



## Board of Commissioners of Cook County

### Legislation and Intergovernmental Relations Committee

Tuesday, June 17, 2014

10:45 AM

Cook County Building, Board Room, Room 569  
118 North Clark Street, Chicago, Illinois

### REVISED NOTICE AND AGENDA

There will be a meeting of the Committee or Subcommittee of the Board of Commissioners of Cook County at the date, time and location listed above to consider the following:

#### **PUBLIC TESTIMONY**

According to the Cook County Board's Rules of Organization and Procedure, Section 2-107 (dd), public testimony will be permitted at regular and special meetings of the Board and at committee meetings of the Board. Authorization as a public speaker shall only be granted to those individuals who have submitted in writing, their name, address, subject matter, and organization (if any) to the Secretary 24 hours in advance of the meeting. Duly authorized public speakers shall be called upon to deliver testimony at a time specified in the meeting agenda. Public testimony must be germane to a specific item(s) on the meeting agenda, and the testimony must not exceed three minutes; the Secretary will keep track of the time and advise when the time for public testimony has expired. Persons authorized to provide public testimony shall not use vulgar, abusive, or otherwise inappropriate language when addressing the Board; failure to act appropriately; failure to speak to an item that is germane to the meeting, or failure to adhere to the time requirements may result in expulsion from the meeting and/or disqualify the person from providing future testimony.

#### **APPOINTMENTS**

**14-3190**

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

**Appointee:** Jack L. Block

**Position:** Member

**Department/Board/Commission:** Cook County Commission on Human Rights

**Effective date:** Immediate

**Expiration date:** 7/1/2015, or until a successor is appointed. Mr. Block will fill the vacancy of Belkis Cervantes Muldoon

**Legislative History:** 5/21/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

**14-3191**

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

**Appointee:** Ceylan Eatherton

**Position:** Member

**Department/Board/Commission:** Cook County Commission on Human Rights

**Effective date:** Immediate

**Expiration date:** 7/1/2015, or until a successor is appointed. Ms. Eatherton will fill the vacancy of Jae Choi Kim

**Legislative History:** 5/21/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

**14-3193**

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

**Appointee:** Lyneir D. Richardson

**Position:** Director

**Department/Board/Commission:** Cook County Land Bank Authority Board of Directors

**Effective date:** Immediate

**Expiration date:** 1/1/2017, or until a successor is appointed. The appointment is pursuant to the requirement that the Land Bank Authority Board contain one (1) representative with commercial retail development experience. Pursuant to Cook County's home rule powers, it is hereby requested that the residency requirement for this appointee be waived.

**Legislative History:** 5/21/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

**14-3195**

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

**Appointee:** Alex Botvinnik

**Position:** Trustee

**Department/Board/Commission:** Northfield Woods Sanitary District

**Effective date:** Immediate

**Expiration date:** 6/2/2017, or until a successor is appointed

**Legislative History:** 5/21/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

**PROPOSED ORDINANCE AMENDMENT**

**14-3306**

**Sponsored by:** ~~TIMOTHY O. SCHNEIDER, LARRY SUFFREDIN, JOHN P. DALEY, JOHN A. FRITCHEY, EARLEAN COLLINS and PETER N. SILVESTRI, County Commissioner~~

**AN AMENDMENT TO THE COOK COUNTY LOBBYIST REGISTRATION ORDINANCE**

~~**NOW THEREFORE BE IT ORDAINED**, by the Cook County Board of Commissioners that Part I. General Ordinances, Chapter 2. Administration, Article VI. Ethics, Division 3. Lobbyists, Sections 2-622, 2-632, 2-634, 2-637 and 2-640 are hereby amended as follows:~~

**Sec. 2-622. Definitions.**

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

— *Administrative action* means the execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual agreement, purchasing agreement or other delegated legislative or quasi legislative action to be taken or withheld by any County official or County employee.

— *Board* means the County Board and any and all of its standing or special committees or subcommittees.

— *Clerk* means the duly elected or appointed Clerk of the County.

— *Commissioner* means any of the duly elected or duly appointed County Board members.

— *Compensation* means money, thing of value or other pecuniary benefits received or to be received in return for, or as reimbursement for, or as a result of, services rendered or to be rendered, for lobbying. This includes a contract, promise or agreement, whether or not legally enforceable, to provide or arrange for compensation for services rendered or to be rendered.

