

## **TITLE IX: GENERAL REGULATIONS**

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## **Richland County - General Regulations**

## **CHAPTER 90: ANIMALS**

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### ***RABIES CONTROL***

#### **' 90.001 PURPOSE.**

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

(A) Protecting the citizens of the county from rabies by specifying such preventive and control measures as may be necessary;

(B) Protecting animals from improper use, abuse, neglect, inhumane treatment and health hazards, particularly rabies;

(C) Providing security to residents from annoyance, intimidation and injury from dogs and other animals;

(D) Encouraging responsible pet ownership; and

(E) Providing for the assessment of penalties for violators and for the enforcement and administration of this chapter.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

#### **' 90.002 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ADMINISTRATOR.*** The licensed veterinarian appointed by the County Board, pursuant to the Illinois Animal Control Act, being 510 ILCS 5 et seq. or his or her authorized representative.

***ANIMAL.*** Any live vertebrate creature, except humans.

***ANIMAL CAPABLE OF TRANSMITTING RABIES.*** All animals classified as mammals.

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**ANIMAL CONTROL WARDEN.** An employee of the county appointed by the County Board to exercise police powers in the enforcement of this chapter.

**BIRD.** Any flying vertebrate that is covered with feathers.

**BITE.** 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 such cat, dog or other animal with any break or abrasion of the skin.

**CAT.** All members of the classification, Felis Catus.

**CONFINED.** The restriction of the dog or other animal at all times by the owner in a manner that will isolate the dog or other animal from public and other dogs or other animals.

**CONTROL.** Any owned animal that is either secured by a leash or lead, or under voice control or within the premises of its owner, or confined within a crate or cage, or confined within a vehicle, or on the premises of another person with the consent of that person.

**DANGEROUS OR VICIOUS ANIMAL.** Any animal which has known vicious propensities or which has been known to attack or injure any person who was peacefully conducting himself or herself in any place where he or she may lawfully be.

**DOG.** All members of the classification, Canis Familiaris.

**DOMESTIC ANIMAL.** Any animal which has been domesticated by humans so as to live and breed in a tame condition.

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

**GUIDE DOG.** A dog trained by a recognized organization to lead the legally blind.

**INOCULATION AGAINST RABIES.** The injection of a rabies vaccine approved by the State Department of Agriculture and administered by a licensed veterinarian in accordance with the company's recommendations for the vaccine used.

**KENNEL.** Any premises or portion on which four or more dogs, cats or other household domestic animals over four months of age, or any combination thereof, are kept or on which more than two such animals are maintained, boarded, bred or cared for in return for remuneration, or are kept for purpose of sale.

**OWNER.** Any person having the right of property of an animal, who keeps or harbors an animal, who has it in his or her care, acts as its custodian or who knowingly permits an animal to remain on or about any premises occupied by him or her unless possession is prohibited by federal or state laws. Native wildlife remaining on or about any premises shall not be included in this definition.

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**PERSON.** Any individual, firm, corporation, partnership, society, association or other legal entity, any public or private institution, municipal corporation, unit of local government or any other business unit.

**POUND.** Any facility licensed by the State Department of Agriculture and approved by the Administrator for the purpose of enforcing this chapter and used as a shelter for seized, stray, homeless, abandoned or unwanted animals.

**STRAY ANIMAL.** Any owned animal that is not controlled.

**VOICE CONTROL.** The immediate recall of a dog at the sound of the voice of the owner.  
(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

### ' 90.003 ANIMAL CARE.

(A) No owner shall fail to provide his or her animals with sufficient wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

(B) No person shall beat, torment, overload, overwork or otherwise abuse an animal.

(C) No person shall own, keep, harbor or otherwise maintain within the county, any breeds of fowl that are or will be used in the pursuit of and staging of cockfighting on any premises.

(D) No person shall promote, stage, hold, manage, conduct or carry on any animal fight or any other type of contest, game or fight of a similar nature, or any simulated version of same that involves baiting or inciting an animal toward intent to fight.

(E) No person shall hold a greased pig contest.

(F) No person shall be permitted to keep animals in violation of the Illinois Humane Care for Animals Act, being 510 ILCS 70 et seq. or the Illinois Animal Welfare Act, being 225 ILCS 605/1 et seq.

(G) No owner may abandon any animal where it may become a public charge or may suffer injury, hunger or exposure.

(H) No person shall keep any animal within a building or upon any premises without food, water or proper care and attention for a period of time sufficient to cause undue discomfort or suffering. If the owner cannot be located after reasonable search, or if the owner shall be known to be absent due to injury, illness, incarceration or other involuntary circumstances, it shall be the duty of the Administrator or his or her representative to act upon the complaint as directed by the Illinois Care for Animals Act.

## **Animals**

(I) No person shall bring or cause to have brought into the county, sell, offer for sale, barter or display living baby chicks, ducklings or other fowl or rabbits which have been dyed, colored or otherwise treated so as to impart to them an artificial color, or give away as pets or sell, offer for sale, barter or give away at no cost or as novelties or prizes. Nothing in the section shall be construed to prohibit legitimate commerce in poultry for agricultural or food purposes.

(J) No person may knowingly poison or cause to be poisoned any domesticated animal. The only exception will be a written permit from the State Department of Agriculture for the purpose of controlling diseases transmissible to humans or other animals and only when all other methods and means have been exhausted. Such a permit shall name a person or persons conducting the poisoning, specify the products to be used, give the boundaries of the area involved and specify the precautionary measures to be employed to ensure the safety of humans and other animals. Any drugs used for euthanasia shall be by or under the direction of a licensed veterinarian.

(K) No person shall kill or wound, attempt to kill or wound, or take the nest or eggs or young of any bird that is protected by federal or state law. Birds that are regulated by the State Department of Conservation are excluded from this restriction during the period of regulation.

(L) No person shall keep or permit to be kept or display for exhibition purposes any wild animal contrary to federal, state and local laws or regulations.

(M) No person shall permit at any time his or her animal to:

- (1) Run uncontrolled;
- (2) Molest persons or vehicles by chasing, barking or biting;
- (3) Attack other animals;
- (4) Damage property other than the owner=s; or

(5) Bark, whine, howl or make excess noises so as to cause a disturbance of the peace and quiet of any person or neighborhood.

(N) No person shall leave any animal unattended in a motor vehicle or enclosed trailer when the outside temperature shall exceed 30°C (86°F), or confine any animal in such manner that said animal does not have proper air circulation while confined in a motor vehicle, trailer, kennel, dog house or any type of container or structure in which an animal may be confined.

(O) No person shall own any animal which is known to be infected with any disease transmissible to other animals or humans, including severe parasitism, unless such animal shall be confined in such a manner as to not expose other animals or humans.

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(P) Any person having a dead animal within his or her possession or control, or upon any premises owned or occupied by such person without the proper permit shall dispose of the dead animal in compliance with 225 ILCS 610 et seq.

(Q) Every person in possession or control of any stable or place open for public use where any animals are kept, shall maintain the stable or place at all times in a clean, sanitary condition and conform to the state fire prevention regulations.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999

### **' 90.004 RABIES VACCINATIONS, FEES AND PENALTIES.**

(A) Every owner of a dog or cat four months or more of age not confined at all times to an enclosed area shall cause such to be inoculated against rabies by a licensed veterinarian at such intervals as approved by the State Department of Agriculture. The rabies vaccine shall be licensed by the U.S. Department of Agriculture and approved by the State Department of Agriculture.

(B) Evidence of such rabies inoculation shall be entered on a certificate approved by the State Department of Agriculture. Only one dog or cat shall be included on each certificate.

(C) For every owner, for each dog or cat inoculated, there shall be a State Department of Agriculture, County Rabies Tag issued. The cost of the tag will be \$1 to the veterinarian. Upon payment of the required fee, a rabies tag shall be issued. The rabies vaccination tag shall be attached to a collar or harness and worn at all times by the dog or cat for which the certificate and tag has been issued.

(D) One dollar is the fee for the Department of Illinois Rabies Tag in the county.

(E) Any dog or cat which shall be impounded by the Animal Control Administrator may be redeemed by the owner, as provided in ' 10 of the Animal Control Act, being 510 ILCS 5. The cost of impoundment to be paid by the redeeming owner shall be \$5 per day. Any fraction of a day shall constitute an entire day.

(F) Any dog or cat may be released for adoption to a responsible person of age 18 or over upon payment by such person of an adoption fee of \$10. Each animal must also have a rabies shot on the day of adoption or made an appointment for one within 24 hours of adoption. Further, all male and female dogs and cats shall be neutered or spayed, within 30 days of adoption, if animals are four months of age or older.

(G) The Animal Control Administrator and his or her employees may make reasonable inquiry, in writing, of any person believed to be an owner of a dog or cat as to whether such animal has been inoculated against rabies. Failure of any person to respond to such written inquiry within ten days of receipt thereof shall be in violation of this chapter. This section shall have effect only in unincorporated areas which have been subdivided for residential purposes.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999



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### **' 90.005 BITING ANIMAL CAPABLE OF TRANSMITTING RABIES.**

(A) It shall be unlawful for any owner knowing that an individual has been bitten by an animal to refuse to notify, within 24 hours, the police or Animal Control Department.

(B) (1) When the Administrator received information that any person has been bitten by an animal, the Administrator shall have the owner confine the biting animal under observation of a licensed veterinarian for a period of ten days beginning within 24 hours of the biting incident.

(2) The biting animal may be confined in the house of its owner in a manner which will prohibit it from biting any person or animal, if the Administrator or other licensed veterinarian adjudges such confinement satisfactory.

(a) When the biting animal is currently inoculated with rabies vaccine, the animal's health shall be reported by the veterinarian to the County Department of Animal and Rabies Control on the first and tenth days of the observation period for rabies.

(b) When the biting animal is not currently inoculated with rabies vaccine, the animal shall be impounded with a licensed veterinarian. The veterinarian shall report the animal's health on the first and tenth day of the observation period for rabies.

(C) Confirmation of the health of the biting animal shall be sent by the veterinarian to the County Department of Animal and Rabies Control within 24 hours of the first and final examinations. Official forms shall be provided by the Animal Control Department.

(D) When an animal confined for biting shows signs of rabies or acts in a manner which would lead a person to believe that an animal may have rabies, the owner or veterinarian shall notify the Administrator immediately by telephone or in person of these signs. The Administrator shall immediately notify the physician attending the bitten person or responsible health agency as soon as he or she received notice of such sign.

(E) If the animal confined is determined not to be infected with rabies at the end of the period of confinement, it shall be released from quarantine. The animal owner shall show proof of rabies inoculation for dogs and shall pay any fee, charge or penalty including any fee for veterinary services attributed to the bite. A confined animal, when not redeemed by the owner, may be disposed of in accordance with the state law.

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(F) It shall be unlawful for the owner of a biting animal to euthanize, sell, give away or otherwise dispose of, or have inoculated against rabies the animal known to have bitten a person until it has been released from confinement for observation for rabies by the Administrator. It shall be unlawful for the owner of such animal to refuse or fail to comply with the written or printed instructions made by the Administrator. If such instructions cannot be delivered in person, they shall be mailed to the owner of such animal by regular mail, postage prepaid. The affidavit or testimony of the Administrator delivering or mailing such instructions is prima facie evidence that the owner of such animal was notified of his or her responsibilities.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999

### **' 90.006 RABIES CASE PROCEDURE.**

(A) It shall be unlawful for the owner of an animal which shows signs of rabies or which acts in a manner which would lead a person to believe that such animal may have rabies to fail to notify the local police or the Administrator immediately by telephone or in person.

(B) The Administrator shall investigate each report of an animal which shows signs of rabies or acts in a manner which would lead a person to believe that the animal may have rabies. Upon determination by the Administrator or a licensed veterinarian that an animal may be infected with rabies, the owner of such animal shall be required by the Administrator to surrender the animal to the Administrator or a licensed veterinarian for confinement for a period of time as determined by the State Department of Agriculture.

(C) When the animal confined is determined to be infected with rabies by the examining veterinarian, the Administrator shall order the animal humanely destroyed. A copy of the order shall be given to the owner of the animal or mailed to the last known address of the owner. Any animal capable of transmitting rabies in direct contact with the rabid animal, whether or not the exposed animal has been inoculated against rabies, shall be confined as recommended by the Administrator. The Administrator may order the exposed animal euthanized.

(D) If the animal confined is determined not to be infected with rabies at the end of the period of confinement, it shall be released to the owner of such animal upon presenting proof of a current rabies inoculation certificate for dogs and payment of any fee, charge or penalty, including any fee for veterinary services. If the animal is not redeemed by the owner, the animal may be disposed of in accordance with state law.

(E) Whenever a case of rabies has occurred in a locality, or whenever the proper officials of a government unit are apprehensive of the spread of rabies, the Administrator shall act as directed by the rules and regulations of the State Department of Agriculture.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999

### **' 90.007 STRAY ANIMALS.**

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(A) Whenever an Animal Control Warden observes or is informed that an animal is roaming freely and not under control of the owner, the animal shall be immediately apprehended and impounded. Any person may apprehend a stray animal and inform the Administrator so that the stray animal can be impounded. Stray animals impounded by the Department of Animal and Rabies Control shall be kept at the Richland County Pound, 4061 E. Seven Hills Lane, Olney, Illinois.

(B) All stray animals impounded shall have a record. The record shall include the owner's name, address and telephone number, if known; species or breed, color, sex and physical condition of the animal; license or tag number, if known; and the date impounded.

(C) When owners of stray animals impounded are known, notice shall be given by mail to the last known address. Stray animals shall not be held less than seven days, or as contracted by municipalities. All unclaimed apprehended animals shall be placed for adoption, humanely euthanized or otherwise disposed of in accordance with the state law.

(D) The stray animal owner is responsible for all costs relating to the apprehension and impoundment of the animal found not under control.  
(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

### **' 90.008 RESTRICTIONS ON CONTROLLED DOGS.**

(A) Dogs shall not be permitted to enter any place where food is processed for human consumption. Guide dogs and guard dogs used in food establishments are exempt from this restriction.

(B) Dogs, except guide dogs, shall not be present at or upon any school premises, public playground or public swimming pool unless official written permission has been granted by the public agency or its agent owning the property. At no time shall cats and dogs be permitted in any sand box or sand piles in which children play.

(C) It shall be unlawful for a dog, except when on a leash controlled by the owners or his or her agent, to use or be upon any public street, sidewalk, parkway or public area within the corporate limits of the county but outside the limits of any municipality.

(1) No leash shall be longer than eight feet in length. No leash shall allow a dog to exceed its property lines.

(2) Guide dogs are exempt from this restriction.  
(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999

### **' 90.009 FEMALE DOGS IN HEAT.**

All dogs in heat (estrus) shall be confined in a building or secure enclosure and attended in such a manner that female dogs cannot come into contact with a male of the same species, except for planned

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breeding.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999

**' 90.010 DANGEROUS OR VICIOUS ANIMALS.**

Dangerous or vicious animals shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or leashed whenever off the premises of its owner.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005) Penalty, see ' 90.999

**' 90.011 DUTIES OF ADMINISTRATOR; POLICE POWER; COOPERATION OF SHERIFF AND POLICE.**

(A) It shall be the duty of the Administrator, through public education, rabies inoculation, stray control, impoundment, quarantine and other means deemed necessary to control and prevent the spread of rabies in the county.

(B) The Administrator and Animal Control Wardens are, for the purpose of enforcing this Act, clothed with full police power.

