

ORDINANCE NO. 2017-13

**AN ORDINANCE AUTHORIZING AND APPROVING AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF
STICKNEY AND THE TOWN OF CICERO 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, Article VII, Section 10 of the Constitution of the State of Illinois, adopted in 1970, expressly permits units of local government to contract amongst themselves and to jointly obtain or share services and to exercise, combine or transfer their powers or functions, in any manner not otherwise prohibited by law or ordinance; and

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

WHEREAS, the Act authorizes public agencies to enter into intergovernmental agreements with other public agencies; and

WHEREAS, the Village and the Town of Cicero (the “Town”) are public agencies under the laws of the State of Illinois; and

WHEREAS, the Town is the owner and/or permitted user of the Cicero Waggin’ Tails Shelter (the “Animal Shelter”), which is currently located at the address commonly known as 1800 South Laramie Avenue, Cicero, Illinois 60804; and

WHEREAS, among other things, the Animal Shelter provides a location where animals are kept safe and comfortable; and

WHEREAS, to help lost, sick and homeless animals get the care that they need and to ensure that dangerous animals are not running at large, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to enter into an intergovernmental agreement (the "Agreement"), attached hereto and incorporated herein as Exhibit A, whereby the Town will allow the Village to use a portion of the Animal Shelter and the Town will provide certain services to the Village in connection therewith (the "Services"); and

WHEREAS, the Services will include, among other things, holding and caring for impounded animals, cooperating with the Village so that owners may retrieve their impounded animals and providing animal adoption services; and

WHEREAS, based on the foregoing, the Village and the Town have determined that it is advisable and in the best interests of the Village, the Town and their respective residents to enter into and approve 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:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. PURPOSE. The purpose of this Ordinance is to authorize the President or his designee to enter into the Agreement whereby the Village will utilize a portion of the Town's Animal Shelter and the Town will provide the Services to the Village in connection therewith and to further authorize the President or his designee to take all steps necessary to carry out the terms and intent of this Ordinance and to ratify any steps taken to effectuate those goals.

SECTION 3. AUTHORIZATION. That the Village Board hereby authorizes and directs the President or his designee to enter into and approve the Agreement, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Ordinance. The Village Board further authorizes and directs the President or his designee to execute the Agreement with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign the Agreement and any other documentation as may

be necessary to carry out and effectuate the purpose of this Ordinance. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and effectuate the purpose of this Ordinance and shall take all action necessary in conformity therewith.

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 Town as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective and in full force immediately upon passage and approval.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this 5th day of July, 2017.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres & White

NAYS: none

ABSENT: none

ABSTENTION: none

APPROVED by me this 6th day of July, 2017.

Jeff Walik, President

**ATTESTED AND FILED in my
office this 6th day of
July, 2017.**

Audrey McAdams, Village Clerk

EXHIBIT A