject to enclosure:

- (1) Fails to maintain or keep the dog in an enclosure or fails to spay or neuter the dog;
- (2) The dog inflicts serious physical injury upon any other person or companion animal or causes the death of another person or companion animal; and
- (3) The attack is unprovoked in a place where such person or companion animal is peaceably conducting himself or herself and where such person or companion animal may lawfully be;

the owner shall be guilty of a Class 4 felony unless the owner knowingly allowed the dog to ~~run at large~~ be off leash or failed to take steps to keep the dog in an enclosure then the owner shall be guilty of a Class 3 felony. The penalty provided in this section shall be in addition to any other criminal or civil sanction provided by law.

~~**Sec. 10-99. - Effective date.**~~

~~This Ordinance shall become effective 30 days after adoption.~~

Effective date: This ordinance shall be in effect immediately upon adoption

A motion was made by Vice Chairman Britton, seconded by Commissioner Silvestri, to recommend for approval as substituted 19-0412. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

ADJOURNMENT

A motion was made by Commissioner Daley, seconded by Commissioner Silvestri, to adjourn the meeting. The motion carried by the following vote:

Ayes: Suffredin, Britton, Anaya, Arroyo, Daley, Deer, Degnen, Gainer, Johnson, Lowry, Miller, K. Morrison, S. Morrison, Silvestri, Sims and Tobolski (16)

Absent: Moore (1)

Respectfully submitted,



Chairman



Secretary

A video recording of this meeting is available at <https://cook-county.legistar.com>.