

TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER I: DEPARTMENT OF AGRICULTURE
SUBCHAPTER b: ANIMALS AND ANIMAL PRODUCTS (EXCEPT MEAT
AND POULTRY INSPECTION ACT REGULATIONS)

PART 30
ANIMAL CONTROL ACT

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AUTHORITY: Implementing and authorized by the Animal Control Act [510 ILCS 5] and authorized by Sections 9 and 10 of the Illinois Diseased Animals Act [510 ILCS 50/9 and 10].

SOURCE: Rules and Regulations Relating to the Animal Control Act, filed September 16, 1974, effective September 26, 1974; amended August 19, 1975, effective August 29, 1975; filed December 10, 1976, effective January 1, 1977; codified at 5 Ill. Reg. 10440; amended at 7 Ill. Reg. 1712, effective January 28, 1983; amended at 12 Ill. Reg. 2216, effective January 19, 1988; amended at 16 Ill. Reg. 11751, effective July 8, 1992; amended at 18 Ill. Reg. 14891, effective September 26, 1994; amended at 20 Ill. Reg. 1505, effective January 12, 1996.

Section 30.10 Definitions

For the purpose of this Act and these rules, the following definitions shall apply:

"Confined under the observation of a licensed veterinarian" means confined to an

escape-proof building or other enclosure away from other animals and the public, and observed daily by the Administrator or another licensed veterinarian.

"Escape-proof building or other enclosure" means a building or other enclosure of such strength and structure to keep the confined animal away from other animals and the public.

"Humanely dispatched" means the painless administration of a lethal dose of an agent which shall cause the painless death of an animal as prescribed in the Journal of the American Veterinary Medical Association, January 15, 1993. Said method shall not destroy brain tissue necessary for laboratory examination for rabies. Animals shall be handled prior to administration of the agent in such a manner as to avoid undue apprehension by the animal.

"Official health certificate" means a legible record, made on an official form of the state of origin, or the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, and issued by a licensed veterinarian of the state of origin, a veterinarian in the employ of the Animal and Plant Health Inspection Service, or a veterinarian in the employ of the United States Armed Services, which shows that the dog(s) listed thereon meet the health requirements of the State of Illinois. The official health certificate shall contain the name and address of the consignor; the name and address of the consignee; an accurate description or identification including age, sex and breed of the dog(s) involved; and shall also indicate the health status of the dog(s), including the date(s) of vaccination(s), type of vaccine, name of manufacturer, serial number, and amount of vaccine administered.

"Officially vaccinated" means the inoculation of a dog with a vaccine as set forth in 8 Ill. Adm. Code 30.90 of these rules; administered by a licensed veterinarian by the route and in the amount recommended by the producer of the vaccine and for which a county rabies vaccination tag has been issued and properly recorded on a certificate as prescribed by the Board.

"Program" means the Animal Control Program as organized for the purpose of carrying out the provisions of this Act and the rules pursuant thereto.

"Recognized laboratory" means a laboratory operated by the State Department of Agriculture, the State Department of Public Health, any land grant university, or other laboratories approved by the Department of Public Health.

"Stray" means an animal which shall be considered a stray according to the ordinances that exist in the county in which the animal is found.

"Straying" means a dog or other animal not on the premises of the owner or not confined or under control by leash or other recognized control methods as set forth in 8 Ill. Adm.

Code 30.140 (b)(1), (2) and (3).

"Wild animal" means a wolf, coyote, or the offspring of a mating between a wolf or coyote and a dog.

(Source: Amended at 20 Ill. Reg. 1505, effective January 12, 1996)

Section 30.20 Interstate Shipment of Dogs; Health Certificate Required

- a) Dogs of any age brought into Illinois shall be accompanied by an official health certificate issued within 30 days of entry, showing the age, sex, breed, and description of each dog; that the dogs in shipment are free from visible evidence of communicable diseases as set forth in Sections 9 and 10 of the Illinois Diseased Animals Act [510 ILCS 50/9 and 10]; that they originated in an area not under quarantine because of rabies or if originating in an area under quarantine because of rabies, have obtained prior permission from the Department that will be granted by telephoning 217/782-4944 and indicating that the dogs have not been in physical contact with rabid animals; and that all dogs over 16 weeks of age have been vaccinated against rabies as set forth in 8 Ill. Adm. Code 30.90. A copy of the health certificate bearing the approval of the Animal Health Official of the state of origin shall be filed with the Department.
- b) This Part shall not apply to dogs consigned to hospitals, pharmaceutical companies, or licensed research institutions for research or teaching, nor to performing dogs or dogs brought in for a limited period of time for exhibition or breeding purposes and kept under direct control while in Illinois; provided, such performing dogs, dogs for exhibition, or dogs for breeding purposes have been vaccinated against rabies prior to entry into Illinois.

