

AMENDMENT OF SECTIONS 7-12-040 AND 7-12-065 OF MUNICIPAL CODE REGARDING STRAY ANIMAL IMPOUNDMENT AND REDEMPTION.

[SO2018-3609]

The Committee on Finance submitted the following report:

CHICAGO, April 18, 2018.

To the President and Members of the City Council:

Your Committee on Finance, having had under consideration a proposed substitute ordinance concerning the authority to amend Sections 7-12-040 and 7-12-065 of the Municipal Code of Chicago regarding the impoundment of stray animals with microchips, having had the same under advisement, begs leave to report and recommend that Your Honorable Body *Pass* the proposed substitute ordinance transmitted herewith.

This recommendation was concurred in by a viva voce vote of the members of the committee, with no dissenting vote.

Respectfully submitted,

(Signed) EDWARD M. BURKE,
Chairman.

On motion of Alderman Burke, the said proposed substitute ordinance transmitted with the foregoing committee report was *Passed* by yeas and nays as follows:

Yeas -- Aldermen Moreno, Hopkins, Dowell, King, Hairston, Sawyer, Mitchell, Harris, Beale, Sadlowski Garza, Thompson, Cárdenas, Quinn, Burke, Lopez, Foulkes, D. Moore, Curtis, O'Shea, Cochran, Brookins, Muñoz, Zalewski, Scott, Solis, Maldonado, Burnett, Ervin, Taliaferro, Reboyras, Santiago, Waguespack, Mell, Austin, Ramirez-Rosa, Villegas, Mitts, Sposato, Laurino, O'Connor, Napolitano, Reilly, Smith, Tunney, Arena, Cappleman, Pawar, Osterman, J. Moore, Silverstein -- 50.

Nays -- None.

Alderman Beale moved to reconsider the foregoing vote. The motion was lost.

The following is said ordinance as passed:

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. Section 7-12-040 of the Municipal Code of Chicago is hereby amended by adding the language underscored, as follows:

7-12-040 Impounding Animals That Are Stray.

(a) Any stray animal may be immediately impounded by an animal control officer.

(b) An animal control officer may return a stray animal recovered in the field if the animal control officer determines that its owner resides within three miles of the site of recovery. If the animal is left with the owner, the owner shall not be liable for the redemption fee established in Section 7-12-120(a).

SECTION 2. Section 7-12-065 of the Municipal Code of Chicago is hereby amended by adding the language underscored, and by deleting the language struck through, as follows:

7-12-065 Impoundment Redemption Of Dogs And Cats Compulsory ~~Sterilization~~ And Microchip Implantation.

(a) Except as provided elsewhere in this section, any Any dog or cat impounded under Sections 7-12-040(a), 7-12-080, or 7-12-290 shall, prior to the animal's return to its owner redemption:

(1) have a microchip implanted if it does not already have one; and

(2) have a confirmed current rabies vaccination; and

~~(3) if the dog or cat is capable of reproduction, be sterilized, unless, in the determination of the Executive Director, the sterilization would endanger the life or health of the animal.~~

(b) An owner may receive the animal without compliance with subsection (a)(1) or (3) if:

(1) The Executive Director determines that microchipping and/or sterilization would endanger the life or health of the animal, or

(2) The owner contests microchipping and/or sterilization within the stray hold period set forth in Section 7-12-060 by filing a written request for a hearing.

~~The implantation of a microchip in and the sterilization of the animal pursuant to this section shall be performed only after the owner, if known, is given notification either in person, or by first class mail, of the Executive Director's intent to implant a microchip in and sterilize the animal and informing the owner of his right to appeal such determination by filing a written request for a hearing within five days of service of the notice.~~

(c) An owner who redeems an animal pursuant to subsection (b)(1) shall, within thirty days of redeeming the animal, provide the Department with either:

(1) proof that the owner had the animal microchipped and/or sterilized; or

(2) a veterinarian's certificate stating that the animal cannot be sterilized without endangering the life or health of the animal.

~~(e)(d) If the owner requests a hearing pursuant to subsection (b)(2), the Department of Administrative Hearings shall appoint an administrative law officer, who shall hold a hearing, at which all interested parties may present testimony and any other relevant evidence, within 15 days of the request. If the administrative law officer upholds the Executive Director's determination that the cat or dog is subject to the requirements of this section subsection (a), then the Executive Director shall not sterilize or implant a microchip in the animal until seven days after the hearing owner shall complete the ordered procedures and provide the Department with the documentation required in subsection (c) within thirty-five days after the administrative law officer's order; if If the owner appeals to the circuit court during that time period, the order to sterilize and implant a microchip in the animal shall be stayed until resolution of such appeal.~~

~~(d) In addition to all other applicable fees, the cost of the sterilization and the implantation of the microchip shall be charged to the owner upon redemption.~~

SECTION 3. This ordinance shall be in full force and effect following due passage and publication.

AMENDMENT OF SECTION 8-4-148 OF MUNICIPAL CODE REGARDING RESTRICTIONS ON SALE OF BODY ARMOR.

[O2018-3689]

The Committee on Finance submitted the following report: