

VILLAGE OF STICKNEY

6533 West Pershing Road
Stickney, Illinois 60402-4048
Phone - 708-749-4400
Fax - 708-749-4451



Village Trustees

Mary Hrejsa
Tim Kapolnek

Mitchell Milenkovic
Sam Savopoulos

Leandra Torres
Jeff White



Jeff Walik
Village President

Audrey McAdams
Village Clerk

REGULAR MEETING BOARD OF TRUSTEES

Tuesday,

April 3, 2018

Meeting Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve Minutes of Previous Regular Meeting
5. Authorize Payment of Bills
6. Pass and Approve Ordinance 2018-16, "An Ordinance Amending Chapter 12, Sections 12-2 and 12-10 of the Municipal Code, Village of Stickney, Illinois Regarding Dangerous Animals"
7. Pass and Approve Ordinance 2018- 17, "An Ordinance Authorizing the Execution of an Intergovernmental Agreement Establishing the Consolidated Emergency Response Center of Cook County (CERCCC) Joint 9-1-1 Authority and Terminating the Operation of the Village of Stickney Emergency Telephone System Board, For the Village of Stickney, County of Cook, State of Illinois"
8. Pass and Approve Ordinance 2018-18, "An Ordinance Authorizing the Execution of an Intergovernmental Agreement by and Between the Village of Stickney and the Town of Cicero for the Provision of Emergency Response Communications and Dispatching Services for the Village of Stickney, County of Cook, State of Illinois"
9. Pass and Approve Ordinance 2018-19, "An Ordinance Adopting Chapter 86, Article IV, Division 4 of the Code of Ordinances for the Village of Stickney, Regarding the Regulation and Licensing of Small Cell Facilities in the Village of Stickney, County of Cook, State of Illinois"
10. Grant permission to The Salvation Army to conduct their Donut Days Campaign on June 1 & 2, 2018 in the Village of Stickney
11. Grant permission to the Stickney-Forest View Public Library to Conduct their June 2, 2018 Block Party from 11:00 to 1:00 p.m. which will block off 43rd Street from Oak Park Avenue to the alley
12. Report from the President
13. Report from the Clerk
14. Trustee Reports/Committee Reports
15. Reports from Department Heads
16. Public Comments
17. Adjournment

Posted March 29, 2018

March 21, 2018

**State of Illinois
County of Cook
Village of Stickney**

The Board of Trustees of the Village of Stickney met in regular session on Wednesday, March 21, 2018, at 7:04 p.m. in the Stickney Village Hall, 6533 W. Pershing Road, Stickney, Illinois.

**Upon the roll call, the following Trustees were present:
Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White**

Trustee Milenkovic moved, duly seconded by Trustee Hrejsa to approve the minutes of the previous regular session on Tuesday, March 6, 2018.

**Upon the roll call, the following Trustees voted:
Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White
Nays: None
Absent: None
Mayor Walik declared the motion carried.**

Trustee White moved, duly seconded by Trustee Savopoulos that the bills, approved by the various committees of the Board, be approved for payment, and to approve warrants which authorize the Village Treasurer to draw checks to pay the bills, to be signed by the authorized signers, as provided for by the Ordinances of the Village of Stickney.

**Upon the roll call, the following Trustees voted:
Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White
Nays: None
Absent: None
Mayor Walik declared the motion carried.**

Prior to the vote, Treasurer Paul Nosek provided a summary indicating the source of funds used to pay the bills and the totals to be approved.

**Corporate Fund: \$126,179.02
Motor Fuel Tax Fund: \$0
Badge Fund: \$0
Water Fund: \$15,566.55
Police Pension Fund: \$0
911 Account: \$7.86
1505 Account: \$0
Family Day: \$0
Police Revenue Sharing: \$0
Capital Projects Fund: \$54,963.00
Bond & Interest Fund: \$0
Subtotal: \$196,716.43**

General Fund Payroll: \$180,998.06

Water Fund Payroll: \$13,648.85

Subtotal: \$194,646.91

Total to be approved by Village Trustees: \$391,363.34

Trustee White moved, duly seconded by Trustee Savopoulos for consideration and possible approval of the recommendation by the Deputy Chief of Police of the Village of Stickney Regarding the Hiring of Four Auxiliary Police Officers as Permitted Pursuant to Chapter 46, Section 46-39 of the Municipal Code, Village of Stickney, IL

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Prior to the vote, Trustee White remarked that we can have up to 17 officers. We don't have 17 now. This is just giving the police department permission to hire four new auxiliary officers now.

Trustee Savopoulos moved, duly seconded by Trustee Torres to Pass and Approve Ordinance 2018-08, "An Ordinance Amending Chapter 14, Section 14-196 of the Municipal Code, Village of Stickney, Illinois Regarding Vehicle Immobilization, Towing and Impounding"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

The mayor explained that if someone drives through the village and causes a crime, drives without a license or drives drunk, the price tag to get your car from the tow the is \$750 up from \$500. So don't commit a crime in Stickney.

Trustee Kapolnek moved, duly seconded by Trustee Hrejsa to pass and approve Ordinance 2018-09, "An Ordinance Amending Chapter 62-31, of the Municipal Code, village of Stickney, Illinois Regarding Garage Sales"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Prior to the vote, Trustee Torres explained that this is an adjustment to the ordinance to correct a 14-day waiting period and replace it to be 3 business days.

Trustee White moved, duly seconded by Trustee Kapolnek to Pass and Approve Ordinance 2018-10, "An Ordinance Amending Chapter 46, Section 46-31 of the Municipal Code, Village of Stickney, Illinois Regarding the Police Department"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Prior to the vote, Mayor Walik explained that this is upping the amount of police officers. Our current count is 17. We would like to up that to 20, not including the Chief and Deputy Chief. Due to the new hires we will be at 16. If anything else happens in town we may need four more. This is just housekeeping. This is adjusting from 17 to 20.

Trustee Milenkovic moved, duly seconded by Trustee Kapolnek to pass and approve Ordinance 2018-11, "An Ordinance Amending Chapter 14, Section 14-84 of the Municipal Code, Village of Stickney, Illinois Regarding One-Way Alley"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

We were told by the Mayor that it is just one alley at 39th and Oak Park.

Trustee Savopoulos moved, duly seconded by Trustee Torres to pass and approve Ordinance 2018-12, "An Ordinance Amending Chapter 14, Section 14-148 of the Municipal Code, Village of Stickney Regarding Parking"

We were told by the Mayor that we are updating street sweeping to Monday and Tuesdays because garbage containers may be on the curbs on Thursdays and Fridays.

Trustee Savopoulos moved, duly seconded by Trustee White to pass and approve Ordinance 2018-13, "An Ordinance Authorizing and Approving the Purchase of Certain Vehicles for the Village of Stickney, Illinois"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Treasurer Paul Nosek informed us that this is for the purchase of three police vehicles and one fire vehicle. This is in anticipation of an excess fund balance in our General Fund we will be able realize that in our Capital Projects Fund to then purchase these vehicles. The Mayor then added that it would save on the state's purchasing agreement. The treasurer agreed that we have to get this done before a certain date.

Trustee Milenkovic moved, duly seconded by Trustee Kapolnek to pass and approve Ordinance 2018-14, "An Ordinance Authorizing and Approving an Intergovernmental Agreement between the Village of Stickney, and Lyons Elementary School District 103 for the Village of Stickney"

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Nays: None

Absent: None

Mayor Walik declared the motion carried.

Police Chief Babich informed us that the school board would like, in the future possibly next year, to do walk throughs in the George Washington Middle School. Lyons Police might be able to cover it. The superintendent will be talking to the Lyons Police Chief and see what they could work out. This agreement will also give us the authority to connect to their camera system. We would be able to see inside their school from our squad cars or the dispatch center. This would be done only if there were a shooting or an active person inside the school. This would enable us to have officers on the outside of the school and at least one going inside and he could relate information back to us. This technology has been available for years. At this point the superintendent needs to get approval from the school board. The Chief didn't anticipate resistance from the school board. This is not intended to invade their privacy. It is for any type of dangerous situation. He assured us that this is for the kids. The chief told us that if he could afford the manpower to walk through George Washington Middle School he will. Trustee White mentioned that even though this school in Lyons it is in our school district, they would reimburse us. The chief confirmed that. They would reimburse us at our highest officer's hourly pay. We are looking at 11:00 to 1:00. Lyons has reduced its forces. There is a high quantity of part-time officers who are not from the area or let alone show up at a call. This is only for the kids. We have well protected schools here. We are there during the day and in the morning.

MAYOR'S REPORT: Mayor Walik explained that his hair was shaved for the St. Baldrick's event held at the MAX in McCook. He raised \$500 towards childhood cancer research. A lengthy explanation was given about the Waste Management change. We finally got the figures on the Chicago water rate increase. He met with Maria in the water department, Trustee Jeff White and Treasurer Paul Nosek. Our water from Rahm Emanuel will go up \$1.45 per month. Garbage through Waste Management will be \$2.00 more per month. Trustee White stated that this amounts to a total of \$3.45 per month. Trustee White added that it would be a little less than \$40.00 per year. The mayor exclaimed that we have the hardest working trustees I have seen in the 52 years that I have been here. Jeff White on our electric; Sam Savopoulos with our senior. He cooked for them today and tomorrow. Trustee Milenkovic with our veterans and our tree program; Lea Torres and Mary Hrejsa with our police and kid's programs; Tim Kapolnek with our church. He is helping set up this dance we are holding there. They all do some hard work. I know that everybody feared their garbage rates would double. Those of you who don't know, we all live here too. We don't want our water, our garbage and our taxes going up. Trustee White added, "We do everything in our power to keep everything at a minimal. We

protect your money and we protect ours at the same time." The mayor added that the village will still do the special pickups. If they missed somebody, we will come and get it. We are keeping our good truck. If you have a couch or refrigerator we will pick it up. We will try to stick to our Friday schedule although we will accommodate people. Supervisor Lopez will have his Public Works employees ride through their zones to check for TV, microwaves etc. Supervisor Lopez is sending out his own flyer with information. The garbage will be Wednesday, Thursday and Friday. Street sweeping will be Monday and Tuesday. Informational Waste Management brochures will be mailed out. There are do's and don'ts on how to recycle. An example of the zone map was shown. Each zone will be handled by our public works employees. There will not be any tickets issued at least for the first month. People will be given a couple of warnings. Monday and Tuesday will be street sweeping. People will keep their current locations for their pickups.

