

STATE OF ILLINOIS       )  
                                      ) SS  
COUNTY OF WINNEBAGO   )

### **CERTIFICATE OF PUBLICATION IN PAMPHLET FORM**

I, the undersigned, do hereby certify that I am the duly qualified and acting Legal Director and ex officio Keeper of the Records and Seal of the City of Rockford, Winnebago and Ogle Counties, Illinois (the "City"), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the City and of the City Council (the "City Council") thereof.

I do further certify that on the 3rd day of April 2024 there was published in pamphlet form, by authority of the City Council, a true, correct and complete copy of Ordinance No. **2024-67-O** and said resolution was so published on said date readily available for public inspection and distribution, in sufficient number, at my office as Legal Director and ex officio Keeper of the Records and Seal located in the City.

IN WITNESS WHEREOF I have affixed hereto my official signature and the seal of the City, this 3rd day of April 2024.



  
\_\_\_\_\_  
LEGAL DIRECTOR AND *EX OFFICIO*  
KEEPER OF THE RECORDS AND SEAL

NM:sa

Committee report passed: 4/1/24

ORDINANCE NO. 2024- 67- 0

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKFORD,  
WINNEBAGO AND OGLE COUNTIES, ILLINOIS, THAT:

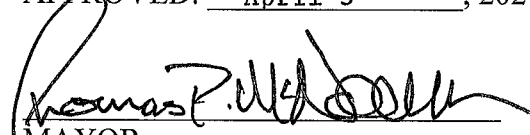
By passage and approval of this Ordinance, the Mayor and Legal Director  
are hereby authorized to approve the attached amendments to Chapter 4, Article  
II, Division 2 (Dogs) of the City of Rockford Code of Ordinances.

The provisions and sections of this Ordinance shall be deemed severable,  
and the invalidity of any portion of this Ordinance shall not affect the validity of  
the remainder.

All orders, resolutions, or ordinances in conflict herewith are hereby repealed  
insofar as such conflict exists, and this Ordinance shall take effect immediately upon its  
passage, approval, and publication, as required by law.

A full, true and complete copy of this Ordinance shall be published within ten  
(10) days after passage in pamphlet form by and under authority of the Corporate  
Authorities.

APPROVED: April 3, 2024.

  
MAYOR

AYES: DURKEE, LOGEMANN, TUNEBERG, TORINA, WILKINS, HOFFMAN, ROSE,  
BEACH, MEEKS, BAILEY, BONNE

NAYS: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: FROST, PRUNTY, BARRIOS

ABSTAIN: \_\_\_\_\_

ATTESTED:

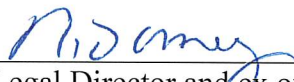
  
LEGAL DIRECTOR

PASSED: 4/1/24

APPROVED: 4/3/24

PUBLISHED: 4/3/24

FILED in my office this 3rd day of April, 2024, and published in pamphlet form this 3rd day of April, 2024 by order of the City Council of the City of Rockford, Illinois.

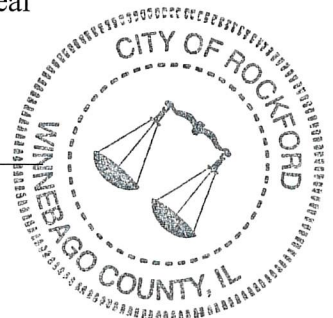
  
Legal Director and ex officio  
Keeper of the Records and Seal

APPROVED BY:

  
Nicholas O. Meyer, Legal Director

RECOMMENDED BY:

  
Jacob Rubin, Assistant City Attorney



## ARTICLE II. DOGS AND CATS

(Ord. No. 2012-084-O, 5-29-2012) **Secs. 4-29—4-56. - Reserved.**

### DIVISION 2. - DOGS

#### **Sec. 4-57. – Limit on type and number of dogs.**

- (a) There shall be a maximum limitation per household within the city of four (4) dogs over the age of four months; provided however, that any newborn domestic dogs born from the same litter shall be allowed to remain in the household despite the limitation of this section for up to four months from the date of birth. The code enforcement officer or his or her designee, police officer, or animal services officer may impound immediately every dog exceeding the limit per household. Nothing in this Sec. 4-57(a) shall increase the maximum threshold of four (4) total animals allowed per household under the City of Rockford Zoning Ordinance.