(C) The Sheriff and his or her deputies and municipal police officers shall cooperate with the Administrator in carrying out the provisions of the Illinois Animal Control Act, being 510 ILCS 5.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

**' 90.012 POWERS OF MUNICIPALITIES AND OTHER POLITICAL SUBDIVISIONS TO REGULATE ANIMALS.**

Nothing in this chapter shall be held to limit, in any manner, the power of a municipality or other political subdivision to prohibit animals from running at large, nor shall anything in the ordinance be construed to, in any manner, limit the power of any municipality or other political subdivision to further control and regulate animals in such municipality or other political subdivision, including a requirement of inoculation with rabies vaccine.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

**' 90.013 RESPONSIBILITIES.**

The Administrator or police officer or anyone enforcing the provisions of this chapter shall not be held responsible for any accident or disease that may happen to any animal.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

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### **' 90.014 SUPERVISION BY DEPARTMENT; RULES AND REGULATIONS.**

The Administrator may issue regulations, consistent with the provisions of this chapter, for the administration and enforcement, and may prescribe forms which shall be used in connection therewith.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

### **' 90.015 PAYMENT AND REPORTING OF FEES AND FINES.**

(A) All fees are paid to the animal control officer who deposits the money with the County Treasurer. A monthly report is also filed with the County Board which explains all animal control transactions for each month.

(B) Fines imposed as a result of court action on a city or county citation or ticket will be submitted to the County Circuit Clerk's office for collection.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

## ***ADMINISTRATIVE REGULATIONS***

### **' 90.030 ANIMAL BITE REPORT PROCEDURES.**

(A) *Animal bite report form.* In all municipalities, the animal bite report of the County Department of Animal and Rabies Control shall be the official form used within county for the recording of information when an animal capable of transmitting rabies bites a person.

(B) *Animal bite investigation responsibilities.* All police officers are sworn to uphold all federal, state and local laws. Municipal police or other municipal officers with the delegated authority shall investigate and complete each animal bite report. All police departments shall accept bite reports from medical authorities, bite victims and their families, animal owners and any other person having knowledge of a bite.

(C) *Department notification of animal bite, time limit.* The animal bite report form shall be mailed and/or telephoned to the County Department of Animal and Rabies Control within 24 hours after the receipt of an animal bite report.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

### **' 90.031 BITING ANIMAL EXAMINATION FORM; PROCEDURES FOR VETERINARIANS.**

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(A) *First veterinary examination, examination ten days after a bite.* Veterinarians performing the first examination of an animal that has bitten a person shall complete the county rabies observation confinement notice form; however, if the veterinarian has proof (police animal bite report) that the first examination is taking place ten or more days after the bite, the veterinarian shall at that time also complete the county rabies observation confinement release form. Both forms shall be mailed to the County Department of Animal and Rabies Control within 24 hours of the examination.

(B) *Final veterinary examination, failure to return.* Ten days after the bite, if known, or ten days after the first examination, the veterinarian shall complete the county rabies observation confinement release form. If an owner of a biting animal fails to return on the final day of the rabies observation period, the veterinarian shall return the signed form with the notation AFailed to Return@ placed thereon. This form shall be mailed to the County Department of Animal and Rabies Control within 24 hours of the release date.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

### ' 90.032 SPECIAL PROCEDURES FOR GROUPS OF UNUSUAL BITING ANIMALS.

(A) *Family bites; family defined.* Owners of animals capable of transmitting rabies that have bitten members of the immediate family are encouraged to submit the biting animal for veterinary examination. **IMMEDIATE FAMILY** is defined as mother, father, children, husband or wife residing at the same address. The biting animal shall be confined so as not to expose people or other animals.

(B) *Caged animals.* Owners of caged rabbits, guinea pigs, hamsters, gerbils, rats and mice that have been owned over 30 days shall not be required to obtain a veterinary examination when their caged animal has bitten a person, but shall report the health of the biting animal by telephone or in person to the County Department of Animal and Rabies Control on the first and tenth day following the bite.

(C) *Guard dogs.* Owners of guard dogs that have bitten a person in performance of guard duty and have been officially registered shall not be required to obtain a veterinary examination of the dog, but shall report the health of the biting animal by telephone or in person to the County Department of Animal and Rabies Control on the first and tenth days following the bite.

(D) *Large animals.* Cattle, sheep, swine and horses that have bitten a person shall be confined to the owner's property and examined by a veterinarian on the first and tenth days after a bite.

(E) *Stray animals.* Stray animals that have bitten a person shall be apprehended and held for ten days or less. When the biting stray animal is not held for ten days, it shall be humanely euthanized unless otherwise directed by the Administrator.

(F) *Death before confinement period expires.* An animal that has bitten a person and dies, is accidentally killed or is humanely euthanized before the tenth day following the bite shall have the head removed and sent to the local public health laboratory for rabies virus analysis (FRA test).

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

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### **' 90.033 REDEMPTION OF APPREHENDED ANIMALS.**

(A) *Place of impoundment.* Animals apprehended by County Animal Control Wardens or Municipal Police under contract with the county are impounded at the County Animal Control Pound at 4061 E. Seven Hills Lane.

(B) *Duration of impoundment.* Animals apprehended by the County Department of Animal and Rabies Control shall be held seven days, or as contracted by municipalities to equal seven days.

(C) *Redemption of impounded animals; conditions.* Owners of apprehended animals prior to release of the animal shall present proof of current rabies inoculation for dogs and pay the following redemption fee:

(1) Forty dollars to cover the pick-up service and the requirement under the Illinois Animal Control Act, being 510 ILCS 5;

(2) Boarding fees of \$5 per day. Any fraction of a day shall constitute an entire day;

(3) Boarding fees of \$10 per day if the animal is deemed to be vicious; and

(4) If no proof of rabies inoculation is presented by the owners, then a \$14 fee is to be paid for a dog or cat and an appointment for shots to be made that day.  
(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

## ***ANIMAL BITES***

### **' 90.045 GUIDELINES FOR BITE VICTIM.**

(A) *Home care of bite wounds, medical advice.* Awareness of the importance of the care of animal bite wounds will help prevent infection and rabies and relieve much of the anxiety about animal bites. It is essential that all bite wounds receive immediate attention. An immediate thorough flushing of the wound with water while allowing the wound to bleed freely, followed by a scrubbing with soap or a good disinfectant agent will minimize serious side effects of a bite. Following the first aid treatment of the animal-caused wound, medical advice should then be sought to determine the most effective final treatment.

(B) *Report all bites to local police, capture of the biting animal, scratches.*

(1) All bites, (breaks in the skin) should be reported to the local police, but those bites caused by at-large (stray) animals and high risk wild animals such as the skunk and bat, should immediately be reported to the local police while it is possible to capture the biting animal.

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(2) Because of the risk involved, the at-large (stray) or wild animal should be continually observed until it is captured by the local police or authorized officer.

(3) When a break in the skin is caused by an animal's nails or claws (scratch) without contamination by the animal's saliva, the police or other officer should be informed of this fact. (Ord. passed 8-13-1985; Ord. passed 7-8-2005)

### **' 90.046 GUIDELINES FOR MEDICAL DOCTORS AND ASSOCIATED MEDICAL PERSONNEL.**

(A) *Rationale of treatment for bitten persons.* (As adapted from the U.S. Public Health Service) Every exposure to possible rabies infection must be individually evaluated, and the following factors should be considered before anti-rabies treatment is initiated.

(1) *Species of biting animal.* Carnivorous animals within the county (such as skunks, stray dogs and stray cats) and bats are more likely than other animals to be infected with rabies. Bites of rabbits, squirrels, hamsters, guinea pigs, gerbils, chipmunks, rats, mice or other rodents have never resulted in human rabies in the United States and almost never call for anti-rabies prophylaxis.

(2) *Circumstances of the biting incident.* An unprovoked attack is more likely to mean the animal is rabid. Bites inflicted on a person attempting to feed or handle an apparently healthy animal should generally be regarded as provoked.