— *County agency* means any board, commission, department or authority under the jurisdiction of the President or Board or any other County official.

— *County employee* means an individual employed by the County whether part time or full time.

— *County matter* means any executive action, legislative action or administrative action.

— *County official* means the Assessor, members of the Board of Review, Clerk of the Circuit Court, Clerk, Commissioners, President, Recorder of Deeds, Sheriff, State's Attorney, and Treasurer of the County, and any County agency or member thereof.

— *Direct affiliation* means relationship with any natural person or spouse, father, mother, son or daughter possessing or owning an interest in a Lobbying Enterprise.

— *Executive action* means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection or postponement by a County official or County employee of a rule, regulation, order, decision, determination, contractual agreement, purchasing agreement or other quasi legislative or quasi judicial action or proceeding.

— *Expenditure* means anything having a value of \$10.00 or more including, but not limited to, a payment, distribution, loan, advance, deposit, political contribution, honoraria, travel or entertainment expense, meal or beverage expense, or gift of money. This includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure, for services rendered or to be rendered.

— *File, filed, or filing* means:

— (1) Delivery to an office of the Clerk by the close of business of the prescribed filing date; or

— (2) Deposit with the United States Postal Service, postage prepaid, in sufficient time so that the mailed documents arrive at an office of the Clerk by the close of business of the prescribed filing date.

— *Gift* means anything having a value of \$10.00 or more given without consideration or expectation of return.

— *Legislation* means ordinances, resolutions, amendments, nominations, appointments, reports, contracts or proposed contracts, and other matters pending or proposed in the Board or which require Board approval.

— *Legislative action* means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment, or passage or defeat of any ordinance, amendment, motion, resolution, report, nomination, administrative rule or other matter by any County official or County employee. The term "legislative action" also means the action of the President in approving or vetoing any ordinance, resolution or motion or portion thereof, and the action of any County official or County employee in the development of a proposal for introduction before the Board.

— *Lobbyist* means any person who, on behalf of any person other than himself, or as any part of his duties as an employee of another, undertakes to influence any legislative or administrative action, including, but not limited to:

- ~~\_\_\_\_\_ (1) A bond inducement ordinance;~~
  - ~~\_\_\_\_\_ (2) A zoning matter;~~
  - ~~\_\_\_\_\_ (3) A concession agreement;~~
  - ~~\_\_\_\_\_ (4) The creation of a tax increment financing district;~~
  - ~~\_\_\_\_\_ (5) The establishment of a Class 6(b) Cook County property tax classification;~~
  - ~~\_\_\_\_\_ (6) The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the Cook County Board of Commissioners;~~
  - ~~\_\_\_\_\_ (7) The preparation of contract specifications;~~
  - ~~\_\_\_\_\_ (8) The solicitation, award or administration of a contract;~~
  - ~~\_\_\_\_\_ (9) The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or~~
  - ~~\_\_\_\_\_ (10) Any other determination made by an elected or appointed county official or employee of the county with respect to the procurement of goods, services or construction. Provided, however, that a person shall not be deemed to have undertaken to influence any legislative or administrative action solely by submitting an application for a county permit or license or by responding to a county request for proposals or qualifications.~~
- ~~— The term "lobbyist" shall include, but not be limited to, any Attorney, accountant, or consultant engaged in the above described activities; provided, however, that an Attorney shall not be considered a lobbyist while representing clients in a formal adversarial hearing, unless said Attorney is also an elected official of the county; and provided further that the term "lobbyist" shall not include a person who, on an unpaid basis, seeks to influence legislative or administrative action on behalf of an entity that is not engaged in a profit seeking enterprise; further provided that an employee, officer or director of a not for profit entity who seeks to influence legislative or administrative action on behalf of such an entity shall not be considered a lobbyist for purposes of this chapter.~~
- ~~— *Lobbying Enterprise* means any entity that hires, retains, employs, or compensates a natural person to lobby local, state or federal governments or agencies.~~
- ~~— *Lobbying Activity Report* means a log maintained by each Lobbyist and submitted to the Cook County Clerk that records all contacts by a Lobbyist with any County Official or County employee.~~
- ~~— *Person* means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.~~
- ~~— *Political contribution* means any money or thing of value given to a political committee, as defined in 10 ILCS 5/9-1.9 (political committee defined), in the County.~~

