



# Office of the City Clerk

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## Legislation Text

File #: O2018-948, Version: 1

### ORDINANCE

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. 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 i~~ mplantation.**

a) Except as provided elsewhere in this section, any Any dog or cat handled by the Department under Section 7-12-040 or impounded under Sections 7-12-040, 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  
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- 1) Tthe 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 of the animal.

fe)(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 within thirty-five days after the administrative law officer's order. ~~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)(e) Violation of this section shall be punishable by a \$500 fine. ~~In addition to all other applicable fe~~

~~es, the cost of the sterilization and the implantation of the microchip shall be charged to the owner upon redemption.~~

SECTION 2. This ordinance shall be in full force and effect 10 days following due passage and publication.