(Source: Amended at 20 Ill. Reg. 1505, effective January 12, 1996)

Section 30.30 Causes for Removal of Administrator or Wardens from Office

Upon initial appointment, the Administrator shall be informed by the Board as to the causes which would constitute a basis for removing the Administrator, Deputy Administrator, and Animal Control Wardens from office under Section 3 of the Act.

Section 30.40 District Boards

- a) When Districts are established under this Act, the District Board shall meet in February, May, August, and November of each year. At each November session, the District Board shall elect one of their number chairman for the ensuing year. He shall preside at their sessions and perform such duties as are, or may be, prescribed by law or by the order of said District Board. An acting chairman shall

be elected at the initial organizational meeting of the District Board, and shall serve until the regular election at the next November meeting.

- b) One member of the District Board shall be elected Secretary-Treasurer and shall keep minutes of each meeting, records of all finances, and assume other duties as assigned by the District Board. The Secretary-Treasurer shall make all records available to each County Board involved, and to the Department upon request.
- c) Compensation for members of the District Board shall be borne by each member's respective County Board.
- d) When a District is formed, the words "County Board" or "Board" as used in this Act and this Part shall be interpreted to mean "District Board" when applicable.

(Source: Amended at 18 Ill. Reg. 14891, effective September 26, 1994)

Section 30.50 Training of Animal Control Wardens

- a) It shall be the duty of each county to see that Animal Control Wardens are properly trained in apprehension, handling, and care of animals.
- b) The words "Supervising" and "Supervisor" may be used to designate Deputy Administrators or Animal Control Wardens whose responsibility require them to supervise other Deputy Administrators or Animal Control Wardens.

Section 30.60 Rabies Vaccination Tags; County Accountable for Rabies Tags

- a) Rabies vaccination tags for dogs shall be furnished by the county. The Administrator or other county official designated by the Board shall record the name and address of each person to whom rabies vaccination tags are issued and the serial numbers of the tags issued. The person receiving the tags shall be held accountable for each tag, and shall return all unused tags upon their expiration. If such person fails to account for each tag, or refuses to return unused tags, a county may withhold issuance of additional tags to that person. A person issuing a tag to an owner shall issue a tag from the county in which the dog owner resides.
- b) The rabies vaccination tag shall be attached to a collar or harness and worn at all times by the dog for which the certificate and tag have been issued, except when such dog is confined.

Section 30.70 Rabies Vaccination Tag and Certificate Honored by All Counties; Interstate Shipment of Dogs Recognized as Officially Vaccinated

- a) A rabies vaccination tag and certificate shall be honored until expiration in and by all counties throughout the State of Illinois when ownership of a dog is transferred, while the dog is in transit, or if the owner has established residence in another county.
- b) Dogs inoculated against rabies prior to entry into Illinois shall be recognized as officially vaccinated if the Administrator is presented evidence that such inoculation was administered by a licensed veterinarian with a vaccine licensed in 8 Ill. Adm. Code 30.90. Such evidence shall include the date(s) of vaccination(s), type of vaccine, name of manufacturer, serial number, and amount of vaccine administered.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.80 Approval of Rabies Vaccination Tags and Color

Illinois rabies vaccination tags are to be of the color and shape prescribed annually by the Department and shall bear the following inscription: Rabies Vaccination; Serial No.; Illinois Department of Agriculture; name of county and year.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.90 Recognized Immunity Period of Animal Rabies Vaccines

- a) The Department will accept the recognized immunity period of animal rabies vaccines licensed by Biologics Licensing and Standards Staff of Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture. To aid county officials in enforcing the Animal Control Act, the Department will periodically issue to the Administrator of each county a list of the licensed animal rabies vaccines recognized for use in Illinois, and the recognized immunity period of those vaccines. At such time as new animal rabies vaccines are recognized, or revisions made in recommendations, the Department shall so notify the Administrator.
- b) Animal rabies vaccines shall be administered to dogs or other animals by the route and in the amount recommended by the producer of the vaccine.
- c) Dogs required to be vaccinated against rabies as specified in Section 8 of the Animal Control Act shall be revaccinated within the time period specified for the particular vaccine administered, EXCEPT that dogs initially vaccinated when less than 1 year of age shall be revaccinated 1 year after the initial vaccination. Thus, when an animal rabies vaccine recognized as conveying a 3-year immunity is administered to a dog which is at least 1 year of age at the time of vaccination, that vaccination shall be recognized for a period of 3 years. If, however, a dog is

under 1 year of age at time of initial vaccination with a vaccine recognized as conveying a 3-year immunity, that vaccination will only be recognized for a period of 1 year.