#### **Sec. 4-58. - Running at large; Confinement.**

- (a) *Purpose.* To address problems concerning protection of public safety, overpopulation and unwanted animals, and reinforcement of responsible guardianship of dogs with regard to ownership of both male and female dogs. Dogs that are left to run at large (unleashed) are a hazard to the community and its citizens with the potential to harm unwary citizens through acts of aggression, threatening behavior and damage to property. It is the interests of the community to regulate the latitude given to dogs and their caretakers to roam without proper supervision in public areas.
- (b) *Definitions.*
  - (1) For the purposes of this section, "running at large" means any dog that is not controlled by a leash or in a fenced yard or enclosure, including a dog on property that is its owner's or where the dog's caretaker has received permission to allow his or her dog(s) on the property. All dogs on public sidewalks, parkways, streets and other public property must be controlled by a leash, or the dog(s) shall be considered running at large.

- (2) For the purposes of this section, "secure confinement" means securing the dog in an area from which the dog cannot escape based on the size and breed of the dog, while providing for the humane care of the animal while in confinement.
- (c) *Running at Large.* No person who owns, keeps, or harbors a dog shall cause or permit such animal to run at large within the city.
- (d) *Confinement of dogs.*
- (1) Any person owning, harboring, or controlling a male or female dog whether vaccinated or unvaccinated, licensed or unlicensed, sterilized or unsterilized, shall always keep such animal from running at large by either:
- i. Securely confining such animal within an adequate fence or enclosure, or
  - ii. Securely confining such animal within a house, garage, or other building or
  - iii. Accompanying the animal on a leash.
- (2) Any dogs confined within a fenced yard must have an adequate space for exercise based on size of dog. Dogs shall not be chained, tied, fastened or otherwise tethered to dog houses, trees, fences or other stationary objects as a means of confinement to property except as otherwise provided in section 4-62.
- (3) Persons who utilize "invisible fencing" to contain any domestic animal must display prominently on their property immediately adjacent to the public right-of-way a sign which indicates that any domestic animal located thereon is contained by way of "invisible fencing." Invisible fencing installed after the effective date of this chapter, must be at all times able to confine the domestic animal within the boundaries of the owner's property.
- (4) Between the hours of 10:00 p.m. and 7:00 a.m., a person shall not allow (a) dog(s) to be unattended within a fenced yard or secured confinement by means of an invisible fencing for a period greater than 20 minutes.
- (e) *Exemptions.* Dog parks are exempt from this section.

**Sec. 4-59. - Barking dogs.**

- (a) It shall be unlawful for any person to own, keep, have in his possession, or harbor any dog which, by frequent or habitual howling, yelping, barking or otherwise, shall cause annoyance or disturbance to a reasonable person.

(b) A person shall not be found to be in violation of this ordinance unless sufficient evidence is presented, which evidence shall include at least one of the following:

(1) A complaint made by one person, which is accompanied by audio or video recordings depicting ten or more minutes of continuous howling, yelping, barking or otherwise.

"Continuous" means that the noise continues with no interruptions or only unreasonably brief interruptions;

(2) Complaints made by two or more persons, residing in different households, regarding the same dog(s) and owner(s), keeper(s) or harborer(s); or

(3) A complaint made by one neighbor, but which is corroborated by a responding animal control officer or law enforcement officer who observes howling, yelping, barking or otherwise that would annoy or disturb a reasonable person.

**Sec. 4-60. - Collar required for dogs.**

Every dog kept within the city shall be provided by its owner or keeper with a collar made of substantial material to which shall be attached a numbered rabies inoculation tag or personal property tax tag.

**Sec. 4-61. - Animal defecation prohibited; Sanitation.**

(a) No person, being the owner of or having charge of any animal shall permit it to defecate upon any public property, or upon any private property without permission of the property owner.

(b) Any person, being the owner of or having charge of any animal not confined to that person's property shall immediately remove any animal feces deposited on public or private property in violation of subsection (a) of this section.

(c) No person owning, harboring or keeping a dog within the city shall permit any waste matter from the animal to collect and remain on the property of the owner or custodian, or on the property of others so as to create an unhealthy, unsanitary, dangerous or offensive living condition on the owner's or custodian's property, or to abutting property of others.

