

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orland-park.il.us



Meeting Minutes

Monday, August 18, 2014

6:00 PM

Village Hall

Public Safety Committee

*Chairman Daniel T. Calandriello
Trustees Patricia A. Gira and Kathleen M. Fenton
Village Clerk John C. Mehalek*

CALL TO ORDER/ROLL CALL

The meeting was called to order 6:05 PM.

In the absence of Village Clerk John C. Mehalek, Deputy Clerk Joseph S. La Margo was present.

Present: 3 - Chairman Calandriello; Trustee Gira and Trustee Fenton

APPROVAL OF MINUTES**2014-0484 Approval of the July 21, 2014 Public Safety Committee Minutes.**

I move to approve the Minutes of the Regular Meeting of the Public Safety Committee of July 21, 2014.

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be APPROVED. The motion carried by the following vote:

Aye: 2 - Chairman Calandriello and Trustee Fenton

Nay: 0

Abstain: 1 - Trustee Gira

ITEMS FOR SEPARATE ACTION**2014-0469 Disposal of Certain Seized Vehicles at Public Auction - Recommended Ordinance**

Police Chief Timothy McCarthy reported the Police Department requests that the Village declare Four (4) forfeited vehicles described herein as excess property and dispose of at public auction. The vehicles were seized by the department and forfeited to the Village by the Circuit Court of Cook County from a driver who was driving their vehicle while their license was suspended for DUI.

The vehicle is described herein as follows:

2006 Saturn/VUE5GZCZ53486S824614
2003 GMC/Z71 2GTEK19V831334368
2000 Acura/25RLJH4KA9659YC003694
2000 Ford/Windstar 2FMZA5142YBA68115

I move to recommend to the Village Board to approve an ordinance entitled: ORDINANCE AUTHORIZING DISPOSAL BY PUBLIC AUCTION OF PERSONAL PROPERTY (VEHICLES) OWNED BY THE VILLAGE OF ORLAND PARK, ILLINOIS

A motion was made by Trustee Gira, seconded by Trustee Fenton, that this matter be RECOMMENDED FOR PASSAGE to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

2014-0225 Commercial Breeding Establishments (CBE) - Recommended Ordinance

Village Manager Paul Grimes reported that In the April and May Public Safety Committee meetings, Trustees sought input from the public on the issue of regulating pet shops that sell dogs from large-scale CBEs. Commercial Breeding Establishments (CBEs), or sometimes referred to as "puppy mills", are kennel facilities where puppies or kittens are produced in large numbers for commercial purposes. Staff outlined issues both for and against regulations by the Village and included existing regulations that have already been enacted at the state and county level. Also included in the report were policy alternatives concerning the regulation of such establishments. Pet owners and animal rights activists from groups such as The Puppy Mill Project, Companion Animal Protection Society etc. emphasized to the Committee that sourcing animals sold by breeders to pet stores is a significant problem. The policy options discussed by the Committee members included: taking action to affirm Cook County Ordinance, invoking home rule authority and exclude Orland Park from regulation by Cook County and later modifying our enforcement approach, or amending the current Village Code and restricting the sale of animals purchased from CBE accordingly via a customized local ordinance.

Draft Ordinance

The definition of "pet shop operator" is in accordance with and is defined in the Illinois Animal Welfare Act. The definition also includes any animal dealer or animal broker. In the proposed ordinance, pet shop operators will be required all times operate their establishment(s) in full compliance with the Illinois Animal Welfare Act and the Orland Park Village Code. The main provisions of the proposed ordinance contain the following:

Disclosures Required: Every pet shop operator shall post the following written disclosures for each animal in a conspicuous location on or near the animal's holding cage or in a centrally located area in the pet shop where they may be accessible, without request, by the public; as well as on any web site maintained by the establishment. The disclosures will be required to be provided to the customer in written form and shall be signed by both the pet shop operator and customer at the time of sale. The pet shop operator will be required to retain the original form of disclosure(s), with a copy given to the customer, along with the customer's acknowledgement, for a period of not less than two (2) years from the date of sale. The written disclosures to the public for each animal go beyond what existing state, county and federal regulations require and include:

- The breed, lineage, approximate age, sex and color of the animal;
- Description of any inoculation or medical treatment that the animal received while in the possession of the pet shop operator;

- Whether or not the breeder is a "hobby breeder" (less than five (5) female animals);
- If the breeder is licensed by the United States Department of Agriculture (USDA), USDA license number and any other license number held by the breeder within the past five (5) years;
- The breeder's business name, mailing and breeding location addresses of the breeder, as well as any other name and business address used by the breeder;
- A website link to the USDA web site so consumers can conduct their due diligence for USDA breeders;
- Average animal population for the prior calendar quarter by the breeder by population category ranges;
- The average number of female animals capable of reproduction for the prior calendar quarter by the breeder;
- Address of the location where the animal was born as well as location(s) where the animal was housed after birth, if different from the breeder's address, and
- Any transfers of ownership of the animal prior to its sale by an Orland Park Pet Shop Operator and, if the animal was returned by a customer, the date and reason for the return.

Enforcement and Inspections: The Village shall have the right to make inspections of the business facilities of every Pet Shop Operator within the Village to assure compliance with this Code, including the accuracy and delivery of the information in the disclosures. The original disclosure and acknowledgement will be required to be made available for inspection by any designated employee of the Village.

Penalties for Violations: Any person or Pet Shop Operator violating any provision of this Code Section or counterfeiting or forging any disclosure, certificate or permit or resisting, impeding or obstructing any authorized officer in enforcing this Code Section is guilty of a misdemeanor punishable by a fine not exceeding \$1,000 for a first offense and \$1,500.00 for a second offense, or by imprisonment for a period not exceeding six (6) months or both such fine and imprisonment. In addition to the above penalties, the Village business license of any pet shop operator may be suspended or revoked for failure to comply with the provisions of this ordinance.

The restrictions set forth in recommended ordinance will not apply to veterinary hospitals or clinics licensed pursuant to the Illinois Veterinary Medicine and Surgery Practice Act of 2004, or to any animal control or care facility, kennel, pound or animal training facility operated by any subdivision of a local, state or federal government, or to any humane society or animal rescue organization.

Chairman Calandriello commented that he believed a key component was to highlight some of the disclosures. Those being: The population of the commercial breeding establishment, the number of females capable of reproduction, the location of where the animal was born, the license requirement, the signing of the paperwork, and the ability to revoke the breeder's license if they are found in

violation of the ordinance. He added that the ordinance is very strong in regards to the disclosures and that staff put a lot of work into creating the ordinance.

Catherine Papadakis of 15700 Danford Lane, stated that she is an animal lover and has common sense when it comes to the treatment of animals. She added that Orland should follow in Chicago's footsteps and only get animals from humane organizations. She commented that she is not looking to shut down pet shops, but rather have them follow humane guidelines. She ended saying that she hopes that Orland will take the dogs and the mills into consideration when drafting the ordinance.

Diane Arp of 404 Northhampton Ct, Naperville, IL and Chicago Outreach Coordinator for the Companion Animal Protection Society stated that she would like to thank the Board and staff for all the time that has been put into researching this topic. She added that the ordinance is comprehensive, but anticipates that the Board may have some concerns in the future in regards to resources and monitoring. She suggested that the Board work with the Chicago Animal Protection Society to develop a volunteer task force to monitor the stores and make sure that they are in compliance with the ordinance.

I move to refer the attached ordinance to the Village Board for consideration, subject to the legal review of additional licensing language;

And further move that if additional licensing language is acceptable, that it be added to the attached ordinance for consideration by the Board of Trustees.

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

ADJOURNMENT: 6:19 PM

A motion was made by Trustee Fenton, seconded by Trustee Gira, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 3 - Chairman Calandriello, Trustee Gira, and Trustee Fenton

Nay: 0

/AS

Respectfully Submitted,

John C. Mehalek, Village Clerk