CLERK'S REPORT: Clerk McAdams gave IEPA reports on local quarries. An announcement was read concerning the prescription drug take back day at the Water Reclamation District on April 28 from 10:00 to 2:00. The Village does have its own drug recycling program here but what makes this special is if you take prescription drugs to the Water Reclamation District you will receive a free oak sapling.

TRUSTEE REPORTS: Trustee Hrejsa announced that on Friday, March 23, we are doing a Tween Easter Egg Hunt at 7:00 p.m. at Haley Park at 40th and Grove. On March 24 there will be an Easter egg hunt for children zero to nine years of age.

Trustee Kapolnek publicized the dance the village is providing on March 22, at Saint Pius X Church on 43rd and Oak Park. The band is the Sting Rays. Food will be available for sale. Doors will be open at 6:00 p.m. It is free to get in.

Trustee Torres informed us that she finished the garage sale ordinance. Now she is working on the animal ordinance. We are trying to tighten up the fines and the vicious and dangerous dog's portion. We have had a few complaints in town of dogs that have bitten someone. We want to place more pressure on the fines. To make sure that the dog is muzzled so people don't get bitten.

Trustee Milenkovic recognized a representative from the American Legion Auxiliary Post 687. Deb Johnson informed us that they will be conducting their Spring Bazar on April 21. It will be at the American Legion located at 6431 Pershing. The hours will be 9:00 a.m. to 3:00 p.m. There will be a bake sale, raffle, vendors including the knife sharpening/watch battery guy. Trustee Milenkovic continued by telling us that there will be a Tree Committee meeting on March 28 at 4:00 p.m. They will be discussing the Arbor Day celebration so we can keep our Tree City USA status. Arbor Day will be held on April 27. This year's tree lottery is on the agenda. They will offer 12 trees this year. Residents can sign up to receive a tree. There will be applications available.

DEPARTMENT REPORTS:

Police Chief Dan Babich expressed thanks to the Board for allowing him to attend a school on officer shootings. He viewed different videos of officer involved shooting

situations. We judged whether they should have shot or not. The Chief gave a few scenarios of what he saw. He brought back a lot of information and case law. He has the definitions of proper use of force and videos. He will be able to do roll-call training with the officers to get them to think and prepare. In summary, he wants to teach the officers on how to use all their options before they take that last option. It was a very good school. It was conducted by Intergovernmental Risk Management Agency. It was conducted by two long-term law enforcement individuals. The literature alone was worth attending.

Deputy Fire Chief Andrea Acosta announced the arrival of two hydraulic lifts for the ambulances. The hydraulic system actually assists in lifting the cot with the patient up in to the ambulance. It was paid for by the Assistance to Firefighters grant. That grant was worth \$48,000. It makes it safer for our patients and our firefighters. She did mention that the hydraulic system actually lifts slower than when they manually lifted the patients. Consider calling for a demonstration.

Public Works Supervisor Joe Lopez explained that they bought new stickers for the street signs notifying residents of the new schedule for street sweeping. There will be Code Red alerts and new information of the street signs. The mayor felt that it could be one month away before people adjust to the new schedule.

There being no further business, Trustee White moved, duly seconded by Trustee Savopoulos that the meeting be adjourned. Upon which the Board adopted the motion at 7:47 p.m.

Respectfully submitted,

Audrey McAdams, Village Clerk

Approved by me this day of , 2018

Jeff Walik, Mayor

Village of Stickney
Warrant Number 17-18 - 022

EXPENDITURE APPROVAL LIST
FOR CITY COUNCIL MEETING ON
3-Apr-18

Approval is hereby given to have the Village Treasurer of Stickney, Illinois pay to the
officers, employees, independent contractors, vendors and other providers of
goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

01 CORPORATE FUND		84,071.30
02 MOTOR FUEL TAX FUND		-
03 BADGE		-
04 WATER FUND		16,717.65
05 POLICE PENSION FUND		-
06 911 ACCOUNT		-
07 1505 ACCOUNT		1,526.00
08 FAMILY DAY		-
09 POLICE REVENUE SHARING		-
11 CAPITAL PROJECTS FUND		54,963.00
12 BOND & INTREST FUND		-
	Subtotal:	<u>157,277.95</u>
General Fund Payroll	4/1/2018	110,926.62
Water Fund Payroll	4/1/2018	<u>9,849.37</u>
	Subtotal:	<u>120,775.99</u>

Total to be Approved by Village Council	<u>278,053.94</u>
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Approvals:

Jeff Walik, Mayor

Audry McAdams, City Clerk

Paul Nosek, Treasurer

Village of Stickney
AP Cash Distribution
CORPORATE FUND
Checks Issued 3/25/2018 To 4/3/2018

Vendor Invoice No. =====	GL Distribution =====		Check# =====	Check Date =====
CRUZ ORTIZ JR. 0218-CONF	01-504-014	201.84	217503 217503	04/03/18
CINTAS #769 769391013	01-507-005	94.32	217504 217504	04/03/18
COMED 1225098029-0218	01-506-015	76.87	217505 217505	04/03/18
COMED 4494819013-0318	01-506-015	53.57	217505 217505	04/03/18
L-K FIRE EXTINGUISHER SERVICE 70066	01-505-012	574.45	217506 217506	04/03/18
SCOUT ELECTRIC SUPPLY CO. 164023	01-507-005	49.80	217507 217507	04/03/18
COMCAST 8771201660011572-031	01-502-015	143.85	217508 217508	04/03/18
COMCAST 8771201660017819-021	01-502-015	117.85	217508 217508	04/03/18
COMCAST 8771201660002365-031	01-502-015	21.06	217508 217508	04/03/18
N.F.P.A. 7204034Y	01-505-010	156.95	217509 217509	04/03/18
ARTISTIC ENGRAVING 11955	01-505-011	208.50	217510 217510	04/03/18
RAY OHERRON CO., INC. 1770867-IN	01-504-012	259.00	217511 217511	04/03/18
RAY OHERRON CO., INC. 1800150-IN	01-504-012	195.88	217511 217511	04/03/18
RAY OHERRON CO., INC. 1800986-IN	01-504-012	2,226.25	217511 217511	04/03/18
STRYKER SALES CORPORATION 2368340M	01-505-018	42,896.88	217512 217512	04/03/18
MENARDS - HODGKINS 95002	01-506-013	27.94	217513 217513	04/03/18
MENARDS - HODGKINS			217513	04/03/18

Village of Stickney
AP Cash Distribution
CORPORATE FUND
Checks Issued 3/25/2018 To 4/3/2018

Vendor Invoice No. =====	GL Distribution =====		Check# =====	Check Date =====
95067	01-505-009	9.89	217513	
MENARDS - HODGKINS 94909	01-506-013	120.39	217513 217513	04/03/18
MENARDS - HODGKINS 95416	01-506-013	413.45	217513 217513	04/03/18
L A FASTENERS INC 1-151740	01-506-013	2.04	217514 217514	04/03/18
UNIFIRST CORPORATION 1108372	01-507-005	125.00	217515 217515	04/03/18
ANDERSON PEST SOLUTIONS 450156	01-507-005	51.50	217516 217516	04/03/18
ANDERSON PEST SOLUTIONS 4701777	01-507-005	51.50	217516 217516	04/03/18
THE SIGN EDGE 170931	01-502-009	290.00	217517 217517	04/03/18
OREILLY AUTOMOTIVE STORES, INC. 3405-338992	01-509-002	15.26	217518 217518	04/03/18
OREILLY AUTOMOTIVE STORES, INC. 3405-334759	01-509-002	2.79	217518 217518	04/03/18
CINTAS FIRST AID & SAFETY 5009947446	01-505-009	161.75	217519 217519	04/03/18
B&G SALES OF GRAND RAPIDS, INC. 28259	01-509-010	2,958.50	217520 217520	04/03/18
CASSIDY TIRE & SERVICE 716002211	01-504-009	20.00	217521 217521	04/03/18
CINTAS CORPORATION #21 021503122	01-509-006	117.16	217522 217522	04/03/18
AMERICAN CARNIVAL MART/PARTY LAND 218824	01-517-005	440.00	217523 217523	04/03/18
BERWYNS VIOLET FLOWER SHOP 06092	01-508-001	60.00	217524 217524	04/03/18
JET BRITE CAR WASH, INC. 520	01-504-009	12.00	217525 217525	04/03/18

Village of Stickney
AP Cash Distribution
CORPORATE FUND
Checks Issued 3/25/2018 To 4/3/2018

Vendor Invoice No. =====	GL Distribution =====		Check# =====	Check Date =====
COMBINED PLUMBING & SEWER			217526	04/03/18
3065	01-507-005	405.00	217526	
M G CLEANING SERVICE			217527	04/03/18
032318	01-507-001	1,000.00	217527	
READY REFRESH BY NESTLE			217528	04/03/18
08C0122900897	01-504-012	218.61	217528	
DEL GALDO LAW GROUP, LLC			217529	04/03/18
20553	01-503-002	900.00	217529	
DEL GALDO LAW GROUP, LLC			217529	04/03/18
20668	01-503-002	12,480.00	217529	
LYONS ELECTRIC COMPANY			217530	04/03/18
3466	01-506-011	357.74	217530	
LYONS ELECTRIC COMPANY			217530	04/03/18
3575	01-506-011	347.61	217530	
CUMMINS NPOWER, LLC			217531	04/03/18
F2-7640	01-507-005	779.38	217531	
CUMMINS NPOWER, LLC			217531	04/03/18
F2-7722	01-507-005	423.05	217531	
AIRGAS USA, LLC			217532	04/03/18
9073915461	01-505-009	400.00	217532	
MINUTEMAN PRESS OF LYONS			217533	04/03/18
36452	01-502-009	455.14	217533	
MINUTEMAN PRESS OF LYONS			217533	04/03/18
36481	01-502-009	234.31	217533	
ZEP SALES & SERVICE			217534	04/03/18
9003187233	01-505-009	280.74	217534	
FLAG WORLD			217535	04/03/18
74288	01-507-005	82.14	217535	
OFFICE DEPOT BUSINESS CREDIT			217536	04/03/18
6011565610014421-021	01-502-009	244.45	217536	
HALL SIGNS			217537	04/03/18
331387	01-506-011	471.44	217537	
EMCOR SERVICES TEAM MECHANICAL			217538	04/03/18

Village of Stickney
AP Cash Distribution
CORPORATE FUND
Checks Issued 3/25/2018 To 4/3/2018

Vendor Invoice No. =====	GL Distribution =====		Check# =====	Check Date =====
930007918	01-507-002	2,312.83	217538	
POSTMASTER			217539	04/03/18
PERMIT 15 0318	01-502-012	725.00	217539	
Backflow Solutions, Inc.			217540	04/03/18
2732	01-503-004	495.00	217540	
Diamond Graphics			217541	04/03/18
0102828660	01-517-005	525.00	217541	
Illinois Office of the State Fire Marshal			217542	04/03/18
9592624	01-505-012	70.00	217542	
The Jean Ross Company			217543	04/03/18
4713	01-505-018	1,500.00	217543	
The Jean Ross Company			217543	04/03/18
4714	01-505-018	1,500.00	217543	
MPC Communications & Lighting, Inc.			217544	04/03/18
18-1079	01-504-009	275.00	217544	
MPC Communications & Lighting, Inc.			217544	04/03/18
18-1080	01-504-009	275.00	217544	
Play Illinois LLC			217545	04/03/18
1106	01-517-006	2,922.88	217545	
Robert Smith			217546	04/03/18
8014	01-505-007	1,303.80	217546	
Tool Store Go-Kart Shop			217547	04/03/18
4780	01-505-009	45.00	217547	
Unify Systems, Inc.			217548	04/03/18
1271	01-502-015	700.00	217548	
Unlimited Graphix, Inc			217549	04/03/18
114414	01-502-009	185.94	217549	
Totals		84,071.30		

Village of Stickney
 AP Cash Distribution
 WATER FUND
 Checks Issued 3/25/2018 To 4/3/2018

Vendor Invoice No. =====	GL Distribution =====		Check# =====	Check Date =====
RICCIO CONSTRUCTION CORP.			217550	04/03/18
2999	04-513-005	1,626.00	217550	
UNDERGROUND PIPE & VALVE, CO.			217551	04/03/18
027201	04-513-035	289.00	217551	
KONICA MINOLTA BUSINESS SOLUTIONS			217552	04/03/18
9004411053	04-513-013	158.96	217552	
ETP LABS INC.			217553	04/03/18
18-133020	04-513-029	76.00	217553	
FERGUSON WATERWORKS #1934			217554	04/03/18
0112776-1	04-513-003	11,575.00	217554	
Comed			217555	04/03/18
1883150071	04-513-002	2,992.69	217555	
Totals		16,717.65		

Village of Stickney
AP Cash Distribution
POLICE REVENUE SHARING
Checks Issued 3/25/2018 To 4/3/2018

Vendor Invoice No. =====	GL Distribution =====	Check# =====	Check Date =====
CDW GOVERNMENT		217556	04/03/18
LZN7839	09-520-001	1,526.00 217556	
Totals		1,526.00	

ORDINANCE NO. 2018-16

AN ORDINANCE AMENDING CHAPTER 12, SECTIONS 12-2 AND 12-10 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING DANGEROUS ANIMALS

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, dangerous and vicious dogs pose a serious risk of harm to individuals residing in and visiting the Village; and

WHEREAS, the Corporate Authorities recognize the need to update the Village's existing regulations regarding dangerous and vicious dogs (the "Existing Regulations") from time to time; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 12, Sections 12-2 and 12-10 of the Municipal Code, Village Of Stickney, Illinois (the "Village Code") as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 12, Sections 12-2 and 12-10 of the Village Code to update and clarify the Existing Regulations and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II.
AMENDMENT OF CHAPTER 12, SECTIONS 12-2 AND 12-10 OF THE MUNICIPAL CODE,
VILLAGE OF STICKNEY, ILLINOIS

SECTION 3.0. AMENDMENT OF CHAPTER 12, SECTION 12-2.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 12, Section 12-2 as follows:

Sec. 12-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any living vertebrate creature except man.

Animal capable of transmitting rabies means all animals classified as mammals.

Animal control warden means the Stickney Township animal warden.

Attack means to inflict or attempt to inflict bodily harm to a person or a companion animal, to chase, pursue or to engage in other behavior that would cause a reasonable person to be fearful of bodily harm. An attack which involves multiple person(s) and/or companion animal(s) during the same incident or event shall be deemed one (1) attack for purposes of this division.

Bird means any flying vertebrate that is covered with feathers.

Bite means seizure of a person with the jaws or teeth of any cat, dog, or other mammal 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 means all members of the classification, *Felis catus*.

Companion animal means a dog, cat or other animal owned by a person for companionship or amusement.

Confined means the restriction of the cat, dog or other animal at all times by the owner in a manner that will isolate the cat, dog or other animal from the public and other cats, dogs or other animals.

Control means 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 dog or vicious animal means any dog animal, other than a police dog, which has known vicious propensities or which has been known to attack, bite or injure

any person who was peacefully conducting himself in any place where he may lawfully be or to attack, bite or injure any companion animal.

Dog means all members of the classification, *Canis familiaris*.

Domestic animal means any animal which has been domesticated by man so as to live and breed in a tame condition.

Guard dog means a dog used in a commercial business or by a municipal or police department for the purposes of patrol and protection.

Guide dog means a dog trained by a recognized organization to lead the legally blind or otherwise disabled individual.

Inoculation against rabies means 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.

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

Person means 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.

Physical injury means the impairment of physical condition.

Pound means 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.

Serious physical injury means a physical injury that creates a substantial risk of death or that causes death, serious or protracted disfigurement, protracted impairment of health, impairment of the function of any bodily organ, or plastic surgery.

Stray animal means any owned animal that is not controlled.

Vicious dog means a dog, other than a police dog, that, without justification, attacks a person or a companion animal and causes serious physical injury or death or any individual dog that has been found to be a "dangerous dog" upon two (2) separate occasions, within any twenty-four (24) month period, but only after an administrative hearing.

Voice control means the immediate recall of a dog at the sound of the voice of the owner.

SECTION 3.1. AMENDMENT OF CHAPTER 12, SECTION 12-10.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 12, Section 12-10 as follows:

Sec. 12-10. - 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 caged whenever off the premises of its owner.~~

(a) Dangerous dogs.

(1) Dangerous dog determination. After a dog attack, the Stickney Police Department, in conjunction with its designee, shall investigate whether there is reason to believe that the dog is a dangerous dog and shall prepare a report and forward the report. During the investigatory stage of the attack and pendency of the case:

a. The owner shall provide proof of inoculation against rabies.

b. The Village or its designee may require that the dog be confined. If required, the dog may be allowed out of confinement provided that the dog is restrained with a leash not exceeding six (6) feet in length and muzzled, but the muzzling shall not injure the dog or interfere with its vision or respiration, and shall be under the direct control and supervision of the owner or keeper of the dog, during the following circumstances only:

1. If it is necessary for the owner or keeper to obtain veterinary care for the dog;

2. In the case of an emergency or natural disaster where the dog's life is threatened; or

3. To comply with the order of a court of competent jurisdiction.

c. If the owner relocates the dog to a site other than the owner's residence, the owner shall notify the Village or its designee of the location of the dog and the measures taken that the dog is confined.

d. After a preliminary investigation, if there is probable cause that the conduct of the dog was not justified and if deemed appropriate under the circumstances and necessary for the protection of the public, the Village or its designee may impound the dog and may seek reimbursement from the owner for the cost and expense of impoundment.

(2) Upon completion of the report(s) of the attack, if the Chief of Police or designee has no reason to believe that the dog is a dangerous dog and the dog was ordered to be confined or was impounded, the restrictions placed on the dog during the investigatory stage of the attack shall be lifted and the owner notified. If the Chief of

Police has reason to believe that an individual dog is a dangerous dog, the Chief of Police shall issue notice to the dog's owner that an administrative hearing will be held to ascertain whether the dog in question is a dangerous dog. Unless lifted, restrictions placed on the dog during the investigatory stage of the attack shall remain. Notice to an adult co-owner of a dog shall be sufficient notice to all other co-owners of the dog. The notice shall be given at least seven (7) days prior to the hearing. The notice may be given by first class mail addressed to the residence of the owner. If the owner cannot be identified after reasonable inquiry, notice may be given by publication in a newspaper of general circulation or by posting a copy thereof on an entrance to the residence of the owner or the location where the dog is being kept. The notice shall contain the date, time and place of hearing, a description of the dog, and shall also generally describe the conduct of the dog that constitutes the basis of the investigation. If the owner provides proof of euthanization of the dog prior to the administrative hearing, the findings by the hearing officer shall indicate euthanization prior to the administrative hearing without a determination of whether the dog was dangerous.

(3) At the administrative hearing, the Village representative may interview any witnesses, including the owner, provide relevant information and submit any existing medical records, veterinary medical records or behavioral evidence. The owner shall also be permitted to interview witnesses, provide relevant information and present proof that the conduct of the dog was justified, including but not limited to those affirmative defenses set forth in subsection (a)(4). Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to determine whether the dog's behavior was justified. Hearsay shall be admissible.

(4) After the administrative hearing, if there is clear and convincing evidence, the hearing officer may find that the dog is a dangerous dog. The hearing officer may also decline to find the dog dangerous if the conduct of the dog was justified because:

- a. The threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or upon the property of the owner or custodian of the dog; or
- b. The injured, threatened, or killed person or companion animal was tormenting, abusing, assaulting, or physically threatening the dog or its offspring, or has in the past tormented, abused, assaulted, or physically threatened the dog or its offspring; or
- c. The dog was responding to pain or injury, or was protecting itself, its owner, custodian, or member of its household, kennel, or offspring; or
- d. If it is a professionally trained dog for law enforcement duties; or
- e. The dog is a guide dog for the blind or hearing impaired, or a support dog for the physically handicapped, provided an attack or injury to a person occurs while the dog is performing duties as expected; or
- f. For other reasons as specified by the hearing officer.

The hearing officer shall issue an order to that effect that sets forth the basis for such determination and serve a copy thereof upon the owner. The order shall also reasonably inform the owner of the right to seek judicial review of the order.

(5) If a dog is determined to be dangerous, in addition to the requirements to keeping a dangerous dog as set forth in subsection (9), the hearing officer may order one (1) or more of the following as deemed appropriate under the circumstances and necessary for the protection of the public:

- a. Evaluation of the dog by a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert in the field and completion of training or other treatment as deemed appropriate by the expert. The owner of the dog shall be responsible for all costs associated with evaluations and training ordered under this subsection.
- b. The dog shall be spayed or neutered within ten (10) days of the finding at the expense of its owner.
- c. Micro chipped, if not already. If the dog is currently micro chipped, proof of such must be filed with the Village or its designee.
- d. The dog shall be subject to enclosure during those times that the dog is not in the immediate control of its owner and outside of the owner's residence.
- e. Restrictions on the dog if the dog does not reside within the corporate limits of the Village.
- f. A fine in accordance with subsection (d).
- g. Reimbursement of the victim for expenses incurred as a result of the attack.
- h. In the event the owner does not comply by the date set by the hearing officer, the hearing officer may order the owner turn over custody of the dog to the animal control center and/or held by the animal control center at the owner's cost and expense.

The owner is prohibited from selling or giving away a dog that has been deemed dangerous without written notice to the Village or its designee, provided the owner can establish that suitable measures are in place to protect public health and safety at the new location.

(6) A determination by the hearing officer that a dog is a dangerous dog constitutes a final administrative decision for the purposes of judicial review thereof in accordance with law. Upon filing a notice of appeal, the hearing officer's order declaring the dog to be a dangerous dog may be stayed in whole or in part by a court of competent jurisdiction.

(7) Removal of dangerous dog designation in certain cases. The owner of a dog which has been declared to be dangerous in a case which did not involve the biting or injury to a person or a companion animal may file a written request with the Village or its designee to remove the dangerous dog designation twenty-four (24) months after the dangerous dog declaration was issued. Upon the receipt of such a written request, the Village or its designee shall remove the dangerous dog designation for a dog found to be dangerous in a case which did not involve the biting or injury to a person or a companion animal if there have been no other violations of this chapter or other animal control regulations with respect to such dog and the owner of such dog since the date of designation as a dangerous dog.

(8) Dangerous dog relocated into Village. If a dog has been found to be a dangerous dog by a jurisdiction other than the Village and the owner wishes to relocate, either temporarily or permanently, the residence of the dog within the corporate limits of the Village, the owner of the dog shall notify the Village or its designee prior to relocating the dog into the Village.

(9) Requirements for keeping a dangerous dog. The following restrictions shall apply to dangerous dogs:

- a. Use of leash and muzzle mandatory. Whenever a dangerous dog is on public premises, the dog must be under direct control and supervision by an adult eighteen (18) years of age or older, restrained with a leash not exceeding six (6) feet in length and muzzled, but the muzzling shall not injure the dog or interfere with its vision or respiration.
- b. Liability insurance. Any person who keeps or maintains any dog which has been found to be a dangerous dog which temporarily or permanently resides within the corporate limits of the Village shall procure and keep in effect liability insurance with a policy limit of not less than one hundred thousand dollars (\$100,000.00). The liability insurance shall be issued by a company authorized to do business in the state and shall cover claims brought by third parties in connection with physical injury or property damage caused by the dog. A current certificate of insurance evidencing the coverage required by this section shall be filed with the Village or its designee. The owner shall also file updated certificates of insurance with the Village or its designee at the time the required insurance policies are renewed. If the owner allows the insurance to lapse, the dog will be impounded.
- c. Required signage. Any person who keeps or maintains any dog which has been found to be a dangerous dog must display in a prominent place on the premises where the dangerous dog is confined, and at each entrance to any outdoor enclosure where the dog is kept, clearly visible signage stating that a dangerous dog is kept on the premises. Each such sign shall be a noncombustible material, weather resistant and one (1) foot by one (1) foot in size with text not less than one (1) inch in height. The text of such sign shall read:

WARNING: DANGEROUS DOG KEPT ON THE PREMISES

(10) Dog park. No dog which is determined to be dangerous shall be permitted at any public dog park within the Village. No dog park permit shall be issued for any dangerous dog.

(b) Vicious dogs.

(1) Vicious dog determination. After a dog attack, the Stickney Police Department, in conjunction with its designee, shall investigate whether there is reason to believe that the dog is a vicious dog, prepare a report and forward the report to the Chief of Police. During the investigatory stage of the attack and pendency of the case:

a. The owner shall provide proof of inoculation against rabies.

b. The dog shall be confined by the owner. The dog may be allowed out of confinement provided that the dog is restrained with a leash not exceeding six (6) feet in length and muzzled, but the muzzling shall not injure the dog or interfere with its vision or respiration, and shall be under the direct control and supervision of the owner or keeper of the dog, during the following circumstances only:

1. If it is necessary for the owner or keeper to obtain veterinary care for the dog;

2. In the case of an emergency or natural disaster where the dog's life is threatened; or

3. To comply with the order of a court of competent jurisdiction.

c. If the owner relocates the dog to a site other than the owner's residence, the owner shall notify the Village or its designee of the location of the dog and the measures taken that the dog is confined.

d. After a preliminary investigation, if there is probable cause that the conduct of the dog was not justified and if deemed appropriate under the circumstances and necessary for the protection of the public, the Village or its designee may impound the dog and may seek reimbursement from the owner for the cost and expense of impoundment.

(2) Upon completion of the report(s) of the attack, if the Chief of Police has no reason to believe that the dog is a vicious dog and the dog was ordered to be confined or was impounded, the restrictions placed on the dog during the investigatory stage of the attack shall be lifted and the owner notified. If the Chief of Police has reason to believe that an individual dog is a vicious dog, the Chief of Police or his designee shall issue notice to the dog's owner that an administrative hearing will be held to ascertain whether the dog in question is a vicious dog. Notice to an adult co-owner of a dog shall be sufficient notice to all other co-owners of the dog. The notice shall be given at least seven (7) days prior to the hearing. The notice may be given by first class mail addressed to the residence of the owner. If the owner cannot be identified after reasonable inquiry, notice may

be given by publication in a newspaper of general circulation in the Village or by posting a copy thereof on an entrance to the residence of the owner or the location where the dog is being kept. The notice shall contain the date, time and place of hearing, a description of the dog, and shall also generally describe the conduct of the dog that constitutes the basis of the investigation. If the owner provides proof of euthanization of the dog prior to the administrative hearing, the findings by the hearing officer shall indicate euthanization prior to the administrative hearing without a determination of whether the dog was vicious.

- (3) At the administrative hearing, the Village representative may interview any witnesses, including the owner, provide relevant information and submit any existing medical records, veterinary medical records or behavioral evidence. The owner shall also be permitted to interview witnesses, provide relevant information and present proof that the conduct of the dog was justified, including but not limited to those affirmative defenses set forth in subsection (c)(5). Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to determine whether the dog's behavior was justified. Hearsay shall be admissible.
- (4) At the administrative hearing to determine whether a dog who has been deemed dangerous on two previous occasions should be deemed vicious, the hearing officer shall consider, but not be limited to, the following factors: whether the incidents occurred on or off the owner's property, whether a bite was latch or a bite and release, and whether the bite was to a dog, human, or both.
- (5) After the administrative hearing, if there is clear and convincing evidence, the hearing officer may find that the dog is (a) a vicious dog, (b) that the conduct of the dog does not rise to the level of being a vicious dog but instead find that the dog is a dangerous dog, or (c) decline to find the dog dangerous or vicious if the conduct of the dog was justified because:
 - a. The threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or upon the property of the owner or custodian of the dog;
 - b. The injured, threatened, or killed person or companion animal was tormenting, abusing, assaulting, or physically threatening the dog or its offspring, or has in the past tormented, abused, assaulted, or physically threatened the dog or its offspring;
 - c. The dog was responding to pain or injury, or was protecting itself, its owner, custodian, or member of its household, kennel, or offspring;
 - d. If the dog is professionally trained for law enforcement duties;
 - e. The dog is a guide dog for the blind or hearing impaired, or a support dog for the physically handicapped, provided an attack or injury to a person occurs while the dog is performing duties as expected; or

f. For other reasons as specified by the hearing officer.

The hearing officer shall issue an order to that effect and that sets forth the basis for such determination. A copy of the order shall be served upon the owner. The order shall also reasonably inform the owner of the right to seek judicial review of the order.

- (6) If a dog is determined to be vicious, the hearing officer may impose a fine in accordance with subsection (d), as deemed appropriate under the circumstances, reimbursement of the victim for expenses incurred as a result of the attack, and shall order euthanization of the dog. Unless lifted, restrictions placed on the dog during the investigatory stage of the attack shall remain until such time as the owner provides proof of euthanization to the Village or its designee. If the owner fails to euthanize the dog within the specified time period and provide proof to the Village or its designee of the euthanization of the dog, the Village Police Department or its designee may take control of the dog and deliver the dog to an animal control center for euthanization. Any dog that is determined to be vicious may be voluntarily turned over to the Village for euthanization at no cost to the owner.
- (7) Appeal. A determination by the hearing officer that a dog is a vicious dog constitutes a final administrative decision for the purposes of judicial review thereof in accordance with law. Upon filing a notice of appeal, the hearing officer's order declaring the dog to be a vicious dog may be stayed in whole or in part by a court of competent jurisdiction. The owner of a dog found to be vicious may file an appeal against the Village in the circuit court within thirty-five (35) days of notification of the determination for a de novo hearing on the determination. The owner shall also notify the Village or its designee within said thirty-five (35) days of an appeal. The proceeding shall be conducted as a civil hearing pursuant to the Illinois code of civil procedure. Until the order has been reviewed, and at all times during the appeal process, the owner shall comply with the requirements as set forth herein. The owner of the dog shall be responsible for all fees associated with the appeal and/or holding of the dog while the appeal takes place.
- (8) Vicious dog relocated into the Village. If a dog has been found to be a vicious dog by a jurisdiction other than the Village and the owner wishes to relocate, temporarily or permanently, the residence of the dog within the corporate limits of the Village, the owner of the dog shall notify the Village or its designee prior to relocating the dog into the Village. The following restrictions shall apply to a vicious dog:
- a. Use of leash and muzzle mandatory. Whenever a vicious dog is on public premises, the dog must be under direct control and supervision by an adult eighteen (18) years of age or older, restrained with a leash not exceeding six (6) feet in length and muzzled, but the muzzling shall not injure the dog or interfere with its vision or respiration.
- b. Liability insurance. It shall be unlawful for any person to keep or maintain any dog which has been found to be a vicious dog unless the owner of the dog procures and keeps in effect occurrence-based liability insurance with a policy

limit of not less than one hundred thousand dollars (\$100,000.00). The liability insurance shall be issued by a company authorized to do business in Illinois and shall cover claims brought by third parties in connection with physical injury or property damage caused by the vicious dog. A current certificate of insurance evidencing the coverage required by this section shall be filed with the Village or its designee. The owner shall also file updated certificates of insurance with the Village or its designee at the time the required insurance policies are renewed.

- c. Required signage. Any person who keeps or maintains a vicious dog must display in a prominent place on the premises where the dangerous dog is confined, and at each entrance to any outdoor enclosure where the dog is kept, clearly visible signage stating that a vicious dog is kept on the premises. Each such sign shall be a noncombustible material, weather resistant and one foot by one foot (1' x 1') in size with text not less than one inch (1") in height. The text of such sign shall read:

WARNING: VICIOUS DOG KEPT ON THE PREMISES

- (9) A vicious dog may be given to the Village or its designee for euthanization at no cost to the owner.
- (10) Dog park. No dog which is determined to be vicious shall be permitted at any public dog park within the Village. No dog park permit shall be issued for any vicious dog.
- (c) Enforcement.
- (1) Violations and penalties. Any person who violates the provisions of this section shall be subject to a fine of not less than \$500.00 and not more than \$750.00. Every day that a violation continues shall be considered a separate offense.
- (2) Any person who fails to turn over a dog at the request of the Village or its designee shall be subject to a fine of not less than \$500.00 per day and/or any other appropriate action at law or in equity. Any person who relocates a dog that has been deemed dangerous or vicious during the pendency of a case to a location other than the owner's residence and fails to notify the Village or its designee of the location of the dog and the measures taken that the dog is confined in an enclosure shall be subject to a fine of not less than \$500.00 per day and/or any other appropriate action at law or in equity.
- (3) Civil enforcement. The Village Attorney may commence any appropriate action at law or in equity to enforce the provisions of this section or any order of the Chief of Police and to protect against any violation thereof. A showing of inadequate remedy at law or irreparable harm shall not be needed to obtain an injunction or restraining order. These remedies shall be in addition to the penalties set forth elsewhere in this subsection. In the event the Village prevails in such an action, it shall be entitled to a judgment for court costs and reasonable attorney's fees.

- (4) Animal Control Act. The powers granted herein are in addition to those set forth in the Animal Control Act (510 ILCS 5/1), as amended, or other laws.

SECTION 3.2. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force ten (10) days after its passage and approval.

PASSED this ____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this ____ day of _____, 2018.

Jeff Walik, President

ATTESTED AND FILED in my
office this ____ day of _____, 2018.

Audrey McAdams, Village Clerk

ORDINANCE NO. 2018- 17

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE CONSOLIDATED EMERGENCY RESPONSE CENTER OF COOK COUNTY (CERCCC) JOINT 9-1-1 AUTHORITY AND TERMINATING THE OPERATION OF THE VILLAGE OF STICKNEY EMERGENCY TELEPHONE SYSTEM BOARD, FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the provisions of Article VII, Section 10 of the Constitution of the State of Illinois authorize and encourage intergovernmental cooperation amongst units of local government, such as municipalities; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1, et seq.) (the "Act") authorizes public agencies, which includes units of local government, to jointly enjoy and/or exercise power or powers, privileges, functions or authority with any other public agencies, except where specifically and expressly prohibited by law; and

WHEREAS, the Village previously established an Emergency Telephone System Board (the "Village ETSB") and the Village became a recognized 9-1-1 system; and

WHEREAS, Section 15.4a of the Emergency Telephone System Act (50 ILCS 750/15.4a) requires the consolidation of certain Emergency Telephone System Boards ("ETSB"); and

WHEREAS, the Village and the Town of Cicero ("Cicero") desire to establish a Joint 9-1-1 Authority and become members of the Consolidated Emergency Response Center of Cook County (the "CERCCC"), a Consolidated 9-1-1 Emergency Dispatch Center; and

WHEREAS, there exists an intergovernmental agreement to establish the Consolidated Emergency Response Center of Cook County 9-1-1 Authority (the "Agreement"), attached hereto and incorporated herein as Exhibit A, whereby the Village and the Town will establish and join the CERCCC; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") have determined that it is both advisable and in the best interests of the Village and its residents to enter into and approve of the Agreement; and

**AN INTERGOVERNMENTAL AGREEMENT TO ESTABLISH
THE CONSOLIDATED EMERGENCY RESPONSE CENTER OF COOK COUNTY
JOINT 9-1-1 AUTHORITY**

THIS AGREEMENT (the "Agreement") is entered into on the effective date specified hereafter, by and between the Village of Stickney and the Town of Cicero (the "Signatories" or "Parties"):

WITNESSETH:

WHEREAS, the Signatories have determined that the implementation of a Joint 9-1-1 Authority (the "Joint 9-1-1 Authority") would provide a significant public safety enhancement to the citizens of each participating municipality; and

WHEREAS, the Signatories have determined that a Joint 9-1-1 Authority would be beneficial on an individual and mutual basis; and

WHEREAS, the Illinois Emergency Telephone System Act 50 ILCS 750/1 *et seq.* permits the formation of a Joint 9-1-1 Authority to oversee the implementation and operation of a 9-1-1 emergency telephone system; and

WHEREAS, the Intergovernmental Cooperation Act 5 ILCS 220/1 *et seq.* provides for the joint exercise by two or more local governments of any power common to them.

NOW THEREFORE IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. Venture Established. Pursuant to the joint powers authorization of the Intergovernmental Cooperation Act and the Illinois Emergency Telephone System Act, the undersigned hereby join together in a cooperative venture for the joint and mutual operation of a Joint 9-1-1 Emergency Telephone System (the "System"), consisting of all local governments which may hereafter become Signatories.
2. Joint 9-1-1 Authority. There is hereby established a Joint 9-1-1 Authority which shall consist of the following members: the Village of Stickney and the Town of Cicero. Any municipality serviced by the Consolidated Emergency Response Center of Cook County, a 9-1-1 Consolidated Dispatch Center, shall be entitled to become a subsequent participating member of the Joint 9-1-1 Authority. Designation of a new participating municipality shall be specified by the participant's enabling ordinance.
3. Bylaws. The Joint 9-1-1 Authority shall be governed by a Joint 9-1-1 Authority Board (the "Board"), which Board shall be subject to and shall be governed by certain Bylaws (the "Bylaws") in substantially the form as the Bylaws attached hereto and incorporated herein as Exhibit 1, which shall be adopted by the Board, together with any amendments which may be made in the manner and means provided therein.
4. Joint 9-1-1 Authority Board; Composition. The Board shall consist of voting members and non-voting members. The voting members of the Board shall be comprised of eight (8) members of the Town of Cicero and one (1) member for each additional Member

THE CONSOLIDATED EMERGENCY RESPONSE CENTER OF COOK COUNTY JOINT 9-1-1 AUTHORITY BYLAWS

ARTICLE I PURPOSE

The Consolidated Emergency Response Center of Cook County Joint 9-1-1 Authority (hereinafter "the Joint 9-1-1 Authority") is a cooperative venture voluntarily established by its members pursuant to the Consolidated Emergency Response Center of Cook County Joint 9-1-1 Authority Intergovernmental Agreement (hereinafter "the Agreement") entered into by them in accordance with the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*) and the Emergency Telephone System Act (50 ILCS 750/1 *et seq.*) The Joint 9-1-1 Authority has been established for the purpose of providing the equipment, services, personnel, facilities, and other items necessary for the implementation, operation, maintenance, and repair of a 9-1-1 Emergency Telephone System (hereinafter, the "System") within portions of Cook County, Illinois.

ARTICLE II MEMBERSHIP

A. The members of the Joint 9-1-1 Authority are the Village of Stickney and the Town of Cicero (hereinafter, individually, a "Member Municipality," or collectively, the "Member Municipalities").

B. Any municipality which hereinafter becomes a participating member of the Consolidated Emergency Response Center of Cook County (hereinafter, individually, "The Dispatch Center") also become a member of the Joint 9-1-1 Authority, provided that all current Member Municipalities and the new member approve and execute an addendum (hereinafter, the "Addendum") of new membership into the Joint 9-1-1 Authority, and provided that the new member enters into an Intergovernmental Agreement with the Town of Cicero for emergency 9-1-1 Dispatch Services.

C. The Addendum authorizing a new Member Municipality of the Joint 9-1-1 Authority shall require the new Member Municipality to:

1. Agree to be bound by the Joint 9-1-1 Authority's Bylaws.
2. Deliver to the Joint 9-1-1 Authority a duly certified ordinance or resolution in proper form authorizing and directing such member's execution of the Addendum, along with a copy of the new Member Municipality's Intergovernmental Agreement with the Town of Cicero.

ORDINANCE NO. 2018- 18

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF STICKNEY AND THE TOWN OF CICERO FOR THE PROVISION OF EMERGENCY RESPONSE COMMUNICATIONS AND DISPATCHING SERVICES FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the provisions of Article VII, Section 10 of the Constitution of the State of Illinois authorize and encourage intergovernmental cooperation amongst units of local government, such as municipalities; and

WHEREAS, the Intergovernmental Cooperation Act (5 ILCS 220/1, et seq.) (the "Act") authorizes public agencies, which includes units of local government, to jointly enjoy and/or exercise power or powers, privileges, functions or authority with any other public agencies, except where specifically and expressly prohibited by law; and

WHEREAS, there exists an intergovernmental agreement (the "Agreement"), attached hereto and incorporated herein as Exhibit A, which governs the terms whereby the Town of Cicero (the "Town") will provide certain emergency response communications and dispatching services (the "Services") to the Village; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") have determined that it is both advisable and in the best interests of the Village and its residents to enter into and approve of the Agreement; and

WHEREAS, based on the foregoing, the Corporate Authorities find that it is in the best interests of the residents of the Village to approve, enter into and execute an agreement with terms substantially the same as the terms of the Agreement; and

WHEREAS, the President is authorized to enter into and the Village Attorney (the "Attorney") is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN
THE TOWN OF CICERO AND THE VILLAGE OF STICKNEY
FOR THE PROVISION OF EMERGENCY RESPONSE
COMMUNICATIONS AND DISPATCHING SERVICES**

This Agreement is made and entered into this _____ day of _____, 2018 (the "EFFECTIVE DATE"), by and between the Town of Cicero ("CICERO"), and the Village of Stickney ("STICKNEY").

WHEREAS, CICERO has a 9-1-1 facility ("CONSOLIDATED EMERGENCY RESPONSE CENTER OF COOK COUNTY") located at 5303 West 25th Street, Cicero, Illinois; and

WHEREAS, the CONSOLIDATED EMERGENCY RESPONSE CENTER OF COOK COUNTY will have the space and equipment to provide emergency response and dispatch services to numerous municipalities; and

WHEREAS STICKNEY desires to have CICERO, through a PRIVATE EMERGENCY DISPATCHING SERVICE, handle regular and routine communications from the inhabitants of STICKNEY requesting emergency response services, as well as regular and routine communications to or for dispatching of emergency response personnel and equipment in response to those requests; and

WHEREAS, CICERO desires to handle, through a PRIVATE EMERGENCY DISPATCHING SERVICE, regular and routine communications from the inhabitants of STICKNEY requesting emergency response services, as well as regular and routine communications to or for dispatching of emergency response personnel and equipment in response to those requests; and

WHEREAS, Pursuant to Public Act 99-6, STICKNEY is required to consolidate its 9-1-1 Center and Emergency Telephone System Board; and

WHEREAS, CICERO and STICKNEY have each determined that it is mutually beneficial to both entities to establish a centralized emergency response communications and dispatching service as such services can efficiently and economically serve the needs of both entities; and

WHEREAS, CICERO and STICKNEY desire to set forth herein the terms and conditions whereby CICERO, through a PRIVATE EMERGENCY DISPATCHING SERVICE, will provide emergency response communications and dispatching services to STICKNEY and the inhabitants thereof; and

WHEREAS, Article VII, Section 10 of the 1970 Constitution of the State of Illinois authorizes units of local government to cooperate with each other in order to accomplish common goals and objectives, and to contract to exercise, combine or transfer any power or function not prohibited to them by law or ordinance; and

ORDINANCE NO. 2018- 19

AN ORDINANCE ADOPTING CHAPTER 86, ARTICLE IV, DIVISION 4 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF STICKNEY, REGARDING THE REGULATION AND LICENSING OF SMALL CELL FACILITIES IN THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS.

WHEREAS, the Village of Stickney (the "Village") is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970 and, as such, may exercise various powers and perform numerous functions pertaining to its government and affairs in any manner not otherwise prohibited by law; and

WHEREAS, the Village is further authorized to adopt the amendments contained herein pursuant to its authority to regulate the public right-of-way pursuant to Section 11-80-1 *et seq.*, of the Illinois Municipal Code (65 ILCS 5/11-80-1 *et seq.*); and

WHEREAS, the Village utilizes the public rights-of-way within its corporate limits to provide essential public services to the Village's residents and businesses. The public rights-of-way within the Village are a limited public resource held by the Village for the benefit of its residents, and the Village has a custodial duty to ensure that the public right-of-way is used, repaired and maintained in a manner that best serves the public interest; and

WHEREAS, growing demand for personal wireless telecommunications services has resulted in increasing requests nationwide and locally from the wireless industry to place small cell facilities, distributed antenna systems and other personal wireless telecommunication facilities (collectively, "Cellular Equipment") on utility and street light poles and other structures in the public right-of-way; and

WHEREAS, while State and federal law limit the authority of local governments to enact laws that unreasonably discriminate among providers of functionally equivalent services, prohibit or have the effect of prohibiting the provision of telecommunications services by wireless service providers, the Village is authorized, under existing State and federal law, to enact appropriate regulations and restrictions relative to Cellular Equipment installations in the public right-of-way; and

WHEREAS, in anticipation of continued increased demand for placement of Cellular Equipment installations within the public right-of-way, Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") find that it is in the best interests of the public health, safety and general welfare of the Village and its residents to amend the Code of Ordinances of the Village of Stickney, Illinois (the "Village Code") as set forth herein in order to clarify the standards for the construction, installation, use, maintenance and repair of Cellular Equipment facilities, systems and installations within the public rights-of-way in the Village so as to, among other things: (i) prevent interference with the facilities and operations of the Village's utilities and of other utilities lawfully located in public rights-of-way or property; (ii) provide specific regulations and standards for the placement and siting of personal wireless telecommunication facilities within public rights-of-way in the Village; (iii) preserve the character of the neighborhoods in which facilities are installed; (iv) minimize any adverse visual impact of personal wireless telecommunication facilities and prevent visual blight in the neighborhoods in which facilities are installed; (v) facilitate the location of personal wireless telecommunication facilities in permitted locations within the public rights-of-way in the

Village; and (vi) assure the continued safe use and enjoyment of private properties adjacent to personal wireless telecommunication facilities; and

WHEREAS, in order for the Village to properly license, regulate and inspect Cellular Equipment, the Village must adopt certain procedures and charge certain licensing fees and inspection fees; and

WHEREAS, the Corporate Authorities have determined that it is in the best interests of the public health, safety and welfare and to ensure the efficient operation of government to adopt certain rules and regulations as well as fees related to the licensing, regulating and inspecting of Cellular Equipment and the installation and maintenance of same in order to adequately reimburse the Village for the financial burden of licensing, regulating and inspecting Cellular Equipment; and

WHEREAS, in light of the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to adopt Chapter 86, Article IV, Division 4 of the Code of Ordinances, for the Village of Stickney, Illinois (the "Village Code") to establish certain rules and regulations as well as fees related to the licensing, regulating and inspecting of Cellular Equipment and the installation and maintenance of same in order to adequately reimburse the Village for the financial burden of licensing, regulating and inspecting Cellular Equipment and to authorize the Mayor and other Village officials to take all action necessary to carry out the intent of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1: RECITALS.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2: PURPOSE.

The purpose of this Ordinance is to adopt Chapter 86, Article IV, Division 4 for inclusion in the Village Code to establish certain rules and regulations as well as fees related to the licensing, regulating and inspecting of Cellular Equipment and the installation and maintenance of same in order to adequately reimburse the Village for the financial burden of licensing, regulating and inspecting Cellular Equipment and to authorize the Mayor and other Village officials to take all action necessary to carry out the intent of this Ordinance.

**ARTICLE II.
ADOPTION OF CHAPTER 86 ARTICLE IV, DIVISION 4 FOR INCLUSION IN THE
VILLAGE CODE**

SECTION 3.0 ADOPTION OF CHAPTER 86, ARTICLE IV, DIVISION 4.

The Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by adopting Chapter 86, Article IV, Division 4 as follows:

**CHAPTER 86. UTILITIES, ARTICLE IV. CONSTRUCTION OF UTILITIES IN THE
RIGHT OF WAY, DIVISION 4. SMALL CELL ANTENNAS/TOWERS IN THE RIGHT
OF WAY**

Division 4. Small Cell Antennas and Towers in the Right of Way.

Sec. 86-330. Definitions.

For the purposes of this Division, the following terms will have the following meaning:

Alternative Antenna Structure shall mean an existing pole or other structure within the public right-of-way that can be used to support an antenna and is not a utility pole or a Village-owned infrastructure.

Antenna shall mean communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services.

Applicant shall mean any person or entity submitting an application to install personal wireless telecommunication facilities or structures to support the facilities within a public right-of-way.

Village-Owned Infrastructure shall mean infrastructure in public right-of-way within the boundaries of the Village, including, but not limited to, streetlights, traffic signals, towers, structures, or buildings owned, operated or maintained by the Village.

Distributed Antenna System ("DAS") shall mean a network or facility to which all the following apply: (1) it distributes radio frequency signals to provide Wireless Service; (2) it meets the size limitations of a Small Cell Facility; and (3) it consists of all the following: (a) remote antenna nodes deployed throughout a desired coverage area; (b) a high-capacity signal transport medium connected to a central hub site; and (c) equipment located at the hub site to process or control the radio frequency signals through the antennas.

Facility shall mean all structures, devices, objects and materials (including, but not limited to, track and rails, wires, ducts, fiber optic cable antennas, Distributed Antenna Systems, Small Cell Facilities, vaults, boxes, equipment enclosures, cabinets, pedestals, poles, conduits, grates, covers, pipes, cables, and appurtenances thereto) located on, over, above, along, upon, under, across or within rights-of-way governed by this Division. For purposes of this Division, the term "facility" shall not include any facility owned or operated by the Village, unless otherwise provided herein.

Landscape Screening shall mean the installation at grade of plantings, shrubbery, bushes or other foliage intended to screen the base of a personal wireless telecommunication facility from public view.

Monopole shall mean a structure composed of a single spire, pole or tower designed and used to support antennas or related equipment and that is not a utility pole, an alternative antenna structure, or a Village-owned infrastructure.

Personal Wireless Telecommunication Antenna shall mean an antenna that is part of a personal wireless telecommunications facility.

Personal Wireless Telecommunication Equipment shall mean equipment, exclusive of an antenna, that is part of a personal wireless telecommunications facility.

Personal Wireless Telecommunications Facility shall mean an antenna, equipment, and related improvements used, or designed to be used, to provide wireless transmission of voice, data video streams, images, or other information including, but not limited to, cellular phone service, personal communication service, paging and Wi-Fi antenna service.

Replace or replacement shall mean to substitute a new facility, in its entirety, for an existing facility.

Right-of-Way shall mean land dedicated or utilized for a street, trail, sidewalk, utility, railroad or other similar purpose.

Small Cell Facility shall mean a Personal Wireless Telecommunications Facility consisting of an antenna and related equipment either installed singly or as part of a network to provide coverage or enhance capacity in a limited defined area. Generally, these installations are single-service provider installations. Small Cell Facilities used to provide Wireless Service shall conform to the following size limitations: (1) each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all its exposed elements could fit within an enclosure of not more than six (6) cubic feet in volume; and (2) all other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The calculation of equipment volume shall not include electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

Tower shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers, and that is not a utility pole, an alternative antenna structure, or a Village-owned infrastructure. Except as otherwise provided for by this Ordinance, the requirements for a tower and associated antenna facilities shall be those required in this Ordinance.

Utility Pole shall mean an upright pole designed and used to support electric cables, telephone cables, telecommunication cables, cable service cables, which are used to provide lighting, traffic control, signage or a similar function.

Variance or variation shall mean a grant of relief by the Superintendent of Public Works or his/her designee.

Wi-Fi Antenna shall mean an antenna used to support Wi-Fi broadband Internet access service based on the IEEE 802.11 standard that typically uses unlicensed spectrum to enable communication between devices.

Wireless Service shall mean any telecommunications service using licensed or unlicensed wireless spectrum, whether at a fixed location or mobile, provided using Distributed Antenna Systems or Small Cell Facilities.

Sec. 86-331. Permit Required; Permit Application.