(3) *Type of exposure.* Rabies is commonly transmitted by the inoculation of infectious saliva through the skin.

(a) The possibility that rabies infection will result from exposure to a rabid animal varies with the nature and extent of exposure.

(b) Two categories of exposures should be considered:

1. Bite, any penetration of the skin; and
2. Non-bite, scratches, abrasions, open wounds or mucus membranes contaminated with saliva.

(B) *Management of biting animal.* The County Department of Animal and Rabies Control is the department that administers the County Animal and Rabies Control Ordinance. Each animal, except as noted below, that bites a person must be examined within 24 hours of the bite and placed under observation of a veterinarian for ten days. Owners of laboratory type animal pets (rabbits, guinea pigs, hamsters, gerbils, rats and mice) owned over 30 days and registered guard dogs, are required to call the County Department of Animal and Rabies Control on the first and tenth day following a bite. Strays or unwanted cats or dogs may be killed immediately and their heads submitted for rabies examination by



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fluorescent microscopy. Signs of rabies in wild animals cannot be interpreted reliably; therefore, any wild animal that bites or scratches a person shall be killed at once (without unnecessary damage to the head) and the brain examined for evidence of rabies.

*(C) Rabies in animals.*

(1) Rabies in animals is sporadic and found mainly in bats. Whenever wild animals lose their natural fear of people in the wild state and involved in an animal or person bite, rabies should be considered a possibility. Specific symptoms of rabies in wild animals are varied so that there is not one reliable symptom to assist in the diagnosis. All biting wild animals should be killed, the head removed, and sent to the public health laboratory for rabies virus analysis.

(2) Symptoms of rabies in dogs and cats are more reliable and include the following: uncoordination, lethargy, dilated pupils, futile attempts to eat and drink, excessive salivation with frothy accumulation about the mouth, change in voice, change in disposition, restlessness, progressive aggression, paralysis and death. When rabies transmission is possible because of a bite, in most cases, the cat or dog is showing symptoms one or two days after the bite and is dead by the fifth day.  
(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

## ***ANIMAL CONTROL FEES***

### **' 90.060 FEES.**

*(A) Animal adoptions and county pound fees.* When dogs are apprehended and impounded by the Administrator or his or her authorized agent, notice shall be given of not less than seven days to the owner, if known.

(1) Any dog may be released for adoption, to a responsible person of age 18 or over, upon payment by such person. This will also include current rabies vaccination as required by state law. County Board of Supervisors, require a fee of \$20.

(2) Female dog adoption: release only with spay, receipt from a licensed veterinarian. Pound fee will apply. Fee: \$10.

*(B) Pound fee for redemption of dogs found running at large in the county.*

(1) The pound fee for redemption of dogs found running at large in the county is as follows.

(a) Boarding fee/day or any part of a calendar day: \$10.

(b) Boarding fee/day or any part of a calendar day for a vicious dog: \$15.

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(c) Rabies vaccination fee: \$20.

(d) Pick-up fee (animal redeemed by owner):

1. First occasion: \$40;
2. Second occasion (pre-pay for spay/neuter); add micro-chip: \$75;
3. Third occasion: \$125; and
4. Thereafter: \$200.

(e) Parvo-distemper vaccine: \$15.

(2) The person or persons redeeming the said dog caught running at large be required to either show proof of rabies immunization or, alternatively, if no proof can be provided, pay the cost of a rabies vaccination at the time the impoundment fee is paid for redemption of the said dog.

(3) A pound fee is hereby established for the cost of maintaining dogs on a per day basis in the amount of \$5 per day including the day the dog is brought in and the day the dog is redeemed which shall be paid at the time the redemption fee is paid pursuant to this resolution.

(4) All fees for animals picked up will be collected by the Animal Control Officer at the Animal Control shelter during the hours of 4:00 to 5:00 p.m. prior to the redemption of any animal at the pound.

*(C) Animal Control responding to bite case.*

(1) Assessment fee: \$100.

(2) Quarantine due to bite case if no rabies vaccine: \$15.

(a) Per day for ten days; \$25 fee for public safety within 30 days be paid to Illinois Department of Public Health.

(b) If vaccinated, see state Animal Control Act, being 510 ILCS 5.

(c) For the restrictions on animal control bite form for the county, see the Appendix to this chapter.

(Ord. 83-5-2, passed 5-9-1983; Ord. passed 6-9-1987; Ord. 03-5-13A, passed - -2003; Ord. 04-09-10, passed - -2004; Ord. 2018-11-08, passed 11-8-2018)

## **Animals**

### ***ANIMAL CONTROL WARDEN***

#### **' 90.075 AUTHORIZED TO CARRY A WEAPON.**

(A) The County Board authorizes the County Animal Control Warden to carry in his or her vehicle, while performing the duties of a Warden within the county, one 12-gauge shotgun. Said gun shall remain locked in the vehicle, unloaded, except in the two instances described below.

(B) The use of the authorized weapon is restricted to the following situations and circumstances:

(1) Where an animal poses a threat of bodily harm either to the Warden or another person; or

(2) Where a person by the use of unlawful force poses an immediate threat of great bodily harm or death to the Warden or another, and the use of force is necessary to prevent great bodily harm or death either to the Warden or another.

(C) The authorized weapon shall be stored at the County Sheriff=s Department when the Animal Control Warden is not on duty.

(D) Prior to being armed, the County Animal Control Warden must successfully complete the prescribed training course pursuant to the Peace Officer and Probation Officer Firearm Training Act (50 ILCS 710/0.01 et seq.)  
(Ord. 99, passed - -1999)

#### **' 90.999 PENALTY.**

(A) (1) 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 petty offense punishable by a fine not exceeding \$200. Each person shall be guilty of a separate offense for every day in which any violation of the provisions of this chapter is committed or permitted to continue and shall be punished as provided in the chapter.

(2) The Administrator, Warden, State=s Attorney or any citizen of the county may maintain a complaint in the Circuit Court of the county to enjoin all persons in the control of a dangerous animal from allowing or permitting such animal to leave his or her premises when not under the control of a leash or other recognized methods of physical restraint.

(3) 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.

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

(5) All owner rights to his or her animal ceases after seven days of the animal being housed in the county=s animal shelter.

(B) Animal owners in violation of ' 90.004(E) must pay an additional \$5 as a penalty for the first offense and \$5 for each subsequent offense. All charges collected pursuant to this section shall be deposited in the Animal Control Fund.

(C) Any person violating or aiding and abetting the violation of any provision of this chapter or the Act is guilty of a petty offense for a first or second offense and shall be fined \$100; and, for a third and subsequent offense shall be fined \$200.

(Ord. passed 8-13-1985; Ord. passed 7-8-2005)

**Animals**

**REPORT**

**APPENDIX:  
OF**

**OBSERVATION AND  
CONFINEMENT OF BITING ANIMAL FORM**

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(Ord. 2018-11-08, passed 11-8-2018)

**Animals**

## CHAPTER 91: NUISANCES

### Section

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## **Nuisances**

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## ***GENERAL PROVISIONS***

### **' 91.001 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***APPROVED SITE.*** A location for final disposal approved or as otherwise provided for in this chapter by the Illinois Environmental Protection Agency.

***AUTHORIZED REPRESENTATIVE.*** The Richland County Sheriff and Richland County deputies.

***AUTOMOBILE GRAVEYARD.*** Any establishment or place of business which is maintained, operated or used for storing, buying or selling wrecked, junked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts.

***INFESTATION.*** The presence within a dwelling or building or on the premises of vermin, rodents or snakes in a sufficient quantity to constitute a health hazard.

***JUNK.*** Old or scrap copper, brass, tin, lead, aluminum, junked, dismantled or wrecked automobiles, or parts thereof, iron, steel and other old or scrap ferrous or nonferrous material or base metal (excluding farm implements and equipment or parts which are suitable for use as salvage for farming purposes only on the site where located), discarded appliances and parts thereof, and solid manufacturing and industrial wastes. ***JUNK*** shall not include items, materials and objects accumulated by a person as by-products, being waste or scraps from the operation of a business or manufacturing process.

***JUNK VEHICLE.*** Any motor vehicle which is wrecked, scrapped, ruined, partially dismantled,

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wholly dismantled, inoperative, abandoned or discarded, and fails to display current valid licensing.

**JUNKYARD.** An establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile graveyard, and mobile home salvage yard.

**MANURE.** The excrement of all domestic animals and fowl and stable bedding.

**MOBILE HOME SALVAGE YARD.** An establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling wrecked, scrapped, junked, ruined or dismantled mobile homes or mobile home parts, but does not include the repair of mobile homes by mobile home dealers who refurbish and sell used but not wrecked, scrapped, junked, ruined or dismantled mobile homes.

**PERSON.** Any natural person, firm, club, corporation, association, partnership, company, organization or political subdivision.

**PREMISES.** Public and or private property, either improved or vacant, inhabited or uninhabited, including buildings and other structures.

**REFUSE.** Non-combustible solid wastes, putrescible and nonputrescible (except body wastes), including, but not limited to, glass, cans, containers, crockery, bricks, cement blocks and discarded building materials.

**RODENTS.** Rats and mice.

**RUBBISH.** All combustible solid wastes, putrescibles and nonputrescible (except ashes), including paper or paper products, trash, garbage, cardboard, rubber, wood, lumber, bedding, furniture, cordage, rope, rags, fibers, fabrics and yard waste.

**SCRAP PROCESSING FACILITIES.** Any establishment having facilities for processing iron, steel, nonferrous scrap, mineral wastes, slag or junk tires and rubber products and whose principal product is scrap iron, steel or nonferrous scrap or rubber for sale for remelting or recycling purposes only.

**VERMIN.** Roaches, fleas, lice or similar noxious animals of small size.  
(Ord. 94-5-10, passed 3-10-1998)

**REFUSE STORAGE AND DISPOSAL****' 91.015 FINAL DISPOSAL OF REFUSE AND RUBBISH.**

All refuse and rubbish shall be disposed of at approved site or within a covered enclosure (suitable

## **Nuisances**

for such accumulation and storage). The location, methods and operations for final disposal of refuse and rubbish shall conform to requirements of the Illinois Environmental Protection Act, being 415 ILCS 5 et seq., a copy of which shall be on file at the County Health Department office. No person shall store, deposit or permit to remain upon the ground or in any waterway, drainage ditch or confined waters within the county, any refuse or rubbish or other offensive matter that may attract or harbor flies, rodents, vermin, snakes and or mosquitoes, create offensive odors or unsightliness; create a health hazard, a safety hazard, or a nuisance.

(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.016 ACCUMULATION, STORAGE AND BURNING.**

No person shall deposit, store or accumulate any refuse or rubbish within the county, except as provided in ' 91.015. No person shall burn or incinerate any refuse or rubbish for reclamation purposes within the county except at a location, in a device, and in a manner which is approved by the Illinois Environmental Protection Act, being 415 ILCS 5 et seq. When permits are required for operation of such devices, a copy of such permit shall be on file in the office of the County Clerk.

(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.017 ACCUMULATION AND STORAGE OF JUNK, REFUSE AND RUBBISH.**

(A) No person shall deposit, store or accumulate on any premises within the county any junk except in a covered enclosure (suitable for such accumulation and storage), junkyard, mobile home salvage yard, automobile graveyard, and/or scrap processing facility, for which the owner or operator shall have all legally required licenses or permits.

(B) No person shall deposit, store or accumulate on any premises within the county any refuse or rubbish except in a covered enclosure (suitable for such accumulation and storage) or at a waste or scrap processing facility, for which the owner or operator shall have all legally required licenses or permits.

(C) No person may hereafter establish a junkyard, mobile home salvage yard, automobile graveyard or scrap processing facility within 500 feet of any residential dwelling, with the exception of the establishment owner=s residential dwelling. In addition, the establishment shall not be located within 1,000 feet of the right-of-way of a federal aid system road or within 200 feet of the right-of-way of any public road within the county. The source of water, tributary, drainage ditch, pond or lake. The establishment shall not be located within 500 feet of a 100-year flood plain. Solid, manufactured fencing at least six feet in height, shall be required around the perimeter of the establishment.

(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.018 DANGEROUS AND HAZARDOUS MATERIALS.**

Any dangerous and hazardous materials, including, but not limited to, chemicals specified as

## **Richland County - General Regulations**

hazardous by the Federal Environmental Protection Act, or substances such as poison, acids, caustics, pesticides, infested materials, explosives and solid wastes resulting from industrial processes shall not be mixed and stored, or collected with refuse as define in this chapter. All dangerous and hazardous materials or substances shall be stored, collected and disposed of in a manner prescribed by applicable state statute and federal statute.

(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.019 VERMIN AND RODENTS.**

No person shall permit an infestation of vermin, rodents or snakes or any premises within the county.  
(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.020 ENFORCEMENT.**

This chapter shall be enforced by the authorized representative of the County Sheriff=s Department or other designated county or state officials, and if necessary shall be prosecuted (for violations) by the County State=s Attorney.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.021 COMPLAINTS AND INSPECTION.**

All citizen complaints shall be reported to the County Sheriff=s Department and initially inspected by the County Sheriff, or State Health Department. An authorized representative of the Sheriff=s Department shall have the right to enter any property at any reasonable time to inspect any facility or condition thereon for the purpose of determining compliance with this subchapter. Refusal of right of entry shall be cause for the Sheriff=s Department to seek the permission of the court for right of entry.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.022 REQUEST TO ABATE.**

(A) When an authorized representative of the Health Department or Sheriff=s Department discovers any violation of this subchapter, the owner and agent, or occupant causing, permitting or allowing such violation shall be notified by the County Sheriff=s Department by means of a written notice of inspection and request to abate, which will be sent to the person=s last known address. Such notice and request shall describe the specific conditions found, the correction necessary to bring about compliance, and a specific period of time, not less than 14 days nor greater than 30 days, for such correction and compliance. Each condition specified in such notification shall constitute a separate violation of this subchapter.

(B) Service of notices:

## Nuisances

(1) Notice shall be:

(a) In writing;

(b) Include a statement or list of the conditions which must be corrected or brought into compliance;

(c) Provide for a specific period of time to correct the condition and comply with the ordinance; and

(d) Outline the necessary remedial action to be taken.

(2) Notice shall be deemed to have been properly served when the original of the inspection report or other notice has been delivered personally to the owner, agent, or occupant, as the case may be, of the premises and/or storage site concerned, or such notice has been sent by certified mail to the last known address of such person or persons.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.023 FAILURE TO ABATE.**

(A) Following written notice to request, as described in ' 91.022, a compliance inspection shall be carried out at the end of correction period by an authorized representative of the Health Department or Sheriff=s Department.

(B) In the event that the violation(s) continues, the owner, occupant or agent causing, permitting or allowing the violation shall be issued a citation notice by the Sheriff=s Department. Any three distinct land owners each owning land within a one-half mile radius of the property complained of may request the filing of charges by the State=s Attorney=s office.

(C) Any citation shall describe the violation and the section of the ordinance violated.  
(Ord. 94-5-10, passed 3-10-1998)

### **' 91.024 EMERGENCY ABATEMENT.**

(A) In the event that a condition exists that is in violation of any section of this chapter, and is determined by the Health Department, Sheriff=s Department and State=s Attorney to be an immediate and serious threat to health and safety, the Sheriff=s Department shall seal the property and request abatement in accordance with all applicable state and federal regulations from the owner, occupant or agent.

