



**City of Chicago**

Committee on Finance  
City Hall - Room 302  
[www.chgofinancecomm.chi.il.us](http://www.chgofinancecomm.chi.il.us)

Alderman Edward M. Burke  
Chairman

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**Ordinance Proposed to Spay or Neuter Dogs and Cats in Chicago**

(May 14, 2008) Chicago cat and dog owners would be required to spay or neuter their pets once they reach the age of six months under an ordinance introduced today by Aldermen Edward M. Burke (14<sup>th</sup>) and Virginia A. Rugai (19<sup>th</sup>).

The proposal seeks to protect Chicagoans from random, unprovoked attacks by overly aggressive animals and reduce the number of homeless dogs and cats that roam city streets and forest preserves.

Aldermen Burke and Rugai were prompted to introduce the measure after a pack of five pit bulls savagely attacked a woman while she was walking in the 6600 block of South Richmond Avenue on the Southwest Side.

The victim, Gabriela Munoz Lopez, was on her way to pick her children up from school on April 10<sup>th</sup> when the pit bulls seemingly sprung from nowhere. The dogs bit her on the face, head and legs. She was rescued by a passing motorist who backed his van up onto the sidewalk and pulled her inside the vehicle. Lopez required hospitalization.

Alderman Rugai said that history is "bound to repeat itself" until the City Council finally addresses the issue, noting that another pack of pit-bulls attacked and killed one woman and injured another in the Dan Ryan Woods in 2003 which is located partly in her ward.

Research suggests that neutering a pet can reduce aggression. In fact, sexually intact dogs are 2.6 times more likely to bite than neutered dogs, according to a study published in the Journal of the American Veterinary Medical Association.

In addition, the aldermen said the proposal takes aim at Chicago gang members who operate dog-fighting rings. Under the legislation, individuals seeking an exemption to the sterilization requirement would be forced to apply for a breeder's license, a step that would require a criminal background check.

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"I don't know of too many gang members that would be willing to subject themselves to this type of scrutiny by law enforcement authorities," Alderman Burke said.

Other exemptions within the ordinance include show-dogs, guard dogs, service dogs and any dog or cat certified by a licensed veterinarian as having "a valid health reason not to be sterilized."

The proposal won the immediate support of Paula Fasseas, Founder and Chair of PAWS Chicago, the largest "no-kill" humane organization in the city.

"Dogs and cats reproduce exponentially which means one dog or cat can be responsible for hundreds of puppies or kittens in their lifetime," Fasseas said. "As a result, nearly 20,000 cats and dogs are killed each year in Chicago. This legislation will ensure that pet guardians bear the responsibility of adequately caring for their pets."

Owners found in violation of the ordinance would be fined up to \$100 and failure to comply with the law within thirty days would result in a fine of up to \$500 and be grounds for possible animal impoundment and compulsory sterilization.

For more information contact Donal Quinlan, media liaison, at 312-744-6237.

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### ORDINANCE

**WHEREAS**, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6 (a); and

**WHEREAS**, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, eliminating brutal dog attacks, combating the phenomenon of dog fighting, improving the quality of life for domesticated dogs and cats and reducing the multitude of homeless pets in the City of Chicago are essential to protecting the public health, safety, morals, and welfare; and

**WHEREAS**, dog attacks across the City of Chicago create serious public health problems that inflict considerable physical and emotional damage on victims and immeasurable hidden costs to the City; and

**WHEREAS**, according to the Journal of the American Veterinary Medical Association, an estimated 4.5 million people fall victim to dog bites each year, approximately 334,000 people are admitted to U.S. emergency departments annually with dog bite-associated injuries, and another 466,000 are seen in other medical settings; and

**WHEREAS**, as noted by the Journal of the American Veterinary Medical Association, the demographics of typical dog bite victims are particularly troublesome since almost half are children younger than twelve (12) years old; and

**WHEREAS**, the overwhelming majority of dog bite incidents involve unneutered male dogs and the Journal of American Veterinary Medical Association reports that intact males are involved in seventy (70) to seventy-six (76) percent of dog bite incidents; and

**WHEREAS**, unspayed female dogs also contribute to preventable dog bite incidents since they attract free-roaming male dogs and thereby increase bite risk to individuals exposed to said unfamiliar dogs; and

**WHEREAS**, a consequence of the recent phenomenon of dog fighting has been a dramatic increase of dogs specifically bred, conditioned and trained to fight within the City of Chicago; and

**WHEREAS**, animals in dogfights are brutalized and consistently suffer severe, if not life threatening, injuries; and

**WHEREAS**, according to a 2008 University of Chicago Survey Lab Study, the average former dogfighter witnessed his first dogfight at the age of nine (9), consequently desensitizing Chicago's youth to violence and conveying that cruelty is acceptable; and

**WHEREAS**, a three-year Chicago Police department study found that sixty-five (65) percent of individuals arrested for animal abuse were also arrested for violent crimes against humans; and

**WHEREAS**, there is substantial empirical data indicating that sterilization can help reduce a dog's aggressiveness; and

**WHEREAS**, as reported in the Journal of American Veterinary Medical Association, a 1991 study of medically-attended dog bites concluded that sexually intact dogs are 2.6 times more likely to bite than neutered dogs; additionally, unneutered male dogs represent eighty (80) percent of the dogs presented to veterinary behaviorists for dominance aggression; and

**WHEREAS**, according to the American Veterinary Medical Association, sterilizing dogs and cats also eliminates undesirable behaviors associated with the mating instinct and provides improved long-term health benefits; and

**WHEREAS**, spaying female dogs and cats reduces the negative behaviors associated with their heat cycles and helps protect them from serious health problems later in life such as uterine infections and breast cancer; and

**WHEREAS**, neutering male dogs and cats can have a calming effect that makes them less inclined to roam and reduces the risk of prostate disease, testicular cancer and infections; and

**WHEREAS**, according to reported figures, in 2006 a minimum of 22,833 dogs and cats were euthanized in the City of Chicago by Chicago Animal Care & Control, the Animal Welfare League and the Anti-Cruelty Society; and

**WHEREAS**, the euthanizing of dogs and cats by Chicago Animal Care & Control causes not only the tragic and unnecessary loss of animal life, but also significant financial expenditure; and

**WHEREAS**, a study reported by the International City/County Management Association evaluating the financial impact of New Hampshire's comprehensive program to sterilize pets found that the state saved an estimated \$3.2 million in impounding and sheltering costs during the program's first six (6) years as a result of the reduction in impounded animals; now therefore

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

**SECTION 1.** The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

**SECTION 2.** Chapter 4-384 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and deleting the language struck through as follows:

#### 4-384-010 Definitions.

"Animal care facility" means any person engaged in the business of boarding, breeding, training for a fee, letting for hire other than guard dogs, or providing day care for any dog or cat. An "animal care facility" does not include: (1) the animal control center; (2) any animal care facility, kennel, pound or training facility operated by any subdivision of local, state, or federal government; (3) or any humane society, any veterinary hospital, or any research facility subject to inspection under separate provisions of local, state or federal law; ~~(4) any person who owns, has possession of, or harbors 5 or fewer female dogs or cats capable of reproduction; or (5) the isolated or occasional sale of animals by a person who sells only such animals that he has produced and raised.~~

[Omitted Sections Are Unaffected]

#### 4-384-020 Animal care – License required.

No person shall engage in the business of a grooming facility, guard dog service, pet shop, animal day care facility, humane society, veterinary hospital or animal exhibition, without having first obtained license to do so; provided that an animal care facility may, under that license, (1) buy or sell cats or dogs without a pet shop license; or (2) groom cats or dogs without a grooming facility license.

#### 4-384-030 License – Application.

(a) An application for a license shall be made in conformity with the requirements of Chapter 4-4 of this Code, on a form prescribed by the director of business affairs and licensing. The application shall contain the name and business address of the applicant and any other information, including any disclosures pertaining to ownership or control of the applicant, as may be required by the director of business affairs and licensing. The commission shall cause an investigation to be made of the premises named and described in the application, for the purpose of determining whether the sanitary conditions and the other requirements of this Code are fully complied with.

(b) All applicants for a license to engage in the business of an animal care facility or a guard dog service shall consent to a criminal history background check to be administered by the department of business affairs and licensing. Any and all applicants, including, but not limited to, officers, directors, managers, managing members, partners, general partners, limited partners of, or other individuals with control over an applicant entity, determined to have been convicted of dog fighting, 720 ILCS 5/26-5, or any section the Humane Care for Animals Act, 510 ILCS 70/1 et seq., shall be deemed ineligible for licensing.

(c) No person shall be eligible to be licensed as veterinary hospital unless he or she is licensed as a veterinarian by the State of Illinois.

[Omitted Sections Are Unaffected]

**SECTION 3.** Chapter 7-12 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and deleting the language struck through as follows:

**7-12-020 Definitions.**

"Sterilization" or "sterilize" means the rendering of an animal unable to reproduce by altering the animal's reproductive organs. Sterilization includes the spaying of a female dog or cat, and the neutering of a male dog or cat.

[Omitted Sections Are Unaffected]

**7-12-064 Mandatory Sterilization**

(a) No person shall own, harbor, or keep within the City of Chicago, a dog or cat over six (6) months in age which has not been sterilized.

(b) The following animals are exempt from the provisions of Section 7-12-064:

- (1) Dogs or cats certified by a licensed veterinarian as having a valid medical reason for not being sterilized;
- (2) Dogs or cats having valid breeding permits issued to their owners in accordance with Chapter 4-384 of this Code;
- (3) Dogs or cats of breeds approved by and registered with a registry or association recognized by the commission whose programs and practices are consistent with the humane treatment of animals, and the dogs or cats are kept for the purpose of showing or competing in legitimate shows or competitions hosted by or under the approval of the recognized registry or association;
- (4) Dogs that have earned or are actively being trained and are in the process of earning an agility, carting, herding, protection, rally, hunting, working, or other title from a registry or association recognized by the commission whose programs and practices are consistent with the humane treatment of animals;
- (5) Service dogs as defined in 510 ILCS 70/2.01c.;
- (6) Dogs owned by a guard dog service as defined in Section 4-384-010 of this Code;
- (7) Dogs actively used by law enforcement agencies or the military for law enforcement, military or rescue activities;

(c) Any owner found in violation of this section shall be fined an amount not exceeding \$100.00. Any owners' failure to comply with the requirements of this section within sixty (60) days of the first violation shall be deemed a second violation punishable by a fine not exceeding \$500.00 and shall constitute grounds for impoundment by the commission.

**7-12-065 Impoundment of dogs and cats – Compulsory sterilization and microchip implantation.**

(a) Any dog or cat impounded under Sections 7-12-040, 7-12-080, ~~or~~ 7-12-290, or 7-12-064 shall prior to redemption:

(1) have a microchip implanted; and

(2) 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.~~ the animal qualifies for exemption under Section 7-12-064(b).

(b) 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) If the owner requests a hearing, the administrative law officer shall be appointed by the executive director unless the department of administrative hearings has exercised jurisdiction in accordance with Section 2-14-190(c) of this Code, in which case the department of administrative hearings shall appoint the 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, then the executive director shall not sterilize or implant a microchip in the animal until seven days after the hearing; if the owner appeals to the circuit court during that time period, the order to sterilize and implant a microchip in the animal shall be stayed until resolution of such appeal.

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

[Omitted Sections Are Unaffected]

**7-12-140 License required.**

(a) It is the duty of the owner of each dog ~~four~~ six months of age or older to obtain from the city a dog license for the privilege of owning such dog, unless such dog shall be

temporarily within the possession of a veterinary hospital, pet shop, animal care facility, or humane society. The license fee for each dog license shall be as set forth in Section 7-12-170.

**7-12-150 License application forms.**

(a) An application for a dog license shall be made to the city clerk on forms or in an electronic format as prescribed by the city clerk, and shall contain the owner's name, address, telephone number, e-mail address, information sufficient to identify the dog, and any other information as may be required by the city clerk.

As part of every dog license application, the owner shall attest to the following information for each dog for which an application has been submitted:

(1) that the dog has a current certificate of rabies inoculation that complies with Section 7-12-200;

(2) the number of the rabies inoculation certificate or tag referred to in subsection (a)(1) of this section, and the date the dog received the rabies inoculation;

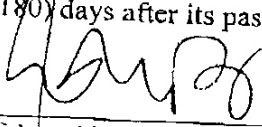
(3) the age of the dog's owner; and

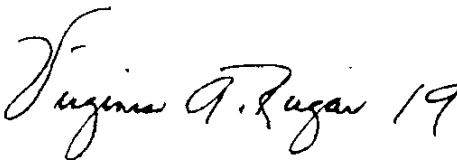
(4) ~~whether~~ that the dog has been sterilized or qualifies for exemption under Section 7-12-064(b).

**7-12-440 Severability**

If any provision, clause, sentence, paragraph, section or part of this chapter or application thereof to any person or circumstance is held unconstitutional or otherwise invalid by a court of competent jurisdiction, such judgment shall not affect other provisions or applications of this chapter which can be given effect without the invalid application or provision, and to this end each such invalid provision or invalid application of this chapter is severable, unless otherwise provided by this chapter. It is hereby declared to be the legislative intent of the city council that this chapter would have been adopted had any such unconstitutional or otherwise invalid provision or application not been included.

**SECTION 4.** This ordinance shall be in full force and effect one-hundred and eighty (180) days after its passage and publication.

  
Edward M. Burke  
Alderman, 14<sup>th</sup> Ward

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