

DATE: August 18, 2014

REQUEST FOR PUBLIC SAFETY COMMITTEE ACTION

File Number: **2014-0484**

Orig. Department: **Village Clerk**

File Name: **Approval of the July 21, 2014 Public Safety Committee Minutes.**

BACKGROUND:

BUDGET IMPACT:

REQUESTED ACTION:

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

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File Number: **2014-0469**
Orig. Department: **Police Department**
File Name: **Disposal of Certain Seized Vehicles at Public Auction - Recommended Ordinance**

BACKGROUND:

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

The vehicle is described herein as follows:

2006 Saturn/VUE	5GZCZ53486S824614
2003 GMC/Z71	2GTEK19V831334368
2000 Acura/25RL	JH4KA9659YC003694
2000 Ford/Windstar	2FMZA5142YBA68115

BUDGET IMPACT:

Proceeds from the auction will be deposited into the State Asset Forfeiture fund of the Village of Orland Park Account #027-0000-372450

REQUESTED ACTION:

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

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File Number: **2014-0225**
Orig. Department: **Village Manager**
File Name: **Commercial Breeding Establishments (CBE) - Recommended Ordinance**

BACKGROUND:

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

Draft Ordinance

The definition of "pet shop operator" is in accordance with and is defined in the Illinois Animal Welfare Act. The definition also includes any animal dealer or animal broker. In the proposed ordinance, pet shop operators will be required all times operate their establishment(s) in full compliance with the Illinois Animal Welfare Act and the Orland Park Village Code. The main provisions of the proposed ordinance contain the following:
Disclosures Required: Every pet shop operator shall post the following written disclosures for each animal in a conspicuous location on or near the animal's holding cage or in a centrally located area in the pet shop where they may be accessible, without request, by the public; as well as on any web site maintained by the establishment. The disclosures will be required to be provided to the customer in written form and shall be signed by both the pet shop operator and customer at the time of sale. The pet shop operator will be required to retain the original form of disclosure(s), with a copy given to the customer, along with the customer's acknowledgment, for a period of not less than two (2) years from the date of sale. The written disclosures to the public for each animal go beyond what existing state, county and federal regulations require and include:

- The breed, lineage, approximate age, sex and color of the animal;
 - Description of any inoculation or medical treatment that the animal received while in the possession of the pet shop operator;
 - Whether or not the breeder is a "hobby breeder" (less than five (5) female animals);
 - If the breeder is licensed by the United States Department of Agriculture (USDA), USDA license number and any other license number held by the breeder within the past
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five (5) years;

-The breeder's business name, mailing and breeding location addresses of the breeder, as well as any other name and business address used by the breeder;

-A website link to the USDA web site so consumers can conduct their due diligence for USDA breeders;

-Average animal population for the prior calendar quarter by the breeder by population category ranges;

-The average number of female animals capable of reproduction for the prior calendar quarter by the breeder;

-Address of the location where the animal was born as well as location(s) where the animal was housed after birth, if different from the breeder's address, and

-Any transfers of ownership of the animal prior to its sale by an Orland Park Pet Shop Operator and, if the animal was returned by a customer, the date and reason for the return.

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

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

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

BUDGET IMPACT:

REQUESTED ACTION:

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

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