- d) The certificate of vaccination issued shall specify the recognized duration of immunity in accordance with the provisions of subsection (c) above.
- e) When the vaccine manufacturer recommends that 2 doses of an animal rabies vaccine be administered at specific time intervals for initial immunization, a dog receiving such vaccine cannot be considered as officially vaccinated against rabies until it has received both injections AND the rabies vaccination certificate shall not be issued until the dog has received the second injection of the vaccine.
- f) There is no recognized vaccine approved for use on wild animals; therefore, wild animals shall not be vaccinated against rabies. Any wild animal so vaccinated shall not be recognized as an official vaccinee and such animal shall be subject to the provisions of the Illinois Dangerous Animals Act [720 ILCS 585].

(Source: Amended at 18 Ill. Reg. 14891, effective September 26, 1994)

Section 30.100 Unvaccinated Impounded Dog

Pursuant to "b" under Section 10 of the Act, an owner redeeming an unvaccinated impounded dog 4 months or more of age, or any person adopting such a dog as provided under Section 11 of the Act, shall cause such dog to be officially vaccinated against rabies within 5 days after the dog is removed from the pound. The manager or operator of the impoundment facility shall furnish such person with written notice setting forth these requirements as well as the penalty for failure to comply as set forth under Section 26 of the Act.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.110 Confinement Period for Animal Which Has Bitten a Person

- a) The Act provides that, when approved by the Administrator or his authorized representative, the confinement period for an animal which has bitten a person may be reduced to less than 10 days following a bite when:
 - 1) It is deemed advisable for humane reasons, i.e., injury or disease conditions, or
 - 2) The animal inflicting the bite had been maintained in a controlled environment in a research institution for a period of at least 6 months, or for the life of the animal, or

- 3) A physician indicates in writing that post-exposure antirabies treatments may endanger the life of the person bitten, or
 - 4) Written permission is obtained from the owner of the biting animal, or
 - 5) The animal is deemed to be a stray by the Administrator.
- b) When such animal is confined for a period of less than 10 days, it shall be euthanized at the end of the confinement period and the brain submitted direct to a recognized laboratory for rabies examination. It shall be the responsibility of the person requesting the reduced confinement period to assure that the brain is transported, without delay, to a recognized laboratory so it will arrive in a satisfactory condition for rabies examination.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.120 Biting Animal Considered Officially Vaccinated; Brains of Dogs Suspected of Having Rabies and Which Have Died Shall Be Submitted for Examination

- a) A biting animal shall, for confinement purposes as set forth in Section 13 of the Act, be considered officially vaccinated against rabies if:
 - 1) the initial rabies vaccination was completed at least 30 days prior to the biting incident, or
 - 2) the biting animal shall have been previously immunized against rabies and the biting incident occurred within the recognized immunization period for the vaccine used.
- b) The brains of all dogs or other animals which are suspected of having rabies or the brains from animals which have bitten a person or other animal and die during the period of observation shall be promptly and properly submitted to a recognized laboratory for rabies examination. It shall be the responsibility of the person who has the biting animal confined under his observation to see that the brain is properly submitted to the laboratory without delay. There is no observation period for wild animals so their brains shall be submitted immediately for rabies examination.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.130 Rabid Animals; Procedures for Revaccination, Confinement or Destruction

When circumstances indicate animals were bitten by a rabid animal, the following procedures shall apply:

- a) Immediate humane destruction is preferred. (If meat animal, slaughter is permitted within 7 days of exposure or after 6 months from date of exposure.)
- b) If dog bitten had been officially vaccinated more than 30 days prior to exposure, and within recognized period of immunity, it shall be revaccinated and confined for 30 days.
- c) If the dog bitten had not been officially vaccinated more than 30 days prior to exposure, it shall be vaccinated immediately and be placed under strict confinement for a 6-month period. If the dog is apparently normal at the end of 5 months of the confinement period, it shall be revaccinated against rabies at that time and then remain in confinement for another 30 days.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.140 Dangerous Dog; Control Methods

Under Section 15 of this Act:

- a) A dangerous dog shall mean a dog as defined in Section 15(a)(2) of the Animal Control Act [510 ILCS 5/15(a)(2)].
- b) The following shall be accepted as recognized control methods for dangerous dogs:
 - 1) Placing an animal within an enclosed automobile, truck, or other vehicle not being used as a public conveyance of humans, or
 - 2) Shipping an animal on a public conveyance that is properly confined in a shipping container conspicuously labeled "DANGEROUS ANIMAL" and constructed of materials in such a manner to prevent the animal from biting other animals or the public, or
 - 3) Properly muzzling an animal and placing it on a leash of sufficient strength to keep such animal under control, and held by a competent person capable of controlling such animal, or
 - 4) Confining the animal on the premises of the owner in such a manner as to prevent its coming in contact with other animals or the public.
- c) The owner of any dog exempt under Section 15 shall provide the Administrator with the breed, description, name and location where such dog can be expected to be located at all times when not on leash or under direct control of its owner.