**Legislative History:** 5/21/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

## PROPOSED ORDINANCE AMENDMENT

**14-2492**

**Sponsored by:** LARRY SUFFREDIN, County Commissioner

### **AN ORDINANCE GOVERNING PRESIDENTIAL APPOINTMENTS TO COOK COUNTY BUREAUS**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article IV, Division 1 of the Cook County Code is hereby enacted as follows:

**Section 2-141. - Presidential Appointments**

The following Cook County employees shall be appointed by the President, with the advice and consent of the Board of Commissioners:

- (a) Public Defender (pursuant to 55 ILCS 5/3-4004.1);
- (b) Director of Facilities Management (pursuant to 55 ILCS 5/3-14003);
- (c) Budget Director (pursuant to 55 ILCS 5/3-14005);
- (d) Chief Administrative Officer (pursuant to 55 ILCS 5/3-14006); and
- (e) Chief Information Officer (pursuant to 55 ILCS 5/3-14010);

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 42, Article II, Section 42-34(a)(6) of the Cook County Code is hereby amended as follows:

**Sec. 42-34. - Commission on Human Rights.**

The organization and administration of the Cook County Commission on Human Rights shall be sufficiently independent to assure that no interference or influence external to the office adversely affects the independence and objectivity of the Commission on Human Rights.

(a) *Enforcement.*

(1) The President shall appoint 11 members to a Commission on Human Rights ("Commission") subject to approval of the Cook County Board of Commissioners. In appointing members to the Commission, the President shall take into account the diversity of communities and conditions protected by this article and shall seek the input of affected communities. Four of the initial appointees shall be appointed for term expiring on July 1 of the year following their appointment, four shall be appointed for term expiring on July 1 of the second year following their appointment, and three shall be appointed for terms ending on July 1 of the third year following their appointment. Thereafter, members shall be appointed for three-year terms.

(2) Each member of the Commission:

- a. Shall reside within the corporate boundaries of the County;
- b. Shall not be an employee of the County during the member's term; and
- c. Shall serve without compensation, but may be reimbursed for reasonable expenses incurred in the performance of Commission duties.

(3) A majority of the members of the Commission shall constitute a quorum for the purpose of transacting business.

(4) At its first meeting after July 1 of each year, the Commission shall elect from its membership a Chairperson and a Vice-Chairperson. The chairperson shall preside at all meetings and hearings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside.

(5) The President may remove any member of the Commission for incompetence, substantial neglect of duty, gross misconduct, malfeasance in office, or violation of any law, after written notice, stating with particularity the grounds for removal and providing an opportunity for the member to respond.

(6) The President, with the advice and consent of the Board of Commissioners, shall appoint an Executive Director of the staff for the Commission. The Executive Director shall be responsible for the day-to-day operation of the Commission and its staff.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article VII, Division 2, Subdivision IV, Section 2-591 of the Cook County Code is hereby amended as follows:

**Sec. 2-591. Composition and powers.**

The organization and administration of the Cook County Board of Ethics shall be sufficiently independent to assure that no interference or influence external to the office adversely affects the independence and objectivity of the Board of Ethics. The composition and powers of the Board of Ethics are as follows:

(1) The Board of Ethics shall be composed of five members appointed by the President of the County Board with the advice and consent of the County Board and will take into account the diversity of communities and conditions protected by this article. The Board of Ethics shall have an executive director who shall be appointed by the President with the advice and consent of the Board of Commissioners.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article VI, Division 1, Section 2-473 of the Cook County Code is hereby amended as follows:

**Sec. 2-473. - Cook County Justice Advisory Council.**

(a) There is hereby created a Judicial Advisory Council which shall consist of five members who shall be appointed by the President of the County Board; said Council shall be referred to as the Cook County Justice Advisory Council. All shall be persons learned in the law, and two at least of their number shall be members of the judiciary. The persons thus appointed shall hold office for four years and until their respective successors have been duly appointed and qualified. They shall serve without compensation, but shall be reimbursed for all expenses incurred in carrying out the duties defined by this section. The President, with the advice and consent of the Board of Commissioners, shall appoint an Executive Director of the Justice Advisory Council.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 26, Article II, Section 26-32 of the Cook County Code is hereby amended as follows:

**Sec. 26-32. - Executive Director.**

(a) The Executive Director of the DHSEM shall be appointed by the President of the County Board of Commissioners with the advice and consent of the Board of Commissioners and shall serve until removed by the President.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article VI, Division 1, Section 2-471 of the Cook County Code is hereby amended as follows:

**Sec. 2-471. - Veteran's Assistance Commission.**

The County Board does concur in the action of the President of the County Board in incorporating the activities of the Veteran's Assistance Commission of Cook County into the County Bureau of Administration. The President, with the advice and consent of the Board of Commissioners, shall appoint the Superintendant of the Veterans Assistance Commission.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article III, Division 2, Section 2-102 of the Cook County Code is hereby amended as follows:

**Sec. 2-102. - Definitions.**

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

- (a) *Board* means the County Board.
- (b) *Commissioner* means any duly elected or duly appointed County Board Commissioner, and means the same as "member" of the Board.
- (c) *Committee* means a committee of the Board and includes a standing committee, a special committee and a standing or special subcommittee of a committee.
- (d) *Clerk* means the Clerk of the Board.
- (e) *Committee of the whole* means a committee comprised of all Commissioners as required by this division.
- (f) *Majority* means a simple majority of those Commissioners present and entitled to vote on a question, while a Majority vote means the vote of a simple majority of those Commissioners present and entitled to vote on a question.
- (g) *Majority of those elected* means a majority of the total number of Commissioners entitled by law to be elected to the Board, irrespective of the number of elected or appointed Commissioners actually serving in office. So long as 17 Commissioners are entitled to be elected to the Board, a vote of a "majority of those elected" shall mean nine affirmative votes.
- (h) *President* means the President of the Cook County Board of Commissioners.
- (i) *Secretary* means the Secretary of the Board who has been appointed by the President with the advice and consent of the Board of Commissioners.
- (j) *Term* means the four-year term of office established by State law for the President and the Commissioners.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 44, Article II, Section 44-45 of the Cook County Code is hereby amended as follows:

**Sec. 44-45. - Bureau of Human Resources.**

(a) *Established; Chief of Human Resources to be Chief Executive Officer of Bureau of Human Resources.* There is hereby established a bureau which shall be known as the Bureau of Human Resources. The Chief of Human Resources shall be the chief executive officer of the Bureau of Human Resources and shall be appointed by the President, with the advice and consent of the Board of Commissioners, and shall serve at the pleasure of the President. The Chief of Human Resources shall be responsible for the general management and control of the Bureau of Human Resources in a manner consistent with the ordinances of the County, the laws of the state, and the rules of the Bureau.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 2, Article VII, Division 2, Section 2-591 of the Cook County Code is hereby amended as follows:

**Sec. 2-591. - Composition and powers.**

The organization and administration of the Cook County Board of Ethics shall be sufficiently independent to assure that no interference or influence external to the office adversely affects the independence and objectivity of the Board of Ethics. The composition and powers of the Board of Ethics are as follows:

- (1) The Board of Ethics shall be composed of five members appointed by the President of the County Board with the advice and consent of the County Board and will take into account the diversity of communities and

conditions protected by this article. The Board of Ethics shall have an executive director who shall be appointed by the President, with the advice and consent of the Board of Commissioners.

...

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Chapter 10, Article I, Section 10-2 of the Cook County Code is 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:

*Administrator* means the licensed veterinarian appointed by the President, with the advice and consent of the County Board, pursuant to the Illinois Animal Control Act (510 ILCS 5/1 et seq.) or authorized representative.

*Animal* means any live vertebrate creature except man.

*Animal capable of transmitting rabies* means all animals classified as mammals.

*Animal control warden* means an employee of the County appointed by the Administrator to powers in the enforcement of this chapter.

*Bird* means any flying vertebrate that is covered with feathers.

*Bite* means seizure of a person with the jaws or teeth of any cat, dog or other animal capable of transmitting rabies so that the person 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.

*Cat* means all members of the classification, *Felis catus*.

*Confined* means the restriction of the cat, dog or other animal at all times by the owner in a manner that will isolate the cat, dog or other animal from the public and other cats, dogs or other animals.

*Control* means any owned animal that is either secured by a leash or lead, or within the premises of its owner, or confined within a crate or cage, or confined within a vehicle, or within the premises of another person with the consent of that person.

*Dangerous or vicious animal* means any animal which has known vicious propensities or which has been known to attack or injure any person who was peacefully conducting themselves in any place where they may lawfully be.

*Dog* means all members of the classification, *Canis familiaris*.

*Domestic animal* means any animal which has been domesticated by man so as to live and breed in a tame condition.

*Guard dog* means a dog used in a commercial business or by a municipal or police department for the purposes of patrol and protection.

*Inoculation against rabies* means the injection of a rabies vaccine approved by the Illinois Department of Agriculture and administered by a licensed veterinarian in accordance with the company's recommendations for the vaccine used.

*Owner* means any person having the right of property in an animal, who keeps or harbors an animal, who has it in their care, acts as its custodian or who knowingly permits an animal to remain on or about any premises occupied by them unless possession is prohibited by Federal or State laws. Native wildlife remaining on or about any premises shall not be included in this definition.

*Pound* means any facility licensed by the Illinois Department of Agriculture and approved by the Administration for the purpose of enforcing this chapter and used as a shelter for seized, stray, homeless, abandoned or unwanted animals.

*Service animal* means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.



*Stray animal* means any owned animal that is not controlled.

*Tethering* means to restrain a dog by tying the dog to any object or structure, including without limitation a house, tree, fence, post, garage, shed, [or] clothes line by any means, including without limitation a chain, rope, cord, leash or running line.

*Tow chain or log chain* means any chain that is more than one-quarter of an inch in width.

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

**Legislative History:** 4/9/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee

## **PROPOSED ORDINANCE AMENDMENT**

**14-3298**

**Sponsored by:** ~~ELIZABETH "LIZ" DOODY GORMAN, GREGG GOSLIN and JOAN PATRICIA MURPHY,~~  
County Commissioners

### **COOK COUNTY COMPANION ANIMAL AND CONSUMER PROTECTION**

~~**BE NOW THEREFORE BE IT ORDAINED,** by the Cook County Board of Commissioners that Chapter 10, Animals, Article I, In General, Sections 10-1 through 10-3 of the Cook County Code of Ordinances is hereby amended as follows;~~

#### **Sec. 10-1. Purpose.**

~~The purpose of this chapter is to provide harmonious relationships in the interaction between man and animal by:~~

- ~~(1) Protecting the citizens of the County from rabies by specifying such preventive and control measures as may be necessary;~~
- ~~(2) Protecting animals from improper use, abuse, neglect, inhumane treatment and health hazards, particularly — rabies;~~
- ~~(3) Providing security to residents from annoyance, intimidation, and injury from cats, dogs and other animals;~~
- ~~(4) Encouraging responsible pet ownership;~~
- ~~(5) Promoting community and consumer awareness of animal control and welfare; and~~
- ~~(6) Providing for the assessment of penalties for violators and for the enforcement and administration of this chapter;~~

#### **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:~~

~~*Administrator* means the licensed veterinarian appointed by the County Board, pursuant to the Illinois Animal Control Act (510 ILCS 5/1 et seq.) or authorized representative.~~

~~*Animal* means any live vertebrate creature except man.~~

~~*Animal capable of transmitting rabies* means all animals classified as mammals.~~

~~Animal control facility means any facility operated by or under contract for the State, county, or any municipal corporation or political subdivision of the State for the purpose of impounding or harboring seized, stray, homeless, abandoned or unwanted dogs, cats, and other animals as provided in the Illinois Humane Care for Animals Act [510 ILCS 70/2.01f].~~

~~Animal control warden means an employee of the County appointed by the Administrator to powers in the enforcement of this chapter.~~

~~Animal shelter means a facility operated, owned, or maintained by a duly incorporated humane society, animal society, animal welfare society, or other non profit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals. Animal shelter also means any veterinary hospital or clinic operated by a veterinarian or veterinarians licensed under the Veterinary Medicine and Surgery Practice Act of 2004 which operation for the above mentioned purpose in addition to its customary purposes as provided in the Illinois Humane Care for Animals Act [510 ILCS 70/2.01h].~~

~~Bird means any flying vertebrate that is covered with feathers.~~

~~Bite means seizure of a person with the jaws or teeth of any cat, dog or other animal capable of transmitting rabies so that the person 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.~~

~~Cat means all members of the classification, Felis catus.~~

~~Confined means the restriction of the cat, dog or other animal at all times by the owner in a manner that will isolate the cat, dog or other animal from the public and other cats, dogs or other animals.~~

~~Control means any owned animal that is either secured by a leash or lead, or within the premises of its owner, or confined within a crate or cage, or confined within a vehicle, or within the premises of another person with the consent of that person.~~