- A. Permit required. Permits, applications, and fees related to personal wireless facilities and applications for the same in the right of way shall be governed by of this Division; however, where this Division is silent related to certain building permit fees or licensing fees, Chapter 18 (Building and Building Regulations) and any other applicable provisions of the Village Code shall control. No person shall construct any facility on, over, above, along, upon, under, across or within any Village right-of-way which: (1) changes the location of the facility; (2) adds a new facility; (3) disrupts the right-of-way; or (4) materially increases the amount of area or space occupied by the facility on, over, above, along, under, across or within the right-of-way, without first filing an application with the Building Department and obtaining a permit from the Village therefor, except as otherwise provided in this Division. No permit shall be required for the installation and maintenance of service connections to customers' premises where there will be no disruption of a right-of-way. All applications shall go through site review and approval with the Superintendent of Public Works or his/her designee.
- B. Permit application. All applications for permits pursuant to this Division shall be filed on a form provided by the Village and shall be filed in such number of duplicate copies as the Village may designate.
- C. Minimum general application requirements. The application shall be made by the Applicant or its duly authorized representative and shall contain, at a minimum, the following:
1. The Applicant's name, address and telephone and facsimile numbers and a statement of the Applicant's interest in the work;
 2. The names, addresses, telephone and facsimile numbers and e-mail addresses of all professional consultants, if any, advising the Applicant with respect to the application;
 3. A general description of the proposed work and the purposes and intent of the facility and the uses to which the facility will be put. The scope and detail of such description shall be appropriate to the nature and character

of the work to be performed, with special emphasis on those matters likely to be affected or impacted by the work proposed. The scope of work shall also indicate the type of equipment or facilities being installed and whether the equipment or facilities are new, a swap-out or exchange of facilities or equipment, or an upgrade to existing facilities and equipment.

4. Evidence that the Applicant has placed on file with the Village:
 - i. A written traffic control plan demonstrating the protective measures and devices that will be employed, which shall be consistent with IDOT's Illinois Manual on Uniform Traffic Control Devices, to prevent injury or damage to persons or property and to minimize disruptions to efficient pedestrian and vehicular traffic; and
 - ii. An emergency contingency plan, which shall specify the nature of potential emergencies including, without limitation, construction and hazardous materials emergencies and the intended response by the Applicant. The intended response shall include notification to the Village and shall promote protection of the safety and convenience of the public. Compliance with ICC regulations for emergency contingency plans constitutes compliance with this Division, unless the Village finds that additional information or assurances are needed.
5. Drawings, plans and specifications showing the work proposed, including the certification of an engineer that such drawings, plans and specifications comply with applicable laws, codes, rules and regulations;
6. Evidence of insurance as required by Section 86-258;
7. Any request for a variance from one or more provisions of this Division;
8. Such additional information as may be reasonably required by the Village; and
9. Evidence that any "Certificate of Public Convenience and Necessity" or other regulatory authorization that the Applicant is required by law to obtain, or that the Applicant has elected to obtain, has been issued by the ICC or another entity with jurisdictional authority.

D. Applicant's duty to update information. Throughout the entire permit application review period and the construction period authorized by the permit, any amendments to information contained in a permit application shall be submitted by the Applicant in writing to the Village within thirty (30) calendar days after the change necessitating the amendment.

E. Application fees. Unless otherwise provided by the applicable franchise, license or similar agreement, all applications for permits pursuant to this Division shall be accompanied by a fee as reasonably determined by the Village each year. No application fee is required to be paid by any electricity utility that is paying the

municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Law (35 ILCS 645/15, et seq.).

Sec. 86-332. Permitted Placement; Application and Fees for Personal Wireless Service in the Right of Way.

A. Personal wireless telecommunication facilities will be permitted to be placed in right-of-way within the jurisdiction of the Village as attachments to existing utility poles, alternative antenna structures, or Village-owned infrastructure subject to the following regulations:

1. *Number Limitation and Co-Location.* The Superintendent of Public Works or his/her designee may regulate the number of personal wireless telecommunications facilities allowed on each utility pole or unit of Village-owned infrastructure except that no more than two (2) personal wireless telecommunications facilities will be permitted on utility poles or Alternative Antenna Structure of ninety (90) feet or less. Additionally, no more than three (3) personal wireless telecommunications facilities will be permitted on utility poles or Alternative Antenna Structures in excess of ninety (90) feet and less than one-hundred and twenty (120) feet. This Ordinance does not preclude or prohibit co-location of personal wireless telecommunication facilities on towers or monopoles that meet the requirements as set forth elsewhere in this Division or as required by federal law. In all cases, the Applicant shall provide the longitude and latitude for the location(s) for which the Applicant is applying to place the personal wireless telecommunications facilities described in this Division.
2. *Non-Interference and compliance with applicable codes.* Personal wireless telecommunications facilities operating under a federal license shall not interfere in any way with any Village-owned or operated equipment or facilities or any FCC licensed or unlicensed users already having equipment on the facility, radio or other equipment at any time and shall not interfere in any way with FCC licensed or unlicensed users already having equipment on the facility, radio or other equipment placed in the right-of-way. Personal wireless telecommunications facilities shall comply with all applicable rules and requirements of the Federal Communications Commission and all applicable electrical codes and all other applicable codes.
3. *Separation and Clearance Requirements.* Personal wireless telecommunication facilities may be attached to a utility pole, alternative antenna structure, monopole, or Village-owned infrastructure only where such pole, structure, or infrastructure is located no closer than twenty-five (25) feet from any residential building, excluding garages, and no closer than three hundred (300) feet from any other personal wireless telecommunication facility. These requirements shall not apply to Village-owned equipment or facilities. A separation or lesser clearance may be allowed by the Superintendent of Public Works or his/her designee as an administrative variance to this Division when the Applicant establishes that the lesser separation or clearance is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise

provide adequate services to customers, and the proposed antenna or facility is the least intrusive means to do so within the right-of-way.

4. *Village-Owned Infrastructure.* Personal wireless telecommunication facilities can only be mounted to Village-owned infrastructure including, but not limited to, streetlights, traffic signal, towers, or buildings, if authorized by a license or other agreement between the owner or Applicant and the Village.
5. *New Towers.* No new monopoles or other towers to support personal wireless telecommunication facilities in excess of sixty (60) feet are permitted to be installed on right-of-way within the jurisdiction of the Village unless the Village Board finds, based on clear and convincing evidence provided by the Applicant, that locating the personal wireless telecommunications facilities on the right-of-way is necessary to close a significant coverage or capacity gap in the Applicant's services or to otherwise provide adequate services to customers, and the proposed new monopole or other tower within the right-of-way is the least intrusive means to do so.
6. *Attachment Limitations.* No personal wireless telecommunication antenna or facility within the right-of-way will be attached to a utility pole, alternative antenna structure, tower, or Village-owned infrastructure unless all of the following conditions are satisfied:
 - a. *Surface Area of Antenna.* The personal wireless telecommunication antenna, including antenna panels, whip antennas or dish-shaped antennas, cannot have a surface area of more than seven (7) cubic feet in volume.
 - b. *Size of Above-Ground Personal Wireless Telecommunication Facility.* The total combined volume of all above-ground equipment and appurtenances comprising a personal wireless telecommunication facility, exclusive of the antenna itself, cannot exceed thirty-two (32) cubic feet.
 - c. *Personal Wireless Telecommunication Equipment.* The operator of a personal wireless telecommunication facility must, whenever possible, locate the base of the equipment or appurtenances at a height of no lower than eight (8) feet above grade.
 - d. *Personal Wireless Telecommunication Services Equipment Mounted at Grade.* In the event that the operator of a personal wireless telecommunication facility proposes to install a facility where equipment or appurtenances are to be installed at grade, screening must be installed to minimize the visibility of the facility. Screening must be installed at least three (3) feet from the equipment installed at-grade and eight (8) feet from a roadway.
 - e. *Height.* The top of the highest point of the antenna cannot extend more than ten (10) feet above the highest point of the utility pole,

alternative antenna support structure, tower or Village-owned infrastructure. If necessary, the replacement or new utility pole, alternative support structure or Village-owned infrastructure located within the public right-of-way may be no more than ten to seventy (10 – 70) feet higher than existing poles adjacent to the replacement or new pole or structure, or no more than ninety (90) feet in height overall, whichever is less, and shall be of a similar look and structure of other poles within a five hundred (500) foot area.

- f. *Color.* A personal wireless telecommunication facility, including all related equipment and appurtenances, must be a color that blends with the surroundings of the pole, structure, tower or infrastructure on which it is mounted and use non-reflective materials which blend with the materials and colors of the surrounding area and structures. Any wiring must be covered with an appropriate cover.
- g. *Antenna Panel Covering.* A personal wireless telecommunication antenna may include a radome, cap, or other antenna panel covering or shield, to the extent such covering would not result in a larger or more noticeable facility and, if proposed, such covering must be of a color that blends with the color of the pole, structure, tower, or infrastructure on which it is mounted.
- h. *Wiring and Cabling.* Wires and cables connecting the antenna to the remainder of the facility must be installed in accordance with the electrical code currently in effect in the Village. No wiring and cabling serving the facility will be allowed to interfere with any wiring or cabling installed by a cable television or video service operator, electric utility or telephone utility.
- i. *Grounding.* The personal wireless telecommunication facility must be grounded in accordance with the requirements of the electrical code currently in effect in the Village.
- j. *Guy Wires.* No guy or other support wires will be used in connection with a personal wireless telecommunication facility unless the facility is to be attached to an existing utility pole, alternative antenna support structure, tower, or Village-owned infrastructure that incorporated guy wires prior to the date that an Applicant has applied for a permit.
- k. *Pole Extensions.* Extensions to utility poles, alternative support structures, towers, and Village-owned infrastructure utilized for the purpose of connecting a personal wireless telecommunications antenna and its related personal wireless telecommunications equipment must have a degree of strength capable of supporting the antenna and any related appurtenances and cabling and capable of withstanding wind forces and ice loads in accordance with the applicable structural integrity standards as set forth in subsection (l) below. An extension must be securely bound to the

utility pole, alternative antenna structure, tower, or Village-owned infrastructure in accordance with applicable engineering standards for the design and attachment of such extensions.