(B) If the request for abatement is refused or ignored, a petition shall be made in the Circuit Court of the county to authorize cleanup, testing and sampling and to request a lien to recover all costs.

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(Ord. 94-5-10, passed 3-10-1998)

***NUISANCES*****' 91.035 GENERAL.**

In all cases in this subchapter where no provision is made defining unusual conditions which may constitute a nuisance and how the same may be abated, removed or prevented, those offenses and those known to the common law and to the statutes of the state as nuisances, in addition to those declared herein, may, in case the same exist within the jurisdiction of the county, be treated as such and proceeded against as provided in this subchapter, or any other provision of law applicable thereto.

(Ord. 94-5-10, passed 3-10-1998)

**' 91.036 PUBLIC NUISANCES PREJUDICIAL TO PUBLIC HEALTH.**

The following are declared to be public nuisances prejudicial to public health:

(A) To cause or suffer the carcass of any animal or any offal, filth or obnoxious substance to be collected, deposited or to remain in any place, to the prejudice of others. Carcasses of dead animals or any part of decaying animal matter, not buried or destroyed or collected, within 24 hours after death;

(B) To throw or deposit any offal or other offensive matter or the carcass of any dead animal in any water course, lake, pond, spring, well or common sewer, street, or public highway;

(C) To corrupt or render unwholesome or impure the water of any spring, river, stream, pond or lake to the injury or prejudice of others;

(D) Accumulations of manure, refuse, junk vehicles, junk mobile homes, human and industrial or noxious or offensive waste, except the normal storage on a farm of manure for agricultural purposes;

(E) Any open well, cistern, hole or pit which is permitted to remain open without suitable protection. Any such open well cistern, hole or pit must be filled or securely and tightly covered or barricaded, and it shall be the duty of the owner, occupant or agent of any property on which such open well, cistern, hole or pit is located to fill or keep the same securely and tightly covered or adequately barricaded;

(F) Weeds or other underbrush growing on platted lots which have grown to a height of two feet or more or allowed to flower, are hereby declared to be a nuisance and any owner, lessee, occupant or agent having control of any platted lot shall cut or cause the same to be cut;

(G) All abandoned refrigerators on any premises shall have the doors removed to prevent a health hazard;

## Nuisances

(H) To store, dump or permit the accumulation of debris, refuse, garbage, trash, tires, buckets, cans, wheelbarrows, garbage cans or other containers in a manner that may harbor mosquitoes, flies, insects, rodents, nuisance birds or other animal pests that are offensive, injurious or dangerous to the health of individuals or the public; or

(I) To create any condition, through the improper maintenance of a swimming pool or wading pool, or by causing any action which alters the condition of a natural body of water, so that it harbors mosquitoes, flies or other animal pests that are offensive, injurious or dangerous to the health of individuals or the public.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.037 ENFORCEMENT.**

This subchapter shall be enforced by the authorized representative of the County Sheriff=s Department or other designated county or state officials, including prosecution of violations by the County State=s Attorney.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.038 COMPLAINTS AND INSPECTION.**

All citizen complaints shall be reported to the County Sheriff=s Department and initially inspected by the Sheriff or State or County Health Department. An authorized representative of the Health Department or Sheriff=s Department shall have the right to enter any property at any reasonable time to inspect any facility or condition thereon for the purpose of determining compliance with this subchapter. Refusal of right of entry shall be cause for the Health Department or Sheriff=s Department to seek the permission of the court for right of entry.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.039 REQUEST TO ABATE.**

When an authorized representative of the Health Department or Sheriff=s Department discovers any violation of this subchapter, the owner and agent, or occupant causing, permitting or allowing such violation shall be notified by the County Sheriff=s Department by means of a written notice of inspection and request to abate which will be sent to the person=s last known address. Such notice and request shall describe the specific conditions found, the correction necessary to bring about compliance, and a specific period of time, not less than 14 days nor greater than 30 days, for such correction and compliance. Each condition specified in such notification shall constitute a separate violation of this subchapter.

(Ord. 94-5-10, passed 3-10-1998)

**Richland County - General Regulations****' 91.040 FAILURE TO ABATE.**

Following written notice to request as described in ' 91.039, compliance inspection shall be carried out at the end of correction period by an authorized representative of the Health Department or Sheriff=s Department. In the event that the violation(s) continues, the owner, occupant, or agent causing, permitting or allowing the violation shall be issued a citation notice by the Sheriff=s Department, or in the alternative, the Sheriff=s Department or any three distinct land owners each owning land within a one-half mile radius of the property complained of may request the filing of charges by the State=s Attorney=s office. Any citation shall describe the violation and the section of the ordinance violated. (Ord. 94-5-10, passed 3-10-1998)

***DANGEROUS BUILDINGS*****' 91.055 DEFINITION.**

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***DANGEROUS BUILDINGS.***

(1) Any building, shed, fence on any plotted lot, or other human-made structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease or injury to the health of the occupants and/or of neighboring structures and occupants.

(2) Any building, shed, fence on any plotted lot, or other human-made structure which, because of faulty construction, age, lack of proper repair or any other cause, is especially liable to fire, and constitutes or creates a fire hazard.

(3) Any building, shed, fence on any plotted lot, or other human-made structure which, by reason of faulty construction, age, lack of proper repair or any other cause, is liable to cause injury or damage by collapsing or by a collapse or fall of any part of such structure.

(4) Any building, shed, fence on any plotted lot, or other human-made structure which, because of its condition or because of lack of doors or windows is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

(Ord. 94-5-10, passed 3-10-1998)

**' 91.056 NUISANCE.**

Any such dangerous building in the county is hereby declared to be a nuisance.



## **Nuisances**

(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.057 UNLAWFUL IN COUNTY.**

It shall be unlawful to maintain or permit the existence of any dangerous building in the county and it shall be unlawful for the owner, occupant or person in custody of any dangerous building to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.

(Ord. 94-5-10, passed 3-10-1998) Penalty, see ' 91.999

### **' 91.058 ENFORCEMENT.**

Sections 91.055 through 91.061 shall be enforced by the authorized representative of the County Sheriff=s Department or other designated county or state officials.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.059 COMPLAINTS AND INSPECTION.**

All citizen complaints shall be reported to the County Sheriff=s Department and initially inspected by the Sheriff or State or County Health Department. An authorized representative of the Health Department or Sheriff=s Department shall have the right to enter any property at any reasonable time to inspect any facility or condition thereon for the purpose of determining compliance with this subchapter. Refusal of right of entry shall be cause for the Health Department or Sheriff=s Department to seek the permission of the court for right of entry.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.060 REQUEST TO ABATE.**

When an authorized representative of the Health Department or Sheriff=s Department discovers any violation of this subchapter, the owner and agent, or occupant causing, permitting or allowing such violation shall be notified by the County Sheriff=s Department by means of a written notice of inspection and request to abate which will be sent to the person=s last known address. Such notice and request shall describe the specific conditions found, the correction necessary to bring about compliance, and a specific period of time, not less than 14 days nor greater than 30 days, for such correction and compliance. Each condition specified in such notification shall constitute a separate violation of this subchapter.

(Ord. 94-5-10, passed 3-10-1998)

### **' 91.061 FAILURE TO ABATE.**

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Following written notice to request as described in ' 91.060, a compliance inspection shall be carried out at the end of correction period by an authorized representative of the Health Department or Sheriff=s Department. In the event that the violation(s) continues, the owner, occupant or agent causing, permitting or allowing the violation shall be issued a citation notice by the Sheriff=s Department, or in the alternative, the Sheriff=s Department or any three distinct land owners each owning land within a one-half mile radius of the property complained of may request the filing of charges by the State=s Attorney=s office. Any citation shall describe the violation and the section of the ordinance violated.  
(Ord. 94-5-10, passed 3-10-1998)

### ***WEEDS***

#### **' 91.075 PROHIBITION.**

Owners are required to control or eradicate all noxious weeds growing upon land under their control prior to the blooming, maturing of seed or other propagating of such weeds.  
(Ord. passed 4-10-1984)

#### **' 91.076 DEFINITION.**

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

#### ***NOXIOUS WEEDS.***

- (1) Marijuana (*Cannabis sativa* L.);
- (2) Giant ragweed (*Ambrosia trifida*, L.) within the corporate limits of cities, villages and incorporated towns;
- (3) Common ragweed (*Ambrosia artemisiifolia*, L.) within the corporate limits of cities, villages and incorporated towns;
- (4) Canada thistle (*Cirsium arvense*);
- (5) Perennial sowthistle (*Sonchus arvensis*);
- (6) Musk thistle (*Carduus nutans*); and
- (7) Perennial members of the sorghum genus including Johnson grass (*Sorghum halepense*), *Sorghum alnum* and other Johnson grass sorghum crosses with rhizomes.  
(Ord. passed 4-10-1984)

## Nuisances

### ' 91.077 ACTION.

(A) If the persons responsible for the control of any lands in the county fail to comply with the provisions of the state noxious weed law, the Control Authority of the county or the Department of Agriculture of the state will take any necessary action to control or eradicate such weeds, and the cost thereof will be assessed against the owner of the land involved.

(B) If unpaid for six months or longer, such assessment shall become a lien upon the property.  
(Ord. passed 4-10-1984)

## *TRASH*

### ' 91.090 SPILLING OF TRASH OR GARBAGE ON HIGHWAYS.

(A) No vehicle hauling trash or garbage shall be driven or moved on any highway in the county unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom.

(B) No person shall operate on any highway any vehicle loaded with trash or unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highways.

(C) It is unlawful for any person to deposit on public highway right-of-way in the county any trash or garbage.

(D) Trash and garbage is defined as glass, boards, bricks, concrete, metals, weeds, paper, cardboard, appliances, furniture, clothing, food refuse, tree limbs, surplus building materials, or any other material not natural to a highway environment.

(Res. passed 7-12-1983) Penalty, see ' 91.999

### ' 91.091 DUMPING OR DEPOSITING TRASH, DEBRIS AND GARBAGE UPON PRIVATE PROPERTY.

(A) It shall be unlawful for any person or entity to deposit or cause to be deposited upon the land of another, without authority, any trash, debris, rubbish, garbage or other material. This prohibition shall extend to all engaged in such illegal activity, as well as all those contracting with such persons, whether orally or in writing, for such trash, debris, rubbish, garbage or other material from their own hands or those of another.

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(B) Any person or entity violating the provisions of this section shall be guilty of a petty offense and, in addition to any penalties prescribed by the Circuit Court, shall be liable in a civil action for the costs of cleanup and removal of any material illegally deposited upon the lands of another.

(Res. 82-2-1, passed 2-9-1982) Penalty, see ' 91.999

**' 91.999 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

(B) Any person who violates any provision of " 91.015 through 91.024 shall, upon conviction, be assessed a fine not to exceed \$250 per day per violation. In the event that the violation(s) involves hazardous or dangerous materials, the person shall, upon conviction, be assessed a fine not to exceed \$500 per day per violation.

(C) Any person who violates any provision of " 91.035 through 91.040 shall, upon conviction, be assessed a fine not to exceed \$250 per day per violation. In the event that the violation(s) involves hazardous or dangerous materials, the person shall, upon conviction, be assessed a fine not to exceed \$500 per day per violation.

(D) Any person who violates any provision of " 91.055 through 91.061 shall, upon conviction, be assessed a fine not to exceed \$250 per day per violation.

(E) First offenders of ' 91.090 shall be fined \$50 and subsequent offenders shall be fined a minimum of \$100, but not more than \$500. The proper authorities are hereby directed to enforce ' 91.090.  
(Ord. 94-5-10, passed 3-10-1998)

## Nuisances

## **CHAPTER 92: FIRE PREVENTION; FIREWORKS**

### Section

92.01 Open burning

92.99 Penalty

### **' 92.01 OPEN BURNING.**

(A) Upon recommendation of one or more Fire Chiefs of the five fire districts within the county, the County Board Chairperson may declare a burn ban for the county.

(B) It shall be unlawful for any person to burn any combustible material of any kind in the open during any burn ban declared by the Chairperson of the County Board.

(C) The County Board Chairperson shall also declare the end of the burn ban.

(D) The county, by its County Board, does hereby impose and announce a burn ban on open fires until further notice.

(E) This burn ban takes effect immediately.

(F) The County State=s Attorney is authorized to enforce this section.  
(Ord. passed 9-1-2012; Res. 12-7-12(A), passed 7-12-2012) Penalty, see ' 92.99

### **' 92.99 PENALTY.**

(A) Whoever violates this ban against open burning, once declared, shall be fined not less than \$60, nor more than \$750 for each offense. A separate offense shall be deemed committed on each day during which a violation occurs or continues.

(B) The violator shall also be assessed as a cost the expenses of emergency responders (including police, sheriff, fire and ambulance), answering a call to any open fire started during a burn ban.  
(Ord. passed 9-1-2012)

**Fire Prevention; Fireworks**

## **CHAPTER 93: SMOKING**

### **Section**

- 93.01 Smoking ban around County Courthouse and jail
- 93.02 Smoking in Alvin Musgrove Park
  
- 93.99 Penalty

### **' 93.01 SMOKING BAN AROUND COUNTY COURTHOUSE AND JAIL.**

The smoking of tobacco products at the County Courthouse and county jail and grounds surrounding the Courthouse and county jail, is prohibited. The Sheriff of the county is directed to issue tickets for an ordinance violation to individuals who smoke tobacco products at the County Courthouse or its grounds and the county jail or its grounds.

(Ord. 12-03-08(a), passed 3-8-2012) Penalty, see ' 93.99

### **' 93.02 SMOKING IN ALVIN MUSGROVE PARK.**

It shall be unlawful for any person at any time to smoke any tobacco products in any form in Alvin Musgrove Park, except in the designated areas consisting of the parking lots within Alvin Musgrove Park for the ball diamond complex, skateboard park and Dr. Monte Musgrove Aquatic Center.

(Ord. passed - -2012) Penalty, see ' 93.99

### **' 93.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

(B) Each violation of ' 93.01 shall be subject to a fine of \$25 plus court costs.

(C) Any person violating any provision of ' 93.02 shall be fined not less than \$60, nor more than \$750 for each offense. A separate offense shall be deemed committed on each day during or on which a violation continues.



(Ord. passed - -2012; Ord. 12-03-08(a), passed 3-8-2012)

## CHAPTER 94: EMERGENCY ALARM SYSTEMS

### Section

- 94.01 Definitions
- 94.02 Alarm systems transmitted to an alarm signal panel
- 94.03 Automatic dialing devices and prerecorded systems
- 94.04 Testing
- 94.05 Response charges
- 94.06 Termination of direct connection
- 94.07 Administration

### ' 94.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ALARM SIGNAL PANEL.*** The panel in the County Sheriff=s Department wherein alarm systems terminate for transmitting alarms to County Sheriff=s Department personnel.

***ALARM SYSTEM.*** An assembly of equipment and devices or a single device, such as a solid-state unit, which uses electrical energy to signal the presence of a hazard requiring urgent attention and to which County Sheriff=s Department is expected to respond.

***AUTOMATIC DIALING DEVICE.*** An alarm system which automatically sends over regular telephone lines a prerecorded voice message to a telephone number selected in advance indicating the existence of the emergency situation that the alarm system is designed to detect.

***FALSE ALARM.*** Any alarm received by the County Sheriff=s Department either by an alarm signal panel or automatic dialing device when no emergency situation exists at the alarm system location at the time the alarm is received.