~~Dangerous or vicious animal means any animal which has known vicious propensities or which has been known to attack or injure any person who was peacefully conducting themselves in any place where they may lawfully be.~~

~~Dog means all members of the classification, Canis familiaris.~~

~~Domestic animal means any animal which has been domesticated by man so as to live and breed in a tame condition.~~

~~Guard dog means a dog used in a commercial business or by a municipal or police department for the purposes of patrol and protection.~~

~~Inoculation against rabies means the injection of a rabies vaccine approved by the Illinois Department of Agriculture and administered by a licensed veterinarian in accordance with the company's recommendations for the vaccine used.~~

~~Offer(s) for sale means to display, sell, deliver, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog, cat or rabbit.~~

~~Owner means any person having the right of property in an animal, who keeps or harbors an animal, who has it in their care, acts as its custodian or who knowingly permits an animal to remain on or about any premises occupied by them unless possession is prohibited by Federal or State laws. Native wildlife remaining on or about any premises shall not be included in this definition.~~

~~*Pet shop operator* means as provided in 225 ILCS 605/2 of the Animal Welfare Act~~

~~*Pound* means any facility licensed by the Illinois Department of Agriculture and approved by the Administration for the purpose of enforcing this chapter and used as a shelter for seized, stray, homeless, abandoned or unwanted animals.~~

~~*Pound or animal control facility* may be used interchangeably and mean any facility approved by the Administrator for the purpose of enforcing this Act and used as a shelter for seized, stray, homeless, abandoned, or unwanted dogs or other animals as provided in the Illinois Animal Contract Act [510 ILCS 5/2.18 from Ch.8, par.352.18].~~

~~*Rabbit* means all members of the classification, *Oryctolagus cuniculus*.~~

~~*Rescue organization* means any not for profit organization that has tax exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats or rabbits.~~

~~*Service animal* means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.~~

~~*Stray animal* means any owned animal that is not controlled.~~

~~*Tethering* means to restrain a dog by tying the dog to any object or structure, including without limitation a house, tree, fence, post, garage, shed, [or] clothes line by any means, including without limitation a chain, rope, cord, leash or running line.~~

~~*Tow chain or log chain* means any chain that is more than one quarter of an inch in width.~~

### **Sec. 10-3. Violations.**

~~(a) Any person violating any provision of this chapter or counterfeiting or forging any certificate, permit or tag, or resisting, obstructing or impeding any authorized officer in enforcing this chapter is guilty of a misdemeanor punishable by a fine not exceeding \$500.00 or by imprisonment for a period not exceeding six months or both such fine and imprisonment. Each person shall be guilty of a separate offense for every day in which any violation of any of the provisions of this chapter is committed or permitted to continue and shall be punished as provided in this chapter. Any person violating or failing to comply with Sec. 10-13 of this chapter shall be subject to a fine of \$500.00 for each violation. Each sale or act in violation of Section 10-13 shall constitute a separate and distinct violation. Violations of Sec. 10-13 shall be adjudicated pursuant to Chapter 2, Administration, Article IX, Administrative Hearings, of this Code.~~

~~(b) The Administrator or State's Attorney or any citizen of the County may maintain a complaint in the Circuit Court of Cook County to enjoin all persons in the control of a dangerous animal from allowing or permitting such animal to leave their premises when not under the control of a leash and muzzle or other recognized methods of physical restraint.~~

~~(c) If any owned animal injures another animal which is under control, the owner of the attacking animal is liable for the full amount of the injuries sustained.~~

~~(d) If any owned animal, without provocation, attacks or injures any person who is peacefully conducting himself in any place where he may lawfully be, the owner of such animal is liable for damages to such person for the amount of the injury sustained.~~

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that Chapter 10, Animals, Article I, In General, Section 10-13 of the Cook County Code is hereby enacted as follows:-

**Sec. 10-13. Prohibiting Restricting the sale of Commercially Bred Dogs, Cats and Rabbits in Pet Shops.**

(a) A pet shop operator may offer for sale only those dogs, cats or rabbits obtained from:

~~(1) an animal control center facility, animal care facility, kennel, pound or training facility operated by any subdivision of local, state or federal government; or~~

~~(2) a humane society or rescue organization.~~

~~(3) animal obtained from USDA licensed dog breeders. No pet shop operator may offer for sale any dog, cat or rabbit obtained from a breeder unless the that meet the following requirements are met:~~