- (d) No person shall keep any property or confinement where animals are housed so as to be unreasonably offensive to persons residing in the vicinity of the same, due to associated debris or odors, or to persons passing along any street or alley near the same.
- (e) No person owning, harboring, keeping, or in charge of any animal shall cause unsanitary, dangerous, or offensive conditions by virtue of the size or number of animals maintained at a single location or due to the inadequacy of the facilities. The provisions of this subsection (e) shall not apply with the Winnebago County Animal Services shelter facility.

**Sec. 4-62. - Dog tethering.**

For purposes of this section, tether shall mean attaching a dog to a stationary object or pulley run by means of a chain, rope, tether, cable or similar restraint. "Tether" does not include the use of a leash to walk a dog.

*Owner* means any person owning, keeping, caring for, or harboring a dog.

Dogs shall not be tethered except under the following conditions:

- (1) Only one dog may be tethered to each cable run; and
- (2) The dog must be tethered to a properly fitting collar or harness, with enough room between the collar and the dog's throat through which two fingers may fit. Choke collars and pinch collars are prohibited for purposes of tethering a dog to a cable run. Only commercially produced products whose primary purpose is the restraint of domestic animals may be used to tether, leash or otherwise restrain an animal; and
- (3) There must be a swivel on each end of the lead to minimize tangling of the lead; and
- (4) Tethering shall be located so as not to allow such animal to access public property, including sidewalks and parkways, or private property belonging to others, nor in such a manner as to cause harm or danger to persons or other animals; and
- (5) The size and weight of the lead must not be excessive, as determined by the enforcement officer, considering the age, size and health of the dog. The use of a lead that exceeds one-eighth of the body weight of the dog is prohibited; and
- (6) Tethering with a lead must measure at least ten feet in length.

- (7) A person must not tether a dog under circumstances that endanger its health and safety, including:
- a. Tethering a dog for more than 20 minutes between the hours of 10:00 p.m. and 7:00 a.m.;
  - b. Tethering that does not permit a dog's access to sufficient quantity of good quality water;
  - c. Tethering that does not allow a dog to defecate or urinate in an area separate from the area where it must eat, drink, or lie down;
  - d. Tethering under conditions where the dog or tether can become entangled on the lead or some other object or animal;
  - e. Tethering that causes injury to, strangles, or chokes the dog;
  - f. Tethering that does not permit the dog to escape harm;
  - g. Tethering in an area which would pose a threat to public safety and health;
  - h. Tethering a dog during severe weather; and
  - i. Tethering a dog outdoors while its owner is not on the premises.
- (8) In addition to any penalties provided for in the Illinois Humane Care for Animals Act, 510 ILCS 70/1 et seq., any person found guilty of violating this section shall be fined not less than \$300.00 for a first offense nor more than permitted by law. Each offense and every day on which a violation occurs or continues shall be considered a separate offense.

**Sec. 4-63. Enforcement; Penalties; Injunctive Relief.** City of Rockford Police Officers, Code Enforcement Officers, Winnebago County Animal Services Officer or any other person so designated by the City shall have express authority to enforce the provisions of this Article.

- (a) Any violation of this Article is declared to be a public nuisance and each day this section is violated shall constitute a separate and continuing offense subject to penalties set forth in Sec. 1-9.

- (1) A violation of this Article may result in a fine of not less than \$100.00 for a first offense. Subsequent violations shall result in a minimum fine of \$250.00. The fine shall not exceed the maximum allowed by law.



- (b) In addition to or as an alternative to any fine, the police officer, code enforcement officer, animal services officer or any other person designated to enforce this Article may impound immediately any dog determined to be kept in violation of any provision of this Chapter.
- (c) In addition to or in the alternative to any administrative enforcement action for violations of this Article, the city may institute legal proceedings in any court of competent jurisdiction for injunctive relief to abate said violations.

**Sec. 4-64. – Impoundment.** The code enforcement officer, police officer, animal services, and/or such employees as designated for that purpose, is authorized to impound dogs kept in violation of this chapter or to achieve compliance with the provisions of this chapter. The procedure for impoundment and redemption shall be as set forth in Winnebago County Ordinance Chapter 14, Article IV or as hereafter amended. The Winnebago County Animal Shelter shall have discretion whether or not to impound animals based on current or anticipated capacity.

Secs. 4- 65—4-80. - Reserved.