1. *Structural Integrity* The personal wireless telecommunication facility, including the antenna, pole extension and all related equipment must be designed to withstand a wind force and ice loads in accordance with applicable standards established in Chapter 25 of the National Electric Safety Code for utility poles, Rule 250-B and 250-C standards governing wind, ice, and loading forces on utility poles, in the American National Standards Institute (ANSI) in TIA/EIA Section 222-G established by the Telecommunications Industry Association (TIA) and the Electronics Industry Association (EIA) for steel wireless support structures and the applicable industry standard for other existing structures, which are hereby adopted for the purpose of this Division. For any facility attached to Village-owned infrastructure or, in the discretion of the Village, for a utility pole, tower, or alternative antenna structure, the operator of the facility must provide the Village with a structural evaluation of each specific location containing a recommendation that the proposed installation passes the standards described above. The evaluation must be prepared by a professional structural engineer licensed in the State of Illinois.
7. *Signage.* Other than signs required by federal law or regulations or identification and location markings, installation of signs on a personal wireless telecommunication facility is prohibited.
8. *Screening.* Screening requirements shall be treated consistently with the landscape requirements herein with the exception that the fence height shall be a minimum of six (6) feet and a maximum of eight (8) feet. Appropriate landscaping must be located and maintained and must provide the maximum achievable screening, as determined by the Village, from view of adjoining properties and public or private streets. Landscape screening when permitted in the right-of-way must be provided with a clearance of three (3) feet in all directions from the facility. The color of housing for ground-mounted equipment must blend with the surroundings. For a covered structure, the maximum reasonably achievable screening must be provided between such facility and the view from adjoining properties and public or private streets. In lieu of the operator installing the screening, the Village, at its sole discretion, may accept a fee from the operator of the facility for the acquisition, installation, or maintenance of landscaping material by the Village.
9. *Permission to Use Utility Pole or Alternative Antenna Structure.* The operator of a personal wireless telecommunication facility must submit to the Village written copies of the approval from the owner of a utility pole, monopole, or an alternative antenna structure, to mount the personal wireless telecommunication facility on that specific pole, tower, or structure, prior to issuance of the Village permit.

10. Licenses and Permits. The operator of a personal wireless telecommunication facility must verify to the Village that it has received all concurrent licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility have been obtained and will be maintained within the corporate limits of the Village.
11. Variance Requirements. Each location of a personal wireless telecommunication facility within a right-of-way must meet all of the requirements of this Division, unless a variance has been obtained. An Applicant requesting a variance from one or more of the provisions of this Division must do so in writing to the Superintendent of Public Works as a part of the permit application. The request shall identify each provision of this Division from which a variance is requested and the reasons why a variance should be granted.
 - a. The Superintendent of Public Works shall decide, on an individual basis, whether a variance is authorized for each provision of this Division identified in the variance request. The Superintendent of Public Works may authorize a variance only if the Applicant requesting the variance has demonstrated that:
 - i. One or more conditions not under the control of the Applicant (such as terrain features or an irregular right-of-way line) create a special hardship that would make enforcement of the provision unreasonable, given the public purposes to be achieved by the provision; and
 - ii. All other designs, methods, materials, locations, or facilities that would conform with the provision from which a variance is requested are impracticable in relation to the requested approach.
 - b. As a condition for authorizing a variance, the Superintendent of Public Works may require the Applicant requesting the variance to meet reasonable standards and conditions that may or may not be expressly contained within this Division, but which carry out the purposes of this Division.
 - c. Any Applicant aggrieved by any order, requirement, decision or determination, including the denial of a variance, made by the Superintendent of Public Works under the provisions of this Division shall have the right to appeal to the Village Board, or such other board or commission as may be designated by the Village Board. The application for appeal shall be submitted in writing to the Village Clerk within thirty (30) calendar days after the date of such order, requirement, decision, or determination. The Village Board shall commence its consideration of the appeal at the Village Board's next regularly scheduled meeting occurring at least seven (7) calendar days after the filing of the appeal. The Village Board shall timely decide the appeal.

12. Abandonment and Removal. Any personal wireless telecommunication facility located within the corporate limits of the Village that is not operated for a continuous period of twelve (12) months, shall be considered abandoned and the owner of the facility must remove same within ninety (90) calendar days of receipt of written notice from the Village notifying the owner of such abandonment. Such notice shall be sent by certified or registered mail, return-receipt-requested, by the Village to such owner at the last known address of such owner. In the case of personal wireless telecommunication facilities attached to Village owned infrastructure, if such facility is not removed within ninety (90) calendar days of such notice, the Village may remove or cause the removal of such facility through the terms of the applicable license agreement or through whatever actions are provided by law for removal and cost recovery.
13. Reimbursements for Costs. The Applicant or telecommunications retailer shall be solely responsible for any and all costs incurred by the Village associated with the installation, repair, replacement, or removal of the Applicant or telecommunications provider's equipment. The costs shall include but are not limited to impact fees for street closures; costs related to traffic enforcement at the site where the installation, repair, replacement, or removal has occurred; any costs related to returning the right-of-way to its original state prior to the installation, repair, replacement, or removal of the Applicant or telecommunications provider's equipment.

B. Application and Annual fees.

1. Unless otherwise provided by the applicable franchise, license, or similar agreement, all applications for permits pursuant to this Division shall be accompanied by a fee as reasonably determined by the Village each year. The Applicant shall also reimburse the Village for any fees charged to the Village for professional services (engineering fees, legal fees, site review fees, etc.) related to the processing of the applications. The application fees are intended to reimburse the Village for its internal administrative costs related to processing the applications made under this Division.
2. No application fee is required to be paid by any electricity utility that is paying the municipal electricity infrastructure maintenance fee pursuant to the Electricity Infrastructure Maintenance Fee Law (35 ILCS 645/15, et seq.). However, such Applicants shall remain responsible for reimbursing the Village for the cost of its professional services employed in reviewing the application.
3. For the installation of a Distributed Antenna System or Small Cell Facility, a telecommunications retailer shall pay the following application fees:
 - a. Two thousand dollars (\$2,000.00) for a new facility.

- b. Two thousand dollars (\$2,000.00) for the attachment to and, if applicable, replacement of a Village-owned facility.
 - c. One thousand dollars (\$1,000.00) for the attachment to a utility-owned facility.
- 4. A telecommunications retailer that obtained a permit and installed a Distributed Antenna System or a Small Cell Facility within the Village's jurisdiction shall pay the following annual license fees:
 - a. Three thousand six hundred dollars (\$3,600.00) for a new facility.
 - b. Three thousand six hundred dollars (\$3,600.00) per attachment to and, if applicable, replacement of a Village-owned facility.
 - c. One thousand two hundred dollars (\$1,200.00) per attachment to a utility-owned facility.
- 5. The Village shall invoice the telecommunications retailer for such annual fee(s) due on or about January 1 of each year, and the telecommunications retailer shall pay such invoice within thirty (30) calendar days after its receipt thereof.

C. Penalty for Violations

- 1. Any and all persons or parties who violate the terms and provisions of this Division shall be subject to a minimum fine of \$750.00 per day. Each day shall be considered a new violation.
- 2. Any fine levied shall be appealable pursuant to the Illinois Administrative Review Act, 735 ILCS 5/3-101, et seq.

D. Conflict of Laws.

- 1. Where the conditions imposed by any provisions of this Division regarding the siting and installation of personal wireless telecommunication facilities are more restrictive than comparable conditions imposed elsewhere in any other local law, ordinance, resolution, rule or regulation, the regulations of this Division will govern; however, where this Division conflicts with federal laws or state laws pre-empting the Village's home rule powers, the federal or State laws will govern.

SECTION 3.1 OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized regarding this amendment.

ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATESECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force ten (10) days after its passage and approval.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this ____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this ____ day of _____, 2018.

Jeff Walik, President

ATTESTED AND FILED in my
office this ____ day of _____, 2018.

Audrey McAdams, Village Clerk



The Salvation Army

Founded in 1865 by William Booth

DOING THE MOST GOOD™

Metropolitan Division

Andre Cox
General

March, 2018

F. Bradford Easley
Commissioner
Territorial Commander

Charles H. Smith
Lt. Colonel
Divisional Commander

Ms. Audrey McAdams
Village Clerk
Village of Stickney
6533 W. 39th Street
Stickney, IL 60402

Dear Ms. Audrey McAdams:

The world has tough problems neighborhoods beset by violence and crime; families torn apart by addiction; children living with hunger, neglect or abuse; and people suffering from clinical depression, emotional and spiritual angst. These problems are the toughest of the tough, but The Salvation Army meets them head on, all year round.

We consider it an honor and a privilege to partner with community leaders on our community to serve the most vulnerable in our neighborhoods.

We are requesting your community's approval to conduct our annual Donut Days Campaign in the public way (sidewalks, intersections, etc.), and our intent to seek permission from private property owners regarding collections of funds in front of their establishments for our Red Kettle Campaign.

DONUT DAYS CAMPAIGN: Friday & Saturday, June 1st & 2nd 2018

RED KETTLE CAMPAIGN: Monday - Saturday, November 1st - December 24th 2018

Enclosed is a confirmation form. Please take a few minutes to fill it out, specifying any requirements or notes you'd like us to acknowledge. Please be sure to keep a copy for your records. Scan to email or fax transmittal completed form.

For any additional information, please feel free to call Steven Hill at: 773.205.3574 or email Steven.Hill@usc.salvationarmy.org. We look forward to hearing from you. Thank you.

Sincerely,

Steve Hill
Kettle Campaign Manager



**Stickney-Forest View
Public Library District**

"A Welcoming Place Offering A Sense of Community"

6800 West 43rd Street
Stickney, IL 60402
Phone: 708.749.1050
Fax: 708.748.3828

Village of Stickney
6544 West Pershing Road
Stickney, Illinois 60402
March 20th, 2018

Dear Mayor Walik and Trustees of the Village of Stickney

I am writing to describe the proposed events for our Annual Summer Read Kick off Block Party which the Library is hoping to host on Saturday, June 2nd from 11:00am to 1:00pm. Our event kicks off with *The Chicago Boyz* Acrobatic troupe who will perform athletic/acrobatic stunts. Starting at 11:00am, the Annual Friends of the Library Book Sale/Bake sale will commence, as will the face painting (Morton West High School Service Club) and the petting zoo. The grill will be fired up – with free hot dogs and potato chips for all (courtesy of our friends from Costco.) We will have our usual DJ from B.A.S.E. Productions - encouraging dancing in the street, as well as various food vendors and an Usborne Book Fair. We also plan to rent an inflatable slide for the smaller children which has no bouncing components, and will be closely supervised at all times.

Other surprises will include sign up prizes, raffle prizes, free custard for the first 200 children and a celebrity style photo booth. I have contacted the Stickney Township Health Inspector, and a permit will be issued for the food preparation on the day of the event. Licensed food handlers will be handling the grilling process.

I believe that I have secured the necessary permission from our neighbors, including St. Pius X. (See attached.)

We request that the road be closed from Oak Park Avenue and 43rd Street, up to, and including the alley on the west side of the Library – up to but *not* including the "Tot Park." We will not be using the "Tot Park" as part of this event. We would like to start setting up at approximately 8:00am.

Should you have any questions or concerns, please feel free to contact me at 708 749-1050 ext 160 or via email at shlahh@sfvpld.org. Thank you in advance for your anticipated support, and I look forward to seeing you all at this community event.

Most sincerely,

Heather Shlah, Library Director, Stickney-Forest View Public Library District