~~(i) the breeder holds a valid USDA class "A" license as defined by the Animal Welfare Act, as found in the Code of Federal Regulations, listing all site addresses where regulated animals are located; and any other applicable state agency licensing; and~~

~~(ii) the breeder owns or possesses no more than five (5) female dogs, cats or rabbits capable of reproduction in any twelve (12) month period; on its most recent USDA inspection report, the breeder shall not have any direct violations of pet dealer related regulations within the prior (24) month period prior to such purchase; and~~

~~(iii) the breeder shall not have received "no access" violations on the two most recent inspection reports issued by the USDA, and~~

~~(iv) the breeder shall not have been found to have committed three or more indirect violations of pet dealer related regulations of the USDA during the two year period prior to such purchase, provided that the violations are administrative in nature and not violations pertaining to the health or welfare of an animal, and~~

~~(iii v) no more than five (5) female dogs, cats or rabbits capable of reproduction are housed at the site address where the retail animal was born or housed, including animals owned by persons other than the breeder breeders must reside in a state that regulates commercial dog breeders and no breeder shall utilize a double stack construction method for housing of dogs; and~~

~~(ivi) in addition to any disclosures required by subsection (c) or otherwise required by law, the following information shall be maintained and provided for each animal: (a) the active USDA license number(s) of the animal's breeder;~~

~~(b) any previous USDA license number(s) held by the animal's breeder in the last five (5) years;~~

~~(c) the name, mailing and site address location(s) of the breeder as they appear on the breeder's active USDA license;~~

~~(e) all names the breeder is doing business as;~~

~~(f) the total number of female dogs, cats or rabbits capable of reproduction owned or possessed by breeder, if available;~~

~~(g) the sire and dam of the animal, if available;~~

~~(h) the name and address of the location where the animal was born; and~~

~~(i) the name(s) and address of any other location(s) where the animal was housed by the breeder after birth.~~

~~(4) Animals obtained from hobby breeders as defined by the Animal Welfare Act unplanned litters obtained locally.~~

~~(i) dogs, cats, rabbits offered for sale shall be a minimum of 56 days old.~~

(b) Exemptions. The restrictions on pet shop operators set forth in subsection (a) of this section shall not apply to any entity listed in paragraphs (1) or (2) of subsection (a) of this section, or to any veterinary hospital or clinic licensed pursuant to the Veterinary Medicine and Surgery Practice Act of 2004, codified at 225 ILCS 115.

(c) Disclosures required. Any pet shop operator that offers for sale a dog, cat or rabbit shall make the following disclosures to the customer about such animal:

~~(1) for each dog or cat: a written disclosure meeting all of the requirements set forth in Sections 3.5 or 3.15, as applicable, of the Animal Welfare Act, codified at 225 ILCS 605; and,~~

~~(2) for each rabbit: (i) the breed, approximate age, sex and color of the animal; (ii) the date and description of any inoculation or medical treatment that the animal received while under the possession of the pet shop operator; (iii) the name and address of the location where the animal was born, rescued, relinquished or impounded; and (iv) if the animal was returned by a customer, the date of and reason for the return.~~

~~(d) The disclosures required under this subsection (c) shall be provided by the pet shop operator to the customer in written form and shall be signed by both the pet shop operator and customer at the time of sale. The pet shop operator shall retain the original copy of such disclosure and acknowledgement for a period of 2 years from the date of sale. Upon request by an authorized Administrator or Animal control warden, the original copy of such disclosure and acknowledgement shall be made immediately available for inspection by such authorized official. The pet shop operator shall post, in writing, in a conspicuous place on or near the cage of any dog, cat or rabbit offered for sale all of the information about a dog, cat or rabbit required under this subsection and other applicable law.~~

~~(e) Applicability of this section. This section shall apply to all areas within Cook County, Illinois, except those areas which are governed by an ordinance of another governmental entity (which by law may not be superseded by this section).~~

~~(f) Enforcement, Department and Sheriff. The department of Animal Control is authorized to enforce this section, and the Sheriff is authorized to assist the department in said enforcement.~~

~~**Effective date:** This ordinance shall be in effect on October 1, 2014~~

~~**Legislative History:** 5/21/14 Board of Commissioners referred to the Legislation and Intergovernmental Relations Committee~~

  
Secretary

Chairman: Suffredin  
Vice-Chairman: Fritchey  
Members: Committee of the Whole