(Res. 96-6-11, passed 6-11-1996)

### ' 94.02 ALARM SYSTEMS TRANSMITTED TO AN ALARM SIGNAL PANEL.

(A) No alarm system shall be installed, maintained or operated so as to directly transmit an alarm to an alarm signal panel at the County Sheriff=s Department without the approval of the Sheriff of the

county.

(B) Any alarm system so installed or operated as to communicate an alarm to an alarm signal panel shall be maintained in good working order. It shall be the responsibility of the alarm system owner to notify the necessary alarm system installer or repair service for the necessary inspections and maintenance.

(C) Every alarm user of an alarm system so installed and operated shall provide the County Sheriff=s Department with up-to-date names and telephone numbers of persons who are authorized and readily available to assist at the premises or facility at any time an alarm is transmitted therefrom.

(D) The premises or facility containing an alarm system transmitting to an alarm signal panel at the County Sheriff=s Department must be located within the county.

(Res. 96-6-11, passed 6-11-1996) Penalty, see ' 10.99

### **' 94.03 AUTOMATIC DIALING DEVICES AND PRERECORDED SYSTEMS.**

(A) Any telephone device or telephone attachment or mechanical device using telephone lines that automatically selects a public primary telephone trunk line of the county or the County Sheriff=s Department and then reproduces any prerecorded message to report any burglary, fire or other emergency shall be permitted if all of the following conditions are met.

(1) The premises or facility to which the prerecorded message concerns must be within the county.

(2) The system must cancel its transmission after the County Sheriff=s Department receives the emergency message.

(3) The County Sheriff=s Department must be provided up-to-date names and telephone numbers of persons who are authorized and readily available to assist at the premises or facility at any time an alarm is transmitted therefrom.

(4) The system must automatically dial a business telephone number of the County Sheriff=s Department and shall not automatically dial any emergency telephone number of said Department.

(B) Any automatic dialing device and prerecorded system which satisfies the foregoing requirements shall be subject to the response charges provided in ' 94.05.

(C) Failure to comply with any one or more of the conditions in divisions (A)(2), (A)(3) or (A)(4) above within 15 days after receiving written notice of said deficiency shall result in termination of fire and/or police responses to the premises or facility when notified by said system. No fire or police response will be made to any premises or facility not complying with the condition in division (A)(1) above.

(Res. 96-6-11, passed 6-11-1996) Penalty, see ' 10.99

**Richland County - General Regulations****' 94.04 TESTING.**

No alarm system designed to transmit emergency messages directly to an alarm signal panel or automatic dialing device using prerecorded systems shall be tested or demonstrated without first notifying the County Sheriff=s Department.

(Res. 96-6-11, passed 6-11-1996) Penalty, see ' 10.99

**' 94.05 RESPONSE CHARGES.**

(A) There shall be no fee for the first six County Sheriff=s Department responses to alarms received by the County Sheriff=s Department through the alarm signal panel or an automatic dialing device. A response charge of \$35 shall be charged for each additional response to false alarms received through the alarm signal panel or an automatic dialing device in any calendar year. Should ten or more false alarms be received within any calendar year, the County Sheriff=s Department may issue a written notice of disconnection to commence 15 days after the receipt of such notice. Only upon written verification of repair from an alarm company or vendor, electrical contractor or other recognized repairman shall the County Sheriff=s Department again commence to respond to alarms through such alarm signal panel or automatic dialing device. All written notices will be sent by certified mail, return receipt requested.

(B) A response is deemed made when a vehicle is dispatched to the location of the alarm and the vehicle proceeds toward its destination.

(C) Only one response charge shall be made in any 24-hour period.

(D) No charge is imposed by this chapter when the choice is made to notify the County Sheriff=s Department of any situation directly by person. The charge imposed by this chapter is imposed solely when the choice is made to employ an alarm system or automatic dialing device. If the County Sheriff=s Department is notified of the date of installation of a new alarm system or automatic dialing device, the charge imposed by this section is waived for a 30-day period beginning with the date of installation.

(Res. 96-6-11, passed 6-11-1996)

**' 94.06 TERMINATION OF DIRECT CONNECTION.**

(A) If any alarm user fails to reasonably and promptly pay a response charge within 30 days after being billed for the same, all alarm systems of the alarm user shall be disconnected from the alarm signal panel after receiving 15 days written notice of disconnection. After receiving 15 days written notice, fire or police response to the premises when notified by an automatic dialing device may be terminated.

(B) All written notices will be sent by certified mail, return receipt requested. In addition thereto, said charge may be recovered by appropriate legal action.

(Res. 96-6-11, passed 6-11-1996)

## **Emergency Alarm Systems**

### **' 94.07 ADMINISTRATION.**

The Sheriff with advice of the State=s Attorney is authorized to promulgate and publish such reasonable rules and regulations, not in conflict with the provisions hereof, as may be deemed by him or her to be necessary or desirable to administer said provisions and to carry out the purposes thereof. The County Sheriff is authorized to waive any response charges imposed herein when, in his or her discretion, sufficient evidence indicates that an act of God or interference or disruption with telephone lines caused the alarm.

(Res. 96-6-11, passed 6-11-1996)

## **CHAPTER 95: FAIR HOUSING**

### **Section**

- 95.01 Declaration of policy
- 95.02 Definitions
- 95.03 Prohibited acts
  
- 95.99 Penalty

### **' 95.01 DECLARATION OF POLICY.**

(A) In furthering the policy of the state as expressed in its Constitution and other laws; in order that the safety and general welfare, peace and health of all the inhabitants of the county may be ensured, it is hereby declared the policy of the county, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed or physical disability to live in decent, sanitary, healthful, standard living quarters.

(B) It is the policy of the county that no owner, lessee, sublessee, assignee, managing agent or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the county, or any agent of these shall refuse to sell, rent, lease or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

(C) Relocation shall be carried out in a manner that will promote maximum choice within the community=s total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.  
(Ord. 2012-9-13, passed 9-13-2012) Penalty, see ' 95.99

### **' 95.02 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

## **Fair Housing**

***DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS.*** Housing which is in sound, clean and weather-tight condition in conformance with applicable local, state and national codes.

***DISCRIMINATE.*** Any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race, color, religion, national origin or ancestry, sex, creed or disability of such person.

***FINANCIAL INSTITUTION.*** Any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.

***HOUSING ACCOMMODATION.*** Includes any building, structure or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.

***OWNER.*** Any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.

***REAL ESTATE BROKER.*** Any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.

***REAL PROPERTY.*** Any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the county.  
(Ord. 2012-9-13, passed 9-13-2012)

### **' 95.03 PROHIBITED ACTS.**

(A) It shall be unlawful for any owner of real estate, lessee, sublessee, real estate broker or salesperson, financial institution or employee of the financial institution, advertiser or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed or disability with regard to the sale, exchange or rental, or any housing accommodation and/or real property.

(B) In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the county:

(1) To discriminate against any person in the availability of or the price, terms, conditions or privileges of any kind relating to the sale, rental, lease or occupancy of any housing accommodation or real property in the county or in furnishing of any facilities or services in connection therewith;

**Richland County - General Regulations**

(2) To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person;

(3) To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property;

(4) To solicit for sale, lease or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed or disability;

(5) To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed or disability of persons in the neighborhood;

(6) To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed or disability in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located;

(7) For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner=s housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed or disability; or

(8) For an owner to refuse to sell, rent or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed or disability of the proposed buyer or tenant.

(Ord. 2012-9-13, passed 9-13-2012) Penalty, see ' 95.99

**' 95.99 PENALTY.**

Any person convicted of violating any of the provisions of this chapter shall be punished by a fine of not less than \$100, nor more than \$1,500. Each day a violation continues shall constitute a separate violation. This section shall in no way abrogate or impair the right of the county to specifically enforce, by any legal means, any of the provisions of this chapter.

(Ord. 2012-9-13, passed 9-13-2012)



## **Fair Housing**