- d) A dog exempt under Section 15 of this Act when not under direct control by leash or other recognized control methods shall be confined in such a manner as to prevent it from attacking or injuring any person who is peacefully conducting himself where he lawfully may be.

(Source: Amended at 18 Ill. Reg. 14891, effective September 26, 1994)

Section 30.150 Claim for Loss of Animals or Poultry Killed or Injured by Dogs

- a) An owner making claim for loss of animals or poultry killed or injured by dogs shall report such loss to the Administrator within 24 hours after such loss occurs, shall have not less than 2 witnesses who are freeholders of the county substantiate such loss within 48 hours after the loss occurs, and shall appear before a member of the County Board within 7 days after such loss to make affidavit.
- b) The Administrator or the person designated by him shall make an investigation, shall observe the animals in question, and shall visit the site where the animals were killed or injured. If the investigator is not a veterinarian and cannot confirm such claim to be valid, then the Administrator or a veterinarian designated by the Administrator shall examine the animals or poultry and make written report to be filed with the County Treasurer as to the cause of death. If such report does not substantiate loss caused by dogs, the claim shall be denied by the Board.
- c) Applications used in making claims for damages for animals or poultry killed or injured by dogs shall be on such forms as prescribed by the Department. Such forms shall include the amount of claim, the amount paid for each claim, the number and kind of animals or poultry killed or injured by dogs, and whether such animals were grade, or crossbred, hybrid, inbred, and purebred animals registered with an appropriate breed association or organization. In the case of animals registered with an appropriate breed association or organization, the owner shall surrender such certificate of registry to the county. A copy of such certificate shall be maintained in the county records and the original certificate of registry shall be immediately forwarded to the appropriate breed association or organization for cancellation. Claim forms shall be available from the Administrator, County Treasurer, Board members, and other county officials designated by the Board.
- d) All costs for the 2 witnesses to substantiate claims for loss of animals or poultry shall be paid by the owner of such animals or poultry. The Administrator or veterinarian requested by the Administrator to examine animals or poultry for which a claim has been made shall be paid from the Animal Control Fund if such loss is determined to be caused by dogs. If such veterinarian determines that the loss is due to some other cause, the cost of his services shall be borne by the

claimant.

- e) For the purpose of this rule, poultry means chickens, ducks, and geese, and shall not include domestic rabbits, guinea fowl, peafowl, pigeons, pheasants, quail, and waterfowl covered by Federal or State game codes. Also, for the purpose of this rule, animals other than goats, cattle, horses, mules, swine, sheep, and poultry as defined in this rule, even though kept in captivity, are not eligible for payment under Section 19 of the Animal Control Act.

(Source: Amended at 16 Ill. Reg. 11751, effective July 8, 1992)

Section 30.160 County Animal Control Program; Requirements

The Board shall create an Animal Control Program which shall be submitted to the Department. In the event that a Board fails to submit a Program, or if the Department rejects the Program submitted, the Department shall cooperate with the Board in developing an acceptable Program. All Animal Control Programs must include the following minimal requirements:

- a) Stray or Straying Dog Control -- Said dog control shall include a method of collecting and impounding stray or straying dogs or other animals included in this Act, and adoption or other disposition of said animals.
- b) Rabies and Impoundment -- Rabies and impoundment shall include methods for providing the necessary facilities and personnel to implement the rules and provisions of this Act relating to rabies control.
- c) Education On Animal Control and Rabies -- Education on animal control and rabies shall include 3 distinct programs involving youth education, education of the general public, and education of public officials.
- d) Proposed Budget -- The proposed budget will include expected and proposed expenditures and receipts.

(Source: Amended at 7 Ill. Reg. 1712, effective January 28, 1983)

Section 30.170 County and Municipality Sharing Registration Fees

The Department shall concur in any county or municipal ordinance relating to animal control provided there exists a written agreement between the county and a municipality that states the intent of each program and how the registration fees which are collected by the county will be divided. The agreement shall state the percentage of the fees and when payments will be made to the municipality. The division of registration fees shall not negate the responsibility of the county to effect an effective animal control program for the county.

(Source: Added at 12 Ill. Reg. 2216, effective January 